CONFLICTS CAUSED BY THE PRESENCE OF INFORMAL ACTIVITIES IN PUBLIC URBAN SPACE: THE CASE OF NGARA WEST, IN NAIROBI.

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DECLARATIONS
This project report is my original work and not been presented for the award of a degree in any other university.

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ACKNOWLEDGEMENT
To God, through whom all is made possible and concrete.

Prof. Tom Anyamba my supervisor, who picked my brains and asked difficult questions in an endeavour to ensure what is covered is relevant to my research objectives. Your clarity of thought, unparalleled rigour and sharpness pushed this project in a much more focused direction. I remain eternally grateful. Arch. Erastus Abonyo whose insistence search for clarity refined the project report. Sir, your guiding hand on my shoulder will remain with me forever.

I extend my gratitude to the Master Program Tutors; Prof. Jerry Magutu, Dr. Kakumu, Dr. Titus Agwanda, and Mr. Oyugi, who provided guidance and intellectual rigor over the course of this research. My gratitude also goes out to my class mates from masters in urban design and masters in urban management, whose humility, company and encouragement has made this experience profoundly enriching.

My family, on whose shoulders I lean always when the journey wears my energies. To my friend Mr Munene Michael, for your support, encouragement, and unwavering belief in me even when I falter. The research team, from the school of design who gave of their time and intellect to gather the field data.

The authors and publishers whose materials I have cited and a special thank you to those who were sampled and who graciously provided information by filling in the interview guides.

The errors, idiosyncrasies, idiocies, and inconsistencies remain my own.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Declaration/Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declarations</td>
<td>ii</td>
</tr>
<tr>
<td>Acknowledgement</td>
<td>iii</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>iv</td>
</tr>
<tr>
<td>List of Figures</td>
<td>vii</td>
</tr>
<tr>
<td>List of Tables</td>
<td>xi</td>
</tr>
<tr>
<td>Abstract</td>
<td>xiii</td>
</tr>
</tbody>
</table>

## 1 Chapter 1: INTRODUCTION

1.1 BACKGROUND ................................................................. 1
1.1 Problem Statement ................ ......................................... 5
1.2 Aims and Objectives .......................................................... 6
1.3 Research Question ............................................................ 6
1.4 Conceptual Framework ........................................................ 6
1.5 Justification of Study ....................................................... 13
1.6 Scope and Limitations .......................................................... 14
1.7 Organisation of Project Report ............................................. 16
1.8 Key Words ................................ ........................................ 16

## 2 Chapter 2: LITERATURE REVIEW

2.1 Informality: General Historical Background ................................ 17
  2.1.1 Early references to informality ........................................ 17
  2.1.2 Concept of the informal sector ...................................... 20
  2.1.3 The search for a definition of informality ........................... 21
  2.1.4 Dominant schools of thought ........................................ 30
  2.1.5 In retrospect .............................................................. 32
  2.1.6 Informal sector and urban planning .................................. 34

2.2 Historical Background of Informality in Nairobi .................................. 38
  2.2.1 Pre-colonial and colonial eras: ....................................... 40
  2.2.2 1950-1960: ................................................................. 45
  2.2.3 1971-1980: ................................................................. 49
  2.2.4 1981-1990: ................................................................. 53
  2.2.5 1991-2000 ................................................................. 56
  2.2.6 2001-2010 ................................................................. 58
  2.2.7 Recent developments ................................................... 60
2.3 LOCAL GOVERNMENT AND THE INFORMAL ECONOMY ........................................... 65
2.4 EXISTING REGULATORY FRAMEWORK ................................................................. 67
  2.4.1 Evaluating existing legislation and its effects on the informal economic activities ........ 70
2.5 THE RIGHT TO THE CITY ......................................................................................... 71
  2.5.1 Thoughts on the way forward; .............................................................................. 73
  2.5.2 Capitalism, urbanisation and marginalization ...................................................... 75
  2.5.3 A case for informal economic activities in the context of the right to the city ........... 77
2.6 Synthesis ...................................................................................................................... 79

3 Chapter 3: RESEARCH METHODS ............................................................................ 80
  3.1 OBJECTIVES OF THE STUDY .................................................................................. 81
    3.1.1 Study of activity interrelationship with different actors ....................................... 81
    3.1.2 The nature of spatial demands ........................................................................... 82
    3.1.3 Spatial expression ............................................................................................... 82
  3.2 POINT OF DEPARTURE FOR THE STUDY ............................................................... 83
  3.3 THE CASE STUDY APPROACH ............................................................................... 84
  3.4 CASE SELECTION ...................................................................................................... 86
  3.5 THE UNIT OF ANALYSIS ......................................................................................... 90
    3.5.1 The Study Sample size ...................................................................................... 90
  3.6 DATA COLLECTION METHODS .............................................................................. 92
    3.6.1 Questionnaire respondents .............................................................................. 92
    3.6.2 Questionnaire design ....................................................................................... 93
  3.7 DATA ANALYSIS ....................................................................................................... 94
    3.7.1 Analysis of observable conflicts ....................................................................... 95

4 Chapter 4: EMPIRICAL STUDIES ............................................................................. 98
  4.1 PHYSICAL INFRASTRUCTURE SURVEY ................................................................. 98
  4.2 LAND USE IN THE STUDY AREA .......................................................................... 99
  4.3 FIELD DATA ANALYSIS AND INTERPRETATION ............................................... 105
    4.3.1 Street profiles .................................................................................................... 110
    4.3.2 Sections indicating extent of informal economic activities in the study area .......... 122
    4.3.3 PATRON QUESTIONNAIRE DATA ..................................................................... 124
    4.3.4 Residents’ questionnaire data .......................................................................... 130
    4.3.5 Informal entrepreneurs questionnaire .................................................................. 133
    4.3.6 Cross data analysis ............................................................................................ 150
    4.3.7 City council of Nairobi interviews ..................................................................... 152
Chapter 5: STUDY FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 The concept of informality....................................................................................... 157
  5.1.1 Informality and enforcement................................................................................. 157
  5.1.2 The informal-formal binary ................................................................................. 159

5.2 Informality and the right to the city ........................................................................ 161
  5.2.1 Legitimacy in appropriating streets in Ngara West .............................................. 161
  5.2.2 Imminent eviction ............................................................................................... 162
  5.2.3 Sales platforms .................................................................................................... 163
  5.2.4 Unity in the struggle for the right to the city ....................................................... 163

5.3 Production and consumption of urban space in Ngara West ..................................... 166
  5.3.1 Material and spatial practices ............................................................................. 167
  5.3.2 Representational space ....................................................................................... 168
  5.3.3 Spaces of representation ..................................................................................... 168

5.4 The conflicts observed .............................................................................................. 168

5.5 Conclusion ................................................................................................................. 171

5.6 Mitigation measures/recommendations ....................................................................... 172

6 REFERENCES .................................................................................................................. 181

7 APPENDIX I ...................................................................................................................... 188

7.1 Informal entrepreneur questionnaire ......................................................................... 188

7.2 Resident’s questionnaire ............................................................................................ 194

7.3 Patron’s (customer’s) questionnaire .......................................................................... 197

7.4 City Council of Nairobi Single business Permit ......................................................... 199

7.5 Sample CCN market stall allotment document, stating conditions for the same Source: City Council of Nairobi, Market administration department .................................................. 201

7.6 Sample modern kiosk allotment document, stating conditions for the same (side A) Source: City Council of Nairobi, Market administration department .................................................. 202

7.7 Sample modern kiosk allotment document, stating conditions for the same (side B) Source: City Council of Nairobi, Market administration department .................................................. 203

7.8 Sample proposed Ngara open air market allotment document, stating conditions for the same (side A) Source: City Council of Nairobi, Market administration department .................................................. 204

7.9 Sample proposed Ngara open air market allotment document, stating conditions for the same Source: City Council of Nairobi, Market administration department .................................................. 205
7.10 Sample market pitch allotment document, stating conditions for the same, Source: City Council of Nairobi, Market administration department ................................................................. 206

8 APPENDIX II: ........................................................................................................................................... 207

8.1 Time schedule ...................................................................................................................................... 207

8.2 Estimated project budget ....................................................................................................................... 208

LIST OF FIGURES

i. Figure 2-1 Growth of Nairobi city from 1900-1963, Source (Obudho, 1997) ........43

ii. Figure 2-2: Documented Native villages in Nairobi at around 1909 Source: Adapted from housing strategies in Kenyan towns and dweller-initiated transformations - case estates from Nairobi by Makachia P.................................................44

iii. Figure 2-3 Racial Segregation in Nairobi’s 1948 Master Plan, Source: (Hagans, 2011) ......................................................................................................................................................... 45

iv. Figure 2-4: Conceptual frame work, Source: Author ......................................................................... 79

v. Figure 3-1: Ngara West in the context of Starehe constituency, Source: adapted from the preliminary report on the first review relating to the delimitation of boundaries of constituencies and wards: Republic of Kenya, The Independent Electoral and Boundaries Commission (IEBC) ..................................................................................................................... 89

vi. Figure 3-2: Study area in the context of Ngara West, Source: adapted from Google earth (accessed 26th March 2013) ......................................................................................................................................................... 89

vii. Figure 3-3 study area micro zoning for reference during field study Source: adapted from Survey of Kenya map ................................................................................................................................................. 93

viii. Figure 4-1 Main frames of Nairobi City, Source: www.flikr.com (accessed 25th March 2013) .................................................................................................................................................................98

ix. Figure 4-2 study area links to the city’s main frames, Source: adapted from www.googlemaps.com (accessed 6th November 2012) ................................................................................................................. 99

x. Figure 4-3 ladies hostel in Ngara West in the old Indian type unit, Source: author ................................................................................................................................................................. 99

xi. Figure 4-4 ongoing high-rise commercial developments in study area, Source: author ................................................................................................................................................................. 100

xii. Figure 4-5 Different residential typologies in the study area, Source: author .... 100
Figure 4-6 recreational spaces around Ngara west Source: Adapted from google earth ................................................................. 101
Figure 4-7 Land use in the study area, Source: Author ................................................................. 101
Figure 4-8 land use in the study area, Source: Author ................................................................. 102
Figure 4-9 land use in the study area: Source: Author ................................................................. 102
Figure 4-10 land use in study area, Source: Author ................................................................. 103
Figure 4-11 land use in study area, Source: Author ................................................................. 103
Figure 4-12 land use change in Nairobi from residential to commercial, Source www.virtualkenya.com (accessed 24th march 2013) ................................................................. 104
Figure 4-13 Conflicts caused by the presence of informal economic activities. Source. Author .......................................................................................................................................................................................... 109
Figure 4-14 Section A-A indicating sales platforms to the right that sit on the pedestrian path and cause conflicts with services (overhead and below ground), Source: Author .......................................................................................................................................................................................................................................................... 122
Figure 4-15 Section B-B across Ngara road shows a double loaded pedestrian path to the left and an extension of a business premise on to the pedestrian path on the right, Source: Author .......................................................................................................................................................................................................................................................... 123
Figure 4-16 Section C-C across Kienjeku Road, showing a double loaded pedestrian path on the left causing a spill over on to the vehicular passage of the street. Hand carts that are the preferred mode for transportation for the entrepreneurs also cause congestion on the already narrow streets, Source: Author .......................................................................................................................................................................................................................................................... 123
Figure 4-17 Section D-D across Tiwi Street, shows a complete take-over of the streets by the informal entrepreneurs, the lots on these streets have difficulty getting access to their lots, some of the units looked vacated, Source: Author. 124
Figure 4-18 Section E-E, cut across Muranga road, area in zone 1, and is dominated by very mobile (transient) informal entrepreneurs. Pedestrians have been displaced and their movement slowed as they manoeuvre through the sales platforms, Source: Author .......................................................................................................................................................................................................................................................... 124
Figure 4-19 Why Ngara west market is the preferred market based on the patrons interviewed, Source: Author .......................................................................................................................................................................................................................................................... 125
Figure 4-20 response on how patrons get to the market, Source: Author ........ 125
Figure 4-21 Reasons for getting to market against modes of getting there, Source: Author .......................................................................................................................................................................................................................................................... 126
xxix. Figure 4-22 good types/services at the market based on zones, Source: Author .................................................................................................................................................................................. 127

xxx. Figure 4-23 Conflicts arising from the presence of informal economic activities based on interviews to their patrons and the burden for responsibility of these conflicts, Source: Author .................................................................................................................................................................................. 128

xxxi. Figure 4-24 conflicts and suggested solutions by patrons, Source: Author .... 128

xxii. Figure 4-25 Patron perception on the roles of inhabitants, Source: Author ...... 129

xxiii. Figure 4-26 Duration of stay for residents within study area as generated from field work, Source: Author .................................................................................................................................................................................. 130

xxiv. Figure 4-27 preferred mode of transportation, resident’s questionnaire, question 4, Source: Author .................................................................................................................................................................................. 130

xxv. Figure 4-28 Perceived problems associated with the presence of informal economic activities in Ngara West, Source: Author .................................................................................................................................................................................. 131

xxvi. Figure 4-29 Response to improve the situation, Source: Author .................. 131

xxvii. Figure 4-30 Perception of effects of different issues on specific groups, Source: Author .................................................................................................................................................................................. 132

xxviii. Figure 4-31 distribution of respondents in the different zone within the study area, and ownership of the business, Source: Author .................................................................................................................................................................................. 133

xxix. Figure 4-32 aggregate occurrence of business type, Source: Author .......... 134

xl. Figure 4-33 gender analysis among the entrepreneurs, Source: Author .......... 134

xli. Figure 4-34 Education and gender among respondent entrepreneurs, Source: Author .................................................................................................................................................................................. 135

xlii. Figure 4-35 Analysis of the significance of business as a source of income, Source: Author .................................................................................................................................................................................. 135

xliii. Figure 4-36 significance of business as a source of income, Source: Author ... 136

xliv. Figure 4-37 method of introduction into business against reasons for choosing business, Source: Author .................................................................................................................................................................................. 136

xlv. Figure 4-38 Business age distribution within zones, Source: Author .......... 137

xlvi. Figure 4-39 social profile of entrepreneurs; marital status and number of dependants, Source: Author .................................................................................................................................................................................. 138

xlvii. Figure 4-40: factors that informed the decision to venture in informal economic activities, Source: Author .................................................................................................................................................................................. 138

xlviii. Figure 4-41 ownership of sales platform, Source: Author ...................................... 139

xlix. Figure 4-42 relocation of sales platform, Source: Author ...................................... 139
Figure 4-43 influences and challenges in making locational decision, Source: Author ................................................................. 140

Figure 4-44 certainty in finding space for sales platform, Source: Author .......... 140

Figure 4-45 source markets for the entrepreneurs, Source: Author .................. 141

Figure 4-46 means of transporting merchandise into market, Source: Author .. 141

Figure 4-47 operation hours of the market, Source: Author .......................... 142

Figure 4-48 influence on choice of sales platform, Source: Author ................ 142

Figure 4-49 materials used for constructing the sales platform, Source: Author 142

Figure 4-50 age, construction and maintenance of the sales platform, Source: Author .................................................................................................................. 143

Figure 4-51 stall type choice against repair and maintenance choice, Source: Author .................................................................................................................. 145

Figure 4-52 storage of stock after closing down shop for the day .................... 145

Figure 4-53 effect of sales platform on performance of business ..................... 146

Figure 4-54 influence on the decision to improve sales platform to be more permanent .................................................................................................................. 146

Figure 4-55 access to services and infrastructure ............................................. 147

Figure 4-56 opinion on who should take responsibility for waste management. 148

Figure 4-57 attitude towards role of CCN and creation of conflicts ................. 148

Figure 4-58 means of patron transport from entrepreneur perspective .......... 148

Figure 4-59 perceived challenges in running business .................................. 149

Figure 4-60 the perceived effect on other street users by the presence of their business .................................................................................................................. 149

Figure 4-61 perceived conflict issues among respondents (conflicts in focus) .. 150

Figure 4-62 Perceived conflict issues (respondents in focus) ........................... 150

Figure 4-63 Respondents role on the perception on the role of CCN (focus on conflict issues) ............................................................................................................. 151

Figure 4-64 Respondents perceived role of CCN (focus on respondents) ....... 151

Figure 5-1: Repair of a sales platform along Ngara Road. Source: author ........ 159

Figure 5-2 observed disparity in sales platform type, permanence and material use as response to selective enforcement: Dark red denotes harsher enforcement Source: developed by author ..................................................... 160

Figure 5-3: Bank agents strategically located in the study area. Source: Author .......................................................................................................................... 161
Figure 5-4: typical construction elements of a mobile sales platform, Source: Author .......................... 164

Figure 5-5 typical construction elements of a stationary sales platform, Source: Author ........................................................... 165

Figure 5-6 the dominance of the motor vehicle challenged, Source: author ....... 167

Figure 5-7 the private property edge disguised, Source: Author ............... 168

Figure 5-8 possible spatial interventions to respond to conflict issues ......... 176

Figure 5-9 Proposed street module to accommodate informal enterprises and encourage public street use ........................................ 177

Figure 5-10 Proposed street module to accommodate informal enterprises and encourage public street use ...................................... 178

Figure 5-11 Proposed street module to accommodate informal enterprises and encourage public street use .................................... 179

Figure 5-12 Proposed street module to accommodate informal enterprises and encourage public street use .................................... 180

i. Table 2-1 Summary of Policy milestones that have affected informal economic activities pre-independence to date, Source: Author’s reconstruction .............. 63

ii. Table 2-2 Leadership structure of the City Council of Nairobi, Source: Adapted from (Mitullah W., 2006) ........................................................................................................... 66

iii. Table 3-1: relevant situations for different research strategies, Source: adapted from (Yin, 2003) ............................................................................................................. 84

iv. Table 3-2: Starehe constituency in the context of Nairobi, Source: adapted from www.virtualkenya.com .......................................................................................... 87

v. Table 3-3: ten point criteria table to evaluate qualitative observable qualities, Source: Author .......................................................................................... 95

vi. Table 3-4: template for street profiling to establish the level of public use in a street, Source: Compiled by Author with reference to Appleyard (1981) ............ 97

vii. Table 4-1 Sales platforms in Ngara West based on their permanency and level of mobility. Source: compiled by author with reference to (South African Local Authority Association (SALGA), 2010) categorization ......................................................... 105

viii. Table 4-2 Muranga road street profile, Source: Author ........................................ 110

ix. Table 4-3 Ngara road street profile, Source: Author ........................................ 112
x. Table 4-4: Shilingi road street profile ................................................................. 114
xi. Table 4-5 Kienjeku road street profile, Source Author ........................................ 115
xii. Table 4-6 Kolobot road street profile, Source: Author ........................................ 117
xiii. Table 4-7 Mushembi road street profile, Source: Author .................................... 118
xiv. Table 4-8: Tiwi road street profile, Source: Author ........................................... 120
xv. Table 4-9 Summary of findings on the street profiles, Source: Author ............... 121
xvi. Table 4-10 categories of City Council of Nairobi Markets Source: City council of Nairobi ........................................................................................................ 155
xvii. Table 5-1 Requirements to register a hawking business: Source: 

http://www.nairobi.go.ke (Nairobi county website accessed on 7th Nov 2013) . 158
ABSTRACT

One half to three quarters of non-agricultural employment in developing countries is to be found in the informal sector. Specifically, these figures amount to 48% in the whole of Africa, 51% in Latin America, 65% in Asia, and 72% in Sub-Saharan Africa excluding South Africa (Mitullah, 2006). Low-income earners in developing world towns/cities rely on informal economic activities for survival because they provide ample opportunities to support their livelihoods. Recent empirical research has shown that informal income generating activities are not the reserve of the poor, all income groups have engaged in this mode of production (Tranberg & Vaa, 2004).

Whether analysts are considering specific aspects of the urban informal sector or the role of that sector in general, it is important to understand how the sector has developed and how it changes over time, and its interacts with and effect on the city context. We already know in a general way the many problems associated with urban informal economic activities, however, there are only few well documented case studies of informal sector activities. This study draws attention to some neglected aspects of informal sector research, especially one which relates to their place in the city and whether or not they can legitimately lay claim to urban goods and services: an area which should be further investigated by researchers undertaking field research on the informal sector. Informality has been the mode of city making in Nairobi for the last 40 years or so as opposed to formal development. By focusing on informal economic activities in public urban space in Nairobi, the study explored the production and consumption of urban space as driven by informal processes and how these manifests and affects use of this space.

The study has revealed that informality is not only a response to the bottlenecks encountered in the endeavour to access the available capital, but is also an urbanisation process that interacts and shapes urban space which the marginalised lay legitimate claim to participating in shaping the urban space to which they are part. The study also explored the current urban design and planning process with a view of considering the debate that the modality of planning, as currently configured, produces the unplannable, informality as a state of exception from the formal order of urbanization (Roy, 2005). The study further revealed that in Nairobi, abstract space tends to present informality as retrogressive and negative which stifles the realization of a truly inclusive city; informality harnessed, begins to forge to path in response to the call for a universal right to the city.
1.1 BACKGROUND

The informal economy exists in both developing and developed nations, though it is most often associated as an engine of economic dynamism in developing countries. The concept is generally defined as the sum of economic income generating activities, excluding those that involve contractual or legally regulated employment or enterprises, which constitute the formal sector (Castells and Portes 1989). The common examples from the informal economy include workers operating “off the books” for cash, including: street vendors, construction workers, and casual industry labourers, matatu crew, taxi drivers among others. The concept is elusive because meanings mutate while being appropriated by different paradigms, disciplines, interests, and moments in history.

Within developing countries there is often no clear distinction between formal and informal sectors (Tokman 2001): large factories and state-run enterprises have informal labour forces working beside their formal counterparts, council approval processes are influenced by social capital.

When the concept of informality was first introduced in the early 1970s, it was considered to be a temporary phenomenon, believed to disappear as economies develop. The reality is quite different. Despite economic growth, informal enterprises and informal employment continue to be integral characteristics of developing economies in terms of their share of total employment and job creation (Heintz, 2012). This raises a number of critical questions: is this a cause for worry? What are the implications for growth and for inclusiveness? How can urban planning and design deal with this?

Increasing numbers of Africa’s urban population find their livelihood in the informal economy; in some cities, more than half of the adult population is in unregistered employment. What is more, workers in the formal economy are increasingly supplementing their income by engaging in informal activities (Meagher, 1995). Informal activities and practices may be illegal or extra-legal but are not necessarily perceived as illegitimate by the actors concerned. It is likely that many urban residents consider what form the official standpoint is illegal or irregular as not only functioning but normal and legitimate practices.

The formal city is characterized by that which has been prequalified by urban government and its agents, institutions, through rules and regulations that over time
have been introduced in to control urban space; the expected outcome is among others: registered segments of the urban economy and structures, legally established infrastructure. The formal and the informal city meet at a series of interfaces, for instance when regulatory frameworks are adjusted and readjusted in response to powerful citizens’ demands for flexibility, formal authorization being obtained or provided informally or when government agents arbitrarily enforce some rules but not others. Although some activities may be extra-legal in formal terms, the actors concerned consider them as legitimate. Thus, urban space is not so much a product of an overall regulatory system as it is a dynamic field of interaction for economic, social, cultural and political processes.

Informality is a phenomenon that has significantly transformed the city, this study will focus on how this informal city expresses itself in urban space, its access to urban services and its importance, if at all, in the urban development process. The concept of informality has been debated, and its understanding continues to draw debate among scholars in different fields. Different interpretations of informality are being considered, however, in the context of this study, the point of departure for interpretation of informality is adapted from Ananya Roy: “a mode of production of space defined by the territorial logic of deregulation” (Roy, 2005).

The notion of the informal sector was brought forward in a 1972 ILO report on Kenya (ILO, 1972), following a 1971 paper (Hart, 1973). The report highlighted that the problem of employment in less-developed countries is not one of unemployment but rather of employed workers who do not earn enough money to make a living. They are ‘working poor’. This conceptual interpretation was based on their opposition to formality and their lack of access to the market and productive resources. From the onset the idea of informality recognised that some people could not access resources available to others in the city. Urban informality poses distinctive challenges and paradoxes for urban designers and planners; Ananya Roy points out three important issues: how planning modalities can produce the "unplannable"—informality as a state of exception from the formal order of urbanization; how this state of exception can in turn be strategically used by planners to mitigate some of the vulnerabilities of the urban poor; and how dealing with informality requires recognizing the "right to the city" claims and appropriations that do not fit neatly into the ownership model of property (Roy, 2005).
The concept of the Right to the City draws on the human rights agenda. The 1948 UN Declaration of Human Rights created a global platform where signatories declared that ‘all human beings are born free and equal’ regardless of race, colour, sex or religion. Changes in a globalized world were to be mitigated by implementation of (and respect for) human rights (Donelley, 2003). This powerful agenda now underpins many international treaties, and yet rights are often fragile in contexts where communal identity is emphasised.

Cities need planning that recognizes that every individual has the right to full and equal participation in the built environment and that they can shape their own environment to meet their own needs. Cities whether large or small, whole neighbourhoods, city centres, suburban or peri-urban areas offer human beings the potential to share urban spaces, participate in public and private events and exercise both duties and rights. These opportunities in turn make it possible to cultivate societal values and define modes of governance and other rules that enable human beings to produce goods, trade with others and get access to resources, culture, and various forms of riches or well-being.

Cities may be open or closed with regard to residents’ ability to access, occupy and use urban space, produce new spaces to meet their needs and even in terms of residents’ ability to access decisions and participate in various types of interaction and exchange. Some residents find the city as the place where social and political life takes place, knowledge is created and shared, and various forms of creativity and art are developed; other residents find that the city denies them these opportunities. While some groups wish to sustain, or extend their dominant status in society (to them the city is an event, or is made to be an event that supports them in that process) others, the oppressed and marginalized, find the city to be an event that influences the success of their emancipatory struggles or struggles to resist domination. Cities can therefore be places of inclusion and participation, but they can also be places of exclusion and marginalization (United Nations Human Settlements Programme(UN-HABITAT), 2010).

Cities are, more often than not, divided by invisible borders creating an urban divide as is colloquially referred to in many parts of the South. These man-made demarcations are often completely different along a spatial and social continuum; large sections of society are frequently excluded on grounds of predetermined attributes over which they have no control at all. Closer assessment of the urban space in many cities of the developing world sheds forensic light on the fragmentation of society, marking out differences in the
way space and opportunities are produced, appropriated, transformed and used (United Nations Human Settlements Programme (UN-HABITAT), 2010).

However, this narrow perspective overlooks the actual and potential contributions of marginalized groups to the building of cities and nations, and therefore can only delay progress toward sustainable and inclusive development. Cities are vehicles for social change: places where new values, beliefs and ideas can forge a different growth paradigm that promotes rights and opportunities for all members of society. One such divide, an unresolved controversy, exists in urban development over the nature and function of the informal city and the formal city in urban areas of the developing world.

The term the Right to the City can first be traced to the writings of French Marxist philosopher Henri Lefebvre, through his work in Le Droit à la Ville in 1966-67 and subsequent work. Lefebvre described city as an oeuvre, or a work of art, and argued that its ‘use value’ the benefit of city life is being overwhelmed by an ‘exchange value’ as urban assets are commodified. Thus many communities are denied access to key attributes of city life including participation in political decisions and the practice of urban culture. Lefebvre identified two core elements of the Right to the City:

- Participation allows people control over the creation of urban space;
- Appropriation allows the use and occupation of urban space.

Good urban governance requires that all people feel a strong sense of ownership about their city and be involved as citizens in its decision-making processes”. Enrique Ortiz Flores of Habitat International Coalition, said one of the greatest challenges of the coming “urban millennium,” will be to create a new urban citizenship. “To humanize the city is to build citizenship, making the rights of its inhabitants effective and making possible the exercise of their responsibilities”.

Lefebvre’s concept is of “a superior form of rights: a right to freedom, to individualization in socialization, to ‘habit’ and to ‘inhabit’. The right to the oeuvre, to participation and appropriation (clearly distinct from the right to property) are implied in the Right to the City” (Lefebvre 1968 in Kofman and Lebas 1996). Crucially, his vision is of a collective rather than an individual right. Although powerful, his writing is disconcertingly vague as to how the ideal could be operationalized.
This concept has spurred numerous debates: David Harvey, who in his book Social Justice and the City (1973) and later writings, argues that urbanization is a direct result of the investment of capital surplus, and that cities have always been a class phenomenon as the rich have benefited most from capital accumulation. There is thus an intimate link between urbanization and capitalist economics that, Harvey suggests, can only be broken through continuous political struggle. Purcell (2002) who argued that the Right to the City is a challenge to the nature of citizenship; that the idea of citizenship is based on a contract between the nation state and the individual, conferred through political rights and the payment of taxes, Harvey (2008), who argues thus “the Right to the City is far more than the individual liberty to access urban resources: it is a right to change ourselves by changing the city; the freedom to make and remake our cities and ourselves”.

It is clear that the current conception of the right to the city does not necessarily correspond fully to the original idea of philosopher Henri Lefebvre. The author intends to adapt the concept as a framework to evaluate the informal city in Nairobi. Discussing the nexus of urbanisation processes and informality in terms of the right to the city constitutes a proposal to position the debate within the role of urban designers in bridging the urban divide. By having a clear understanding of the role, structures and function of the informal city, local governments could adopt design strategies that respond better to the current situation and they would then have a higher probability for success. This understanding is critical if we are to evolve new, more inclusive forms of urban planning to counter processes of exclusion and marginalization.

1.1 PROBLEM STATEMENT
Informality today, and perhaps more importantly in the years to come, remains to be the dominant mode of urban production in many cities of developing nations. Informality for many urban dwellers has proved to be the only viable alternative for accessing land, services, job opportunities and social mobility. Yet, much of the current planning and design approaches disregard and even alienate this form of urbanization (Ejigu, 2011). Planning as is currently constituted produces the unplannable; informality has been rendered a state of exception from the formal order of urbanization by the current planning framework and has as a result not been resolved. Informal business operators thus appropriate and participate precariously in the urban space they find opportunity to with the fear of when (and not if) they will be evicted. This leads to a peculiar spatial
expression that is the subject of this study. A growth pattern needs to be evolved dovetailing the informal economic activities in the context of formal economic activities as well as other urban activities so as to glean maximum respective advantages and narrow the existing cleavage between them in terms of conditions of growth.

1.2 AIMS AND OBJECTIVES
The study intends to investigate the policy context, nature, causes, needs and characteristics of informality in public urban space in Nairobi. It aims to analyse the existing situation, and provide a critique of, with a view to proposing tools for responding to informality and its future impact. The specific goals of this study are:

- Capture the character of informality in a local context with the aim of identifying mitigating factors/variables to accommodating informal economic activities development (a critique of existing solutions to facilitate co-existence and inclusive urban development).
- To make recommendations for improving the situation in Kenya, and advocate for more realistic and appropriate policies in order to accommodate the phenomenon in the future.

The study also adds to the knowledge about informality and the tools used to address it, which will be useful to urban designers, policy makers and planners facing similar challenges. This exploration will inform the recommendations and conclusions of how to accommodate a sector that has for the larger part of its existence been ignored and even shunned. Many authors now acknowledge that the phenomenon of informality is an urbanisation process that is here to stay; to secure “the right to the city” for all it is paramount to understand the interactions between informal urban processes and the urban fabric.

1.3 RESEARCH QUESTION
How should the city respond to informal economic activities in public urban spaces?

1.4 CONCEPTUAL FRAMEWORK
An urban retail market constitutes an appropriate scale for evaluating impacts of informal activities on public urban space since it provides an opportunity to analyse the connections of among others: marginalised and well-off, city authorities and citizens, as

1 Conceptual framework developed with reference to an article on the right to the city as a conceptual framework to study the impact of North-South migration (Fernández, 2012)
processes experienced on a daily basis. For this reason, the point of departure for a conceptual framework is based on Lefebvre’s theory of production of space. The urbanization process of the city occurs not only in the material or the constructed domain, but also in symbolic and cultural ones. All of them involve individual social relations defined by power relations. As Lefebvre (1991) argues, the city is not only a physical, but a social space as well that is produced by social practices. The city is inevitably shaped by social relations, while at the same time it constitutes the stage where they are performed: Social space contains and assigns

1) The social relations of reproduction, i.e. the bio-physiological relations between the sexes and between age groups, along with the specific organization of the family; and

2) The relations of production, i.e. the division of labour and its organization in the form of hierarchical social functions.

Additionally, according to Lefebvre, the city is not only shaped by social relations but by representations of interactions. They are symbolic representations that serve to maintain these social relations in a state of coexistence and cohesion. Therefore, to understand transformations of a city due to informality, all material, social, and symbolic dimensions must be taken into account. On the other hand, the city has to be understood as a set of different activity fields, intersecting and superimposed on each other in the material physical realm, in the same way as economic, social, political, cultural or environmental realms. For instance, a new housing development (physical realm) entails certain investment decisions (economic realm) as well as land use policies (political realm) which have social, cultural and environmental implications. Each one of these activity fields constitutes a social space. As maintained by Lefebvre: We are confronted not by one social space but by many indeed, by unlimited multiplicity or uncountable set of social spaces which we refer to generically as social space.

All spaces of the city are being transformed in the context of informality. Regular spaces of consumption, work, leisure or investment, public spaces are taking a different spatial character than had earlier been envisioned by their designers, to cite some examples: Uhuru market has spilled out of the physical parameters of its built form and is now threatening to displace pedestrians along Jogoo road, Kipande road between globe cinema round about and the national museums of Kenya has the mechanics going on with their activities on the pedestrian way leave as and had earlier on pushed their activities next to the river banks. In order to understand the spatial characteristics of these spaces it is necessary to address the way they have been produced. It is for this
reason, among others, that Lefebvre’s concept of the production of space becomes useful. According to Lefebvre (1991), the social practices of individuals produce space by three dialectically related dimensions:

- **(Material) spatial practices**: refer to the association of perceived space between daily reality (daily routines) and urban reality (the routes and networks that connect places of work, private life, and leisure. They are the physical and material flows, transfers, and interactions that assure social production and reproduction.

- **Representation of space**: is the way scientists, planners, urbanists, technocrats, and social engineers, and certain types of artists conceive space. They are permitted to understand the material practices and identify that which is real and perceived with that which is conceived. These representations work in different ways from signs, codes, knowledge or meanings that can be verbal or material.

- **Spaces of Representation**: is lived directly through their associated symbols and images (codes, spatial discourses, utopian projects, but also include material constructions such as symbolic spaces, specifically built environments, pictures, museums, etc.). It is the space of inhabitants and users, but also of some artists, such as writers and philosophers that describe spatial practices, but also imagine new meanings and possibilities for them.

Social space includes, therefore, not only the concrete materiality, but also the thought that conceives it and the experience that lives it. An urban market, in the context of this study is defined as a case in point of Lefebvre’s social space. It includes the entirety of business establishments within its physical perimeter and around it (stalls, restaurants, vendors carrying their wares on handcarts, wheelbarrows and by hand and brokers etc.), and involves spatial practices corresponding to each matrix dimension, such as: Material spatial practices: Flows of money due to consumption, investment to set up enterprises, flows of labour, daily business or leisure routines, physical appearance, and ownership of the transaction space. Representation of space: Number and location of each facility type, use and restricted access, land use plans and permits, advertising, signposting. Spaces of representation: ways of presenting through media, press articles, language use as symbolic access barrier, historical and urban interpretations in books and works of art.

Social space, in addition to being produced, is a means of control, domination and power. Those who can influence the spatial distribution of investments (e.g., transport,
communication, physical and social infrastructure) or the territorial distribution of administrative, political and economic powers, often obtain material benefits from it (Harvey, 1998: 259). Accordingly, it is essential to consider the mediators and power brokers involved in the production process of space, to which Lefebvre introduced the concept of abstract space.

Abstract space is the space represented by the social elites as a homogeneous, instrumental, and ahistorical space, whose purpose is to facilitate the exercise of state power and the free flow of capital (McCann, 1999). It is opposed to the social space, because it refers to the hierarchical space of political rulers, economic interests and planners who wish to control social organization by the intersection of knowledge and power. In contrast, social space arises from the practice of everyday lived experience by all members of society, even the rulers (Gottdiener, 1993). That is why Lefebvre differentiates between producing and using space: The producers of space have always acted in accordance with a representation, while the users passively experienced whatever was imposed upon them inasmuch as it was more or less thoroughly inserted into, or justified by, their representational space. This study takes the interface between these two spaces as the beginning of understanding informality as it expresses itself in the everyday life (spatial practices). The media plays an important role in shaping a particular kind of abstract space, since it controls the social imagination (representational spaces), transmits the ideology of power and builds consensus (Lefebvre, 1991).

The conceptual framework presented above must be completed with another of Lefebvre's concepts to more accurately assess the implications of informality. This is the right to the city. It emphasizes power relations between inhabitants that determine the possibilities for different groups to shape spaces in the city. According to Lefebvre, the right to the city is earned by living in the city, regardless of the person's place of origin or their nationality. The practices of daily life are central to the right to the city; those who go about their daily routines in the city, both living in and creating urban space, are those who possess a legitimate right to the city (Purcell, 2003). This gives inhabitants two fundamental rights: the right to appropriation and the right to participation (Purcell, 2003).

The right to appropriation refers to the right of inhabitants to full and complete use of the urban space in the course of their daily lives. It assumes the right to live, work, represent, characterize, and occupy the city. For Lefebvre, the city should be thought of as a work of art, that means the city and the urban space are conceived of as a creative product and the context for the everyday life of its inhabitants. The right to participation
gives inhabitants the right to play a central role in the process of making decisions that surround the production of urban space. It implies participation at any scale of decision-making, whether the state (national, regional or local), capital, or any other entity which takes part in the production of urban space.

Lefebvre’s conception of the right to the city is essentially based on class relations. It reflects his concerns about the lack of working class power in Paris in the late 1960s, when this group was being expelled from the city centre. The right to the city was a response that sought to "restructure the power relations underlying the production of urban space, mainly by transferring control from the capital and the state towards the inhabitants (Purcell, 2002: 101-102). However, it does not challenge other relations of power (e.g. ethnicity, nationality, culture, or gender) that also affect the possibility of realizing the right to use and the right to participate in the city (Fenster, 2005; Miraftab, 2011).

The image of an all-inclusive city is aptly captured as “…a place of cooperation where people work together to create collectively a dynamic economy from a diversity of operations, skills, resources, knowledge, personal drive, leadership and political will. This civic ethos naturally works best when organized efficiently with a combination of spatial and resource planning together with a respect for the component parts and contributors to the economic processes primary and supportive, creative and enabling, producer and consumer”. There is an economic argument in support of this: that all households are contributors to the city economy whether or not formally employed. To capture the effect of their contribution, and to sustain and nurture it requires the certainty of security and options for growth. To ensure a process whereby each household is protected, remains healthy, eats sufficiently, and is not exploited and is able to progress, the lowest business person must be enabled to develop as part of the city’s own dynamic progress. For people to fully participate in this economic dynamic they need to be assured of their place in society and their physical spatial existence. They thus need a degree of security for this space, some form of tenure security.

This is of paramount importance in the context of informality where unequal power relations based on access to capital represent a fundamental characteristic of the social practices and relations that are established in cities. Power relations based on access to capital places some part of the population in a privileged position to exercise the right to the city while some residents cannot express or enjoy these rights because of their marginalised condition. More generally, the study proposes the question: who has the right to the city?
Raising this question in terms of the social space of stall establishments in urban markets can help achieve an answer. In this regard some specific questions must be resolved, e.g. what types of establishments are the most numerous and since when, who controls them, and to whom are they targeted? Which type of urban planning are they based upon? What image of the city is created by the entirety of these establishments?

The object of study is to investigate the spatial character of an informally established urban retail market and explore how it sits within the laid out planning and urban design statutes, whether it defies these predefined rules and why it takes the prevailing forms. A general proposition underlying this study is that the spatial expression of informality happens in a context that cuts across the tangible and intangible processes of human interaction in urban space. The author believes that in order to understand how people learn, negotiate and make decisions, we cannot dissociate these processes from the conditions in which they are developed. The informal urban retail market is selected because it is a public space where exchange of goods and services happens and it thus represents a high intensity and diversity of interactions in a common public space; the symbolic centre of social, political and economic realms.

The unit of analysis is the market stall (sales platform): the sample includes every establishment within and around the study area. The choice of this unit of analysis capture an expression in time and space of an attempt at appropriation and occupation of public urban space. On the other hand, buying and selling activities are exercised by all social groups in the city and involve rich and marginalised residents. These interactions represent an interface, where the formal and informal meet; this offer an opportunity to studying these relationships. The whole set of establishments could be defined as a case in point of Lefebvre’s social space, on which the study can analyse its three dimensions of the production of space. Ultimately, it is used as a lens to view the changing nature of the city in the face of urbanization.

From these considerations the study intends to use a combination of qualitative and quantitative tools, applying several research techniques to cover these three dimensions: perceived, conceived and lived.

1. **Related to spaces of representation (perceived):** In aiming at clarifying the conceptual framework, involved literature review: a desk-based study to collate and analyse current information and knowledge on informality was engaged in: in
general, in developing nations, and thereafter more specifically in Nairobi Kenya. The review included literature that has a focus on:

- Conceptualising the city in the context of the inclusive city
- Conceptualising ‘informality’ generally
- Conceptualising ‘informality’ in Nairobi
- Newspaper articles and advertisements
- A review of work that focuses directly on informality and which is primarily focused on African research but which may also draw on other studies that are important from other regions of the World
- A list and preliminary analysis of Kenyan legislation that is relevant to informal economic activities in public urban space
- A list and brief profile of generic actors and specific institutions that are relevant to urban administration in Nairobi

The review also informed a set of conceptual parameters for the qualitative survey.

2. **Related to the representation of space (conceived):** review of documents produced by among others: city council, planners, architects, including among other documents: land use plans, maps, market layouts, regulations of services and land uses. Interviews: with city council officials, business representatives and business owners. In addition contextual statistical data was gathered and analysed; analysis this data offers a full picture of the local regulatory framework as it is being enforced to be able to identify opportunities offered and bottlenecks created within the framework.

3. **Related to material spatial practices (Lived):** To capture the attributes that shape informality qualitative survey techniques were adapted. The qualitative survey sought to answer among others the following broad research questions: what built form is as a result of the processes of informality? What mechanisms can be attributed to these decisions? Is this form acceptable / desirable? This may be achieved, firstly, through ‘life history’ interviews with mainly informal vendors in case study areas and, secondly, through a small selection of semi-structured interviews with ‘market maker’s and key city council officials in the various markets.

Selection criteria of study areas: the approach to defining the sample areas was to identify interface zones (areas where different economic activities of an informal nature
are most intensive to create sample areas), by a number of factors informed the selection of the case study sites: the need to balance the ability to generate levels of generalisations and comparability across the market stalls while still accommodating the uniqueness of each, as a starting point to simplify the study, random sample stratification will be adopted based on stock type: organic or inorganic.

The study examined the type of investment, physical character of business premise, locational changes of the establishment, access to services (power, water, sanitation, waste management) the targeted customer, and ownership of the premises in a Questionnaire (with both closed and open questions).

1.5 JUSTIFICATION OF STUDY

Conflicts arise between urban authorities trying to maintain a predetermined order and urban informal practitioners who attempt to appropriate space for their activities. In many cases, authorities forcibly evict informal activities in the name of urban order and cleanliness. Yet such eviction does not address the problem, it only relocates the problem and even exacerbates the conflicts between urban authorities, inhabitants and the informal practitioners. Often many operators return to their places a few days after being evicted by the urban authorities. There are instances where the local authorities seem to notice some activities and condemn them as informal and unwanted but turn a blind eye to other activities of the same character. Meanwhile the informal practitioners have no voice in what the city could be; matters of governance and public space use are imposed on them through a top down approach to urban governance.

Should urban design and planning accommodate informal economic activities?

Prior to the 1970s, there was no attention paid to economic activities carried out outside the formal economy. However, a few studies of developing countries began to explore the role of these activities, and the concept gained attention after a report by the International Labour Organization in 1972. The theme of the UN-HABITAT Global Campaign on good urban governance is the 'Inclusive City'. The campaign advances the position that an inclusive approach must be used for balancing, reconciling and trading off competing interests and priorities; this means that even micro and small enterprises such as street and informal traders should have the right not only to the Central Business District (CBD) but also to all urban goods and services.
Nairobi’s case is captured in the official report of a multi-disciplinary ‘employment missions’ field study deployed by International Labour Organization (ILO) which recognized that the traditional sector had not just persisted but had expanded to include profitable and efficient enterprises as well as marginal activities (ILO 1972). Almost 50 years later, the phenomenon has endured and even surpassed its expectations. Between 1994 and 2000, 42% of self-employment jobs in non-agricultural employment and 58% wage employment in non-agricultural employment was found in the informal sector (Chen, 2004). This pervasive nature is captured thus in a UN-HABITAT report (UN-HABITAT, 2006):

The informal economic activities can hardly be ignored in Kenya: 61 per cent of the 14-million labour force work in non-agricultural employment, while 35 per cent of urban and 59 per cent of rural households respectively are involved in small businesses². Whether rural or urban, the informal economic activities comprises of micro and medium enterprises (MSEs) which produce and distribute basic goods and services in unregulated competitive markets that lie outside the regulatory framework of either national or municipal governments. These activities are a permanent fixture of the country’s development and is as old as Kenya’s independence, although they continue to experience all sorts of challenges.

As global consumption styles, planning models, and changing lifestyles superficially remodel cities in developing countries in the image of Western cities, key underlying factors complicate the evolution of these cities, their labour force, their workplaces, transportation, and spatial organization. An urgent need to respond to the phenomenon of informality in urban spaces beckons; it may not only reduce the conflict between urban authorities and the informal sector, but also reduce the environmental problems associated, eventually accelerate urban transformation and increase the quality of life in many developing urban areas.

1.6 SCOPE AND LIMITATIONS

Informal economic activities in Nairobi are very diverse and heterogeneous (Anyamba, "Diverse Informalities" Spatial Transformations in Nairobi, A study of Nairobi’s urban

² According to the 1999 baseline survey, 36.4 per cent of Kenya’s non-agricultural employment was found in the informal economy.
process (Phd Thesis), 2006), providing goods and services which nowadays seriously compete with formal businesses. Being a source of employment for over 30 per cent of Nairobi’s population, the informal economic activities have taken on many forms (UN-HABITAT, 2006). Women in Informal Employment: Globalizing and Organizing (WIEGO) broadly categorises informal economic activities into five major occupational groups: domestic workers, home based workers, street vendors, waste pickers, and other groups (who include among others construction workers, garment workers, small farmers etc.)

Street vendors are the focus of this study due to their general location within public urban space and of interest is the contest that is created by their presence in these spaces. The informal street vendors/traders may be generally divided into the following categories (South African Local Authority Association (SALGA), 2010):

- Those trading in Public open spaces such as: street & pavement, pedestrianized streets, Intersection trading, and Trading at transport interchanges
- Mobile trading: Caravans, pickups, bicycles, mobile containers, trolleys/pulleys, etc., Stationery or fixed containers, Kiosks, Special purpose markets, Flea-markets, craft markets, converted or renovated buildings, satellite markets, Those trading during major events, Periodic markets, seasonal, night markets

To understand and unpack informality, this study intends to interrogate this phenomenon within an informal retail market setup that has been established in an public urban context as this provides an arena where all actors in space are bound to interact: the government and municipal authorities, the sellers (who may participate in a formal or informal capacity) and the buyers (who come from all groups: income brackets, all social classes etc.). These public interactions affect their context; its activities may spill out of its perimeter (if it was formally designed), its operational hours and the masses it attracts. Given the limitations of time and resources, and the relative complexity of the

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3 The choice of this categorisation of informal economic activities is informed by its universal approach to the subject given the heterogeneity of the informal activities and their innate tendency to be invisible, there is merit in adapting a holistic approach: this approach has been adapted from the Women in Informal Employment: Globalizing and Organizing (WIEGO) website accessed on the 25th Sept. 2013.

4 In the context of this study a retail market is considered as a public place where people meet together for the purpose of trade by private purchase and sale and usually not by auction (Merriam-Webster’s dictionary and thesaurus 2012 edition).
subject a street network within area of about 300m radius (about 1.3sq km) is to be covered; the area may extend further depending on the sprawl of the activities along the street.

1.7 ORGANISATION OF PROJECT REPORT
The report is organised in five chapters. Chapter one offers a brief background, stating the problem and outlines the objectives of the study and its justification. Chapter two analyses the theoretical and policy debate that frames informal economic activities concerning the state's role in the urban development process within the global and local historical contexts. There after chapter three explains the methodology employed to investigate the informal economic activities in Ngara west, the analysis process and how conclusions were arrived at. Chapter four, the case study field work empirical data and its analysis, captured the context of the different types of informal enterprises and the way they operate, occupy and appropriate space, in Ngara west, Nairobi City. Conclusions and recommendations terminate the study in chapter five with a list of references and appendices that capture field work instruments.

1.8 KEY WORDS

Appropriation A non-violent process by which a person or group of persons stake claim to resources available in the city, particularly urban space

Informality a mode of production of space defined by the territorial logic of deregulation (circumventing processes that are bottle necks in access urban space and the resources available in the city)

Informal economy Economic activities that have do not consider the entire regulatory process in environments/markets where similar activities are regulated

Regulation/regularization process of restructuring with judicial, physical, administrative and social components; regulations are the summary guiding statement of the regularization process

Urban public space The physical space and social relations that determine the use of space within the non-private realms of cities
2.1 INFORMALITY: GENERAL HISTORICAL BACKGROUND

The set of activities that are described as ‘informal’ is vast and offers a unique instance of how social forces affect not only the organization of economic transactions but also the disposition of these activities in space. The phenomenon of informality is both deceivingly simple and extraordinarily complex, trivial in its everyday manifestations and capable of subverting the economic and political order of nations. We encounter it in our daily life in such simple activities as buying a cheap plate or a shirt from a street vendor, arranging for a handyman to do repair work at our home for cash, or hiring a nanny from upcountry to care for the children and clean the house while we are away. Such apparently trivial encounters may be dismissed as unworthy of attention until we realize that, in the aggregate, they cumulate into the millions of shillings of unreported income and that the humble vendor or cleaning woman represents the end point of complex subcontracting, labour recruitment, and labour transportation chains.

This chapter reviews the range of concepts that have been used to define informal economic activity in order to provide a working definition for use in this study. It establishes the vital importance of seeing informal economic activity as a range of different activities on a continuum, and not as a ‘sector’ or indeed as an economy separate to the formal economy. More importantly the discussion lays a foundation for the interrogation of the spatial parameters that contextualize these activities. The various forces which arguably drive informal economic activity: modernisation, globalisation, flexibilisation, marginalisation, resistance to commodification and the manifestation of mutualisation; are examined from the point of view of their relationship to production and consumption of urban space as a whole.

2.1.1 EARLY REFERENCES TO INFORMALITY

The successful rebuilding of Europe and Japan after the Second World War and the expansion of mass production in Europe and North America led to the assumption in the 1950s and 1960s that, with the right mix of economic policies and resources, poor traditional economies could be transformed into dynamic ‘modern economies’. In the process, the ‘traditional sector’ which mainly comprised of petty traders, small producers and a range of casual jobs would be absorbed into the modern capitalist (or formal) economy and thereby disappear (Chen, 2004). By the early 1970s, however, the
optimism about the prospects for economic growth in developing countries began to give way to concerns about persistent widespread unemployment. Reflecting this concern, the International Labour Organization (ILO) mounted a series of large, multi-disciplinary ‘employment missions’ to various developing countries. The first of these was to Kenya in 1972.

One of the main findings of the mission was that, in a developing country like Kenya, the main employment problem was not unemployment, but the existence of large numbers of “working poor”, many of them working very hard in the production of goods and services, but whose activities were not recognized, recorded, protected or regulated by the public authorities.

This phenomenon was labelled in the report as the “informal sector”, and explained by the inability of the other sectors of the economy: agriculture or other rural activities on the one hand, and modern industry and services on the other, to provide adequate incomes or employment opportunities to a rapidly growing labour force. Since then, the term “informal sector” has come into wide use, although its precise meaning has remained somewhat elusive and a subject of controversy as the concept has been defined in different contexts with different meanings. In spite of a considerable amount of research and data collection during the past 4 decades, the understanding of what the informal sector, why it exists and how it operates is still far from adequate.

The Kenya employment mission, through its fieldwork and in its official report, recognized that the traditional sector had not just persisted but had expanded to **include profitable and efficient enterprises as well as marginal activities** (ILO 1972). To highlight this fact, the mission chose to use the term ‘informal sector’ rather than ‘traditional sector’ for the range of small-scale and unregistered economic activities. This term had been coined the previous year by a British economist, Keith Hart, in his 1971 study of economic activities in urban Ghana (Hart 1973). Here is how Keith Hart, the recognised author of the term more than three decades ago (Hart, 1973), saw informality in a recent review (Hart, 2006):

“"The main message of the paper (Hart 1973) was that Accra’s poor were not ‘unemployed’. They worked, often casually, for erratic and generally low returns; but they were definitely working…Following Weber, I argued that the ability to stabilise economic activity within a bureaucratic form made returns more calculable and regular for the workers as well as their bosses. That stability was in turn guaranteed by the state’s laws, which only extended so far into the depths of Ghana’s economy. ‘Formal’ incomes came from regulated economic activities and ‘informal’ incomes, both legal and illegal, lay
beyond the scope of regulation. I did not identify the informal economy with a place or a
class or even whole persons. Everyone in Accra, but especially the inhabitants of the
slum where I lived, tried to combine the two sources of income. Informal opportunities
ranged from market gardening and brewing through every kind of trade to gambling,
thief and political corruption.”

Thus the multifaceted nature of informality was “present at the creation”, the term
attempting to capture a number of features of what Hart observed in Accra. But perhaps
the central tenet, also present at the start, is captured in the statement that “‘Formal’
incomes came from regulated economic activities and ‘informal’ incomes, both legal and
illegal, lay beyond the scope of regulation.” The basis of the definition was the individual
and whether he or she was wage earning (formal sector) or self-employed (informal
sector).

In his definition, Hart identifies a series of activities that were classified in terms of
‘Formal income opportunities’ and ‘Informal income opportunities’. Noteworthy is that he
does not distinguish illegal activities within the informal divide and classifies all other
income generating activities as informal. Key in Hart’s dualistic approach is the
recognition of a series of activities uncovered by official records and operating under
different conditions of those observed in formal organizations, which under his view
provided “means of livelihood for new entrants to the urban labour force who, through
lack of opportunities and training, were unable to seek employment in the formal sector”.

Hart provides an anthropological definition.

Prior to Hart’s (1973) distinction between formal and informal economic sectors the
conceptual dichotomy of ‘traditional’ and ‘modern’ was commonly used to understand
the functioning of African urban economies. ‘Traditional’ activities were perceived as
existing before and continuing after Western capital penetration. These so called
‘traditional’ urban economic activities were characterised with “instability”, “lack of
organisation”, and/or “disorganised.”

This characterisation can be traced in the literature of including among others: Boeke
(1953) in his writings on sociological dualism emphasizing differences between Western
economic and Non-Western cultures and objectives, Lewis (1954) in his famous article
‘economic development with unlimited supplies of labour’ where he emphasized the
dualism in labour markets drawing on the concept of ‘surplus labour’, outlining how this
residual would facilitate the transition of African economies from agricultural to industrial,
and rural to urban in different ways, and Geertz’s who in contrasting between the Suq or
Bazaar on the one hand and “rational enterprise” on the other wrote:
“There has been by now a long tradition of peasant market studies in anthropology. Much of it has been merely descriptive inductivism gone berserk. That part which has had analytical interests has tended to divide itself into two approaches. Either the bazaar is seen as the nearest real world institution to the purely competitive market of neoclassical economics "penny capitalism"; or it is regarded as an institution so embedded in its sociocultural context as to escape the reach of modern economic analysis altogether. These contrasting approaches have formed the poles of an extended debate between economic anthropologists designated "formalists" and those designated "substantivists," a debate that has now rather staled for all but the most persevering." (Geertz, 1978)

These theories predicted that the extent of petty commodity production and trade (informal economic activities) would wane as national and urban development proceeded.

2.1.2 Concept of the informal sector

The genesis of the so called informal sector was based on an outside – inside philosophy that was planted in the colonial period; activities that could not be defined by the parameters recognised by the colonialists were outside, “informal” and those recognised were inside, “formal”. Ranis Gustav (Ranis, 2003) contends that the economic models, the dominant one sector macro models of the day (Keynesian, Harrod-domar, Solow etc.) had little relevance to societies not primarily concerned with business cycle or steady state properties. The dominant assumptions of neoclassical micro theory; full employment, market clearing and perfect competition, had little relevance to the segmented commodity, labour, and credit markets in poor countries and hence the dualistic concept (Ranis, 2003).

This partitioning of city space in sub Saharan Africa may be traced to the beginning of colonialism; when dual systems of urban processes were institutionalised (Anyamba, 2006). The colonisation process included creating a political order that inscribed in the social world a new conception of space, new forms of personhood, and a new means of manufacturing the experience of the real. Space was manipulated by applying the principles of enframing to facilitate exploitation, domination and legitimate colonial rule (Anyamba, 2006). Berman (1990) and home (1997) capture this manipulation in Egypt's example where the existing settlement was branded informal whereas the new spatial order became the formal.
2.1.3 The search for a definition of informality

Castells (1972) and Harvey (1973) revolutionized the study of urbanization and initiated a period of exciting and fruitful scholarship; their special achievement was to link city forming processes to the larger historical movement of industrial capitalism. Henceforth, the city was no longer to be interpreted as a social ecology, subject to natural forces inherent in the dynamics of population and space; it came to be viewed instead as a product of specifically social forces set in motion by capitalist relations of production; class conflict became central to the new view of how cities evolved (Friedmann, 1986). The study of cities was then directly connected to the world economy and this new approach sharpened insights into processes of urban change; it also offered a needed spatial perspective on an economy which seems increasingly oblivious to national boundaries. The link between urbanization processes and global economic forces offers a possible point of departure as a framework inquiry into informality.

That 'low-income traditional economies' will be transformed/absorbed into dynamic modern economies and thus disappear given the right mix of economic policies and resources was a widely accepted 1950s and 1960s assumption; W. Arthur Lewis, in his 1954 essay predicted the "Lewis turning point" when economic development in developing countries would, in the long-term, generate enough modern jobs to absorb surplus labour from the traditional economy.

The optimism about the prospects for economic growth in developing countries began to give way to concerns about persistent widespread unemployment, by the mid-1960s; Hans Singer, a development economist argued thus in 1970: to him there was no sign of the “Lewis Turning Point” in developing countries. In sharp contrast with the historical experience in developed countries, unemployment and under-employment of various kinds were on the rise in developing countries, even those that were growing economically. Singer attributed this trend to an imbalance resulting from technological advances: an imbalance between limited creation of jobs due to the extensive use of capital-intensive technology and significant growth in the population and labour force due to technological progress in health and disease control. He predicted a persistent

5 Informality being observed first as a character in certain economic activities in urban space; pursuant to understanding the use of this space, according to Lefebvre, the thoughts that conceived it, economic models in this case are our first stop as we begin to unpack this phenomenon.

“dangerous” dualism in labour markets with high levels of casual and intermittent employment, as well as disguised or open unemployment. He also warned of an employment crisis due to acute land shortage in overcrowded farming communities and an acute job shortage in overcrowded urban communities (Singer 1970).

The ILO’s Approach: the persistent underemployment and poverty was read as evidence that ‘trickle down’ approaches were not working resulting in a search for alternatives to achieve redistribution with growth. The International Labour Organization (ILO) was at the forefront of this endeavour to find more appropriate conceptual categories to the Third World context. Hart’s term was taken up rapidly by development studies and by international agencies, by the ILO (1972) in particular, which began to codify the definition of informality, particularly keeping in mind the needs of national statistical authorities in measuring the extent and nature of informality. Two decades on from Hart’s original contribution, ILO (1993) provided the following definition:

“They [informal enterprises] are private unincorporated enterprises (excluding quasi‐corporations), i.e. enterprises owned by individuals or households that are not constituted as separate legal entities independently of their owners, and for which no complete accounts are available that would permit a financial separation of the production activities of the enterprise from the other activities of its owners. Private unincorporated enterprises include unincorporated enterprises owned and operated by individual household members or by several members of the same household, as well as unincorporated partnerships and co‐operatives formed by members of different households, if they lack complete sets of accounts.”

This enterprise based definition of informality relates to those enterprises that fall outside the purview of laws establishing incorporated enterprises (the inside). In contrast with Hart, ILO approach excluded from the informal sector those activities considered as illegal, and concentrated in the productive characteristics of those enterprises and markets. The Mission adopted a descriptive view highlighting the economic efficiency and profit‐making characteristics of informal activities, though small in scale and limited by simple technologies, little capital and lack of links with the formal sector. The ILO (1972) popularised the notion that unemployment was not simply a cyclical phenomenon but chronic and intractable, thereby increasing the focus on employment as a policy objective in its own right. The working poor became the focus of analytical and policy making attention.

The ILO report marked an important shift in thinking, from regarding the ‘traditional economy’ as stagnant and unproductive, to seeing it as providing a wide range of low
cost, labour intensive and market competitive goods and services. It also emphasized on the capacity of the sector to offer ‘virtually the full range of basic skills needed to provide goods and services for a large though often poor section of the population’” (cited in Lubell, 1991). By adopting the term informal sector, the ILO allowed for a way of describing the structure of the economy as a whole in the terminology of economic planners.

The ILO’s contribution to the evolving understanding of urbanization (and the ensuing characteristics of urbanism) lay in its shift of focus from the social life of settlements to the forms of production within them. The informal sector increasingly became seen as the solution to the low employment levels in developing countries. Informality, then, appeared to offer the possibility of helping the poorest without threatening the stability and status of the rich: “From being the Cinderella of underdevelopment the ‘informal sector’ could thus become a major source of future growth” (Cited in Moser, 1994). Governments were therefore encouraged to intervene in the dynamic elements of the informal sector.

This led to a variety of policy recommendations designed to generate growth by reducing the level of discrimination against informal activities by the formal sector; the reformulation of the slum clearance concept, fiscal measures and the promotion of programmes to release the potentialities of the sector through the direct intervention of the state.

The Sethuraman’s Interpretation of ILO’s Definition: Sethuraman’s definition of informal sector was considered an interpretation of ILO’s characterization. He pays attention to certain operational aspects regarding enterprises rather than activities, his definition of the informal sector is; “small-scale units engaged in the production and distribution of goods and services with the primary objective of generating employment and incomes to their participants notwithstanding the constraints on capital, both physical and human, and know-how”. Based on it, he established a series of economic sectors in which informal enterprises were likely to be found, and particular conditions that should be observed in this type of economic units.

An important distinction between the informal sector units and small enterprises is made according to their orientation and the levels of productivity: “whereas the former is motivated primarily by employment creation, the latter is concerned primarily with profit maximization”.

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The Approach of Programa Regional del Empleo para América Latina y el Caribe, PREALC: The most distinctive aspect of PREALC’s approach is the emphasis in the labour market. In this view the existence of the informal sector is as a result of the “combination of high level of rural to urban migration and a slow expansion of productive employment, causing an excess supply of labour for the formal sector” (Thomas, 1995). PREALC’s definition of informality was fundamental to the theoretical debate on the subject because it was one of the first views rejecting the predominant dualistic approach. As Tokman argues:

...there are links between the two (formal and informal sector), and even degrees of homogeneity. They share the same urban market, and the degree of structural heterogeneity within the sectors, especially the formal sector, is in any case such that it precludes the use of a single analytical category for each. The concept of stratified formal labour market makes it possible, in fact, to view the informal sector as merely the bottom layer in the hierarchy of activities corresponding to the structural heterogeneity of the urban economy (Cited in Thomas)

However, this approach continued supporting the ‘modernization theory’ as suggests its counter-cyclical conception of informality, which consider the phenomenon as a refuge of those who could not find access to modern employment, contracting in cases of rapid economic growth and expanding to absorb the displaced from the modern sector during economic downturns.

The “Petty Commodity Products” Perspective (dependency theorists and Marxists): Following the critique initiated by the PREALC, the ‘petty commodity products’ approach identified the informal sector with forms of production at the margins of the capitalist system but nevertheless integrated into and subordinated to it. Urban economic activities are conceptualized using the concept, `mode of production' where it was preferred to view the informal sector as "petty commodity production. The 'term petty commodity production' is used to refer to those activities which clearly fall "outside the major axis of capitalist production and/or market relations" (Gerry and Birkbeck, 1981).

In the late 1970’s, critics (especially Bromley 1978; Gerry 1978; Moser 1978) argued that the ILO view was an overly optimistic view of the informal economy; that the informal economy was constrained by structural factors, particularly the exploitative relationship

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7 Programa Regional del Empleo para America Latina y El Caribe, PREALC is the ILO’s regional office for Latin America and the Caribbean.
with the formal economy. Bromley (1978), commenting on the speed at which the term 'informal sector was adopted by the ILO and other international development institutes argued that the notion offered the possibility of “helping the poor without any major threat to the rich” a potential compromise between pressures for the redistribution of income and wealth and the desire for stability on the part of the economic and political elite. This Marxist view, focused on aspects demonstrating the exploitative and unequal interdependence between the formal and the informal economy, specially focusing its attention in exploring the capacity of some informal activities to provide several basic inputs that the capitalist firms are unable to produce profitably, including among others: cheap food and consumer goods for employees, the maintenance of a reserve army of labour, the opportunity for additional earnings, and the possibility of establishing themselves as independent men to employees (Thomas, 1995). The petty commodity production model is not dualistic; the subject enterprises do not form distinct groups or operate at two extremes, there is more uniform distribution of enterprises, workers and owners of means of production operating in different modes of production, greater attention is paid to the linkages of the various modes of production. Gerry and Bromley developed the category of ‘casual work’ to overcome the limitations and inadequacies provided by the wage-employment vs. self-employment dichotomy distinctive of dualistic approaches. This continuum stretched from stable wage work to true self-employment, with intermediate categories and transitional processes along this continuum (Moser, 1994). Gerry undertook several studies to demonstrate the exploitative links between the formal and the informal sector, showing that although the typical self-employed petty producer might appear to have control over the means of production in formal terms, in real terms his labour is highly subordinated to capital, able only to reproduce its conditions of existence, often at the expense of its own standard of living and labour remuneration. This subordination takes place through mechanisms of unequal exchange, as discriminating subcontracting, monopolistic protection, and the fact that the capital sector has control over the main institutional means of accumulation as credit facilities, contracts and licenses (Moser, 1994). Moser (1978) expanded Bromley’s critique in the same edition of the Journal World Development by challenging the notion of a two-sector dualism used by ILO and others, and pointing instead to the existence of a continuum of productive activities in the cities of developing countries entailing complex linkages and dependent relations between production and distribution systems. She argued that the petty commodity sector should be understood as part of the capitalist mode of production with its development.
controlled by, and linked to, the capitalist mode. Moser (1978) thus asserts that the “political dimension” of development planning can no longer be ignored. In this view the informal sector is seen as a structural problem, rooted in macroeconomic failure, and with no potential to grow or make a significant contribution to the development process; the dependence of the informal sector on the capitalist system is so strong as to rule out all possibilities of growth.

**The Institutionalist View:** De Soto and his team of researchers of the Institute of Liberty and Democracy do not associate informality with a precise sector, but relates the concept to “economic activities that contravene official regulations but that do not involve murder, theft violence, or other obvious criminal acts”. The phenomenon here appears not as derived from the evolution of the labour market, but rather is result of unnecessary regulations and excessive bureaucracy, which have led small and unprivileged potential entrepreneurs to work out of the formal regulatory framework. De Soto argues that the problematic legal and institutional framework characteristic of formal institutions has been established to meet the needs and boost the privileges of certain dominant groups in the cities and to isolate the peasants geographically in rural areas and the poor in squatter areas in the outskirts of cities:

- Peasants were not supposed to come to the cities looking for the twentieth century. But tens of millions came anyway, despite a backlash of mounting hostility. They faced an impenetrable wall of rules that barred them from legally established social and economic activities. It was tremendously difficult for these new city people to acquire legal housing, enter formal business or find a job (De Soto, 2001).

Informality under this view, then, is a rebellion from below against the regulatory constraints derived from a negative and erroneous role of the State. This view proposed that institutional constraints make informality a rational economic strategy. Those operating in this condition, more than representing a survival or an exploited type of labour, are considered small entrepreneurs who have managed to prosper despite state persecution of their activities and remain waiting adequate regulations and institutional transformations to release their potential contribution to economic growth. Supporting this argument De Soto argues that informality cannot be associated with insufficient resources as others suggest, but adequate property right to transform them in capital:

- The poor inhabitants of these nations –the overwhelming majority- do have things, but they lack the process to represent their property and create capital. They have houses but not titles; crops but not deeds; business but not statutes of incorporation. It is the unavailability of these essential representations that explains
why people who have adopted every other Western invention, from the paper clip to the nuclear reactor, have not been able to produce sufficient capital to make their domestic capitalism work (De Soto, 2001).

The focus of this argument on the constraints and limitations generated by the regulatory framework has been highly welcomed by those advocating liberalization and free-market policies in order to reduce state intervention and the resulting market distortions from the formal sector. It explains why officials and those concerned with increasing fiscal deficits have enthusiastically incorporated this analysis as part of their assessment justifying the implementation of ‘structural adjustment’ policies.

De Soto’s interpretations, although criticized for oversimplifying the causes and consequences of the phenomenon, constitute an important contribution if considered; its incorporation of institutions, power and a clear socio-political dimension to the debate, which provides another perspective of the preoccupations of some of the approaches above discussed when regarding the marginality of those belonging to the informal sector. This approach, however, tends to homogenize the conditions of those labelled as informal, when arguing that the central problem of this population corresponds to the constraints the formal system generates and that simply the removal of official barriers will bring prosperity.

A Structuralist Approach: During 1980s some researchers developed an approach based on the observation of systematic linkages between formal and informal sector. Castells and Portes in supporting this argument state that “informal economic processes cut across the whole social structure and thus are not an individual condition but a process of income-generation characterized by one central feature: it is unregulated by the institutions of society, in a legal and social environment in which similar activities are regulated”(Castells & Portes, 1989).

Opposite to the ILO, PREALC and ‘petty commodity products’ perspectives, the informal economy, under this structuralist approach, does not constitute a set of marginal activities excluded from the benefits of the formal sector. Instead it represents an integral part of modern economy, which is present even in developed countries and cannot be associated with poverty nor activities performed by destitute people on the margins of society; its evolution has to be understood as an “integral element of a strategy of capital accumulation by modern firms.

Informality, here, is seen as a pro-cyclical mechanism of firms to withstand the crisis and international competition through decentralization of production and avoidance of taxation. The recent evolution of labour markets all over the world, where the increasing
international competence has led to more flexible regulations and worse working conditions tolerated and even promoted by governments, which is interpreted by structuralists as an acceleration of informality, is not only a phenomenon occurring in developing countries but also in highly institutionalised and developed economies. The overall effects of the increasing informality have been higher productivity of capital, via a “dramatic reduction of overhead costs vis-à-vis the bureaucratic structure of large-scale organizations, and the resultant concentration of most capital in directly productive investment” (Castells & Portes, 1989). Under this perspective, thus, the informal economy is an evolving phenomenon of contemporary societies which “simultaneously encompasses flexibility and exploitation, productivity and abuse, aggressive entrepreneurs and defenceless workers, libertarianism and greediness” (Castells & Portes, 1989).

The structuralist view although important in recognizing the effects of the globalisation process and the strategies adopted by firms which have led to more flexible labour markets, ends up homogenizing all informal units, as result of the emphasis on regulatory aspects. In other words a fundamental issue to take into account is the focus on the unregulated character of informal activities seems to simplify the difficulties derived from the extreme heterogeneity of the sector.

‘Marginal Informality’, an Alternative View: An alternative and complementary view regarding informality is that from the perspective offered by the “social justice” theory; this view focuses on certain aspects related to a systemic socioeconomic condition faced by some group of informal workers associated with marginality. Particularly important here is the concept of ‘oppression’ that refers to “systematic institutional processes which prevent some people from learning and using satisfying and expansive skills in socially recognized settings, or institutionalised social processes which inhibit people’s ability to play and communicate with others or to express their feelings and perspectives of social life in contexts where others can listen” (Young, 1990).

Oppression as explained by Young integrates different categories and distinctions: exploitation, marginalisation, powerlessness and violence. ‘Petty commodity production’, Marxist ideas and the structuralist groups have deeply used the exploitation category to explain informal characteristics.⁸ “Marginals according to the concept of ‘marginalization’ are people the system of labour cannot or will not use; a whole category of people is expelled from useful participation in social life and thus potentially subjected to severe

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⁸ See (Young, 1990)
material deprivation and even extermination” (Young, 1990). De Soto’s institutionalist perspective as well as dualistic models use this categorisation. Marginalization, as understood by the dependent urbanisation’ view, was not only considered a result of the lack of opportunities generated by the economic structure to provide a defined and secure place in the labour market to growing numbers of urban inhabitants; it was also a consequence of the progressive decadence of some particular economic activities that could not overcome the savage competence of others more technologically advanced and profitable activities’ (Quijano, 1977). A contemporary view of marginalisation must associate the phenomenon also with a strategy of poor households to overcome income shortages as a result of the economic crises, which is aggravated by the need of enterprises to operate in more flexible labour conditions, a situation of socio-political exclusion, and a reduced governmental intervention that the predominant structural adjustment policies have imposed.

Marginalization, then, seems to gain relevance in explaining informality, which because of its socio-political characteristics, appears to be mutually reinforced by increasing powerlessness and violence. The former corresponds to that lack of authority or power of most informal actors, if not all of them, to influence decision-making processes and incorporate their needs and demands in those policies and programmes regarding the informal sector. Powerlessness in this case appears to be highly associated to the growing lack of social ‘respectability’ that characterizes most informal activities. Violence, instead, refers to institutional and individual actions such as demolitions of informal settlements and working places, street clearances, petty harassment and other different types of physical and psychological aggressions that informals face. Some of these types of violence are institutionalised, socially tolerated and even encouraged, and therefore, intensify the marginal conditions of their victims.

Marginality, as understood here, represents a condition that implies the existence of an oppressor agent which, in order to preserve certain privileges, has promoted the continuity of an exploitative economic model and an exclusive political regime that support each other. Then the emerging marginal condition within the informal sector seem to be result of a socio-economic and political system that relegates certain groups of population to prolong their existence based on survival strategies that, although

9 See Janice Perlman and Manuel Castells for their arguments on marginality as a myth employed as an instrument for the social control of the poor
eventually showing links to the formal sector, condemn them to live under unacceptable conditions where the opportunities to progress are almost non-existent.

2.1.4 Dominant schools of thought
Since its discovery in the early 1970s, the informal economy and its role in economic development have been hotly debated. Underlying these varying perspectives are four schools of thought regarding the informal economy in developing countries.

- **The dualist school** sees the informal sector of the economy as comprised of marginal activities that are distinct from and not related to the formal sector and that provide income for the poor and a safety net in times of crisis (Hart 1973; ILO 1972; Sethuraman 1976; Tokman 1978). The dualists argue that informal operators are excluded from modern economic opportunities due to: imbalances between the growth rates of the population and of modern industrial employment, and a mismatch between people’s skills and the structure of modern economic opportunities. In hindsight, it is curious to note how, even though the “informal sector” embodies a broad set of activities and people without clearly identifiable characteristics, scholars continued to represent it by means of a dualistic framework.

- **The structuralist school** sees the informal economy as subordinated economic units (micro-enterprises) and workers that serve to reduce input and labour costs and, thereby, increase the competitiveness of large capitalist firms (Moser 1978; Castells and Portes 1989). The structuralists argue that informality is due to the nature of capitalism/capitalist growth: specifically, the attempts by formal firms to reduce labour costs and increase competitiveness; the reaction of formal firms to the power of organized labour, state regulation of the economy (notably, taxes and social legislation ) and global competition; and the process of industrialization (notably, off-shore industries, sub-contracting chains, and flexible specialization).

- **The legalist school** sees the informal sector as comprised of plucky micro entrepreneurs who choose to operate informally in order to avoid the unnecessary and burdensome costs, time and effort of formal registration and who need legal rights to convert their assets into formal property (De Soto 1989, 2000). The legalists argue that a hostile legal system leads to informal activities and informal, extra-legal norms.

- **The voluntarist school** sees the informal sector as comprised of micro-entrepreneurs who choose to operate informally in order to avoid taxation, commercial regulations, electricity and rental fees, and other costs of operating
formally (e.g. Maloney 2004). The voluntarists argue that informal operators choose to operate informally after weighing the costs-benefits of informality relative to formality.

To bring into perspective the future of urban development within the nexus of informal economic activities and the need for progress, all these schools’ arguments may be summarised to two groups:

1. The first, which is developmentalist or "evolutionist" in perspective, holds that the informal sector is composed of small-scale, efficient entrepreneurs who compete in unregulated markets to sell their goods and services. As such, it holds significant potential for generating incomes and employment for the urban poor. At the heart of the evolutionist position is the belief that the informal sector possesses the ability to evolve or grow, as formal establishments have, thereby employing increasing numbers of workers.

2. The second, the marginalist or "involutionist" approach, maintains that the informal sector is a subordinate form of production within the capitalist mode of production. It is exploited by the formal sector and unable to accumulate capital to any significant extent. The resulting system is one in which an increasing number of operators share stagnant markets among themselves.

These two schools of thought are built on different definitions of the informal sector as well as differing interpretations of its origin and destiny. Although proponents of both perspectives have acknowledged the existence of significant internal differentiation within the informal sector, the two positions have come no closer to one another. The study adopts the evolutionist perspective and thus proposes that informal economic activities will grow given the right circumstances to nurture these entrepreneurial skills, it is thus contended that the duty of urban designers and planners is to ensure that these activities are not only accommodated but sit in harmony with the rest of the city.

Traditionally planners and other developmentalists saw the remedy to urban problems as possible through increased technical capability and strengthening of city management by national governments, this view has however been challenged by others who see poverty and it’s manifestations in urban space as something of a historical process of incorporation into the capitalist system (Harvey 1973, Castels 1977). Castels contends that the problems in urban space have arisen because the interests of one or other social class fraction have been served by the emergence of
such problems. Castels also argued that urban structure must be viewed as a result of the processes that have caused it, rather than as mere existence of events. The solution to these problems must be preceded by a major social structural revolution in society.

It thus follows from these arguments that to meaningfully resolve these urban issues change should move from the political level and right through social structure; the issue of equality in space allocation for all activities and their economic needs must be dealt with in the first place before considering technical aspects of organising urban structure. Pragmatically however local city flows do not occur in isolation, they are linked to global flows that are of a capitalistic nature; a country must meet their needs by surplus production. This basically defeats domestic social equity dependency on imported capital goods which must be paid for to generate exports at a deficient local surplus. Local firms thus adopt capitalistic approaches to meet international credit-worthiness, thus ceding to universal models in development strategies.

2.1.5 In retrospect
Informality is a controversial subject because there are different viewpoints from which one can observe it. While there have been, and will no doubt continue to be, controversies on precisely what types of activities and what categories of workers the informal sector covers, there does at least seem to be some common understanding about the main characteristics of the informal sector: the informal sector is an umbrella concept used to describe a variety of activities producing goods and services through which individuals derive employment and incomes and undertaken with the primary objective of self-generation of employment and incomes, rather than maximization of profit or of return on investments as is typical of the formal sector. They are informal in the sense that they are for the most part unregistered and unrecorded in official statistics, and that they are operating on a very small scale and with a low level of organization.

Beyond these generalizations, the informal sector manifests itself in different ways in different countries, different regions within the same country, and even different parts of the same city. It encompasses different kinds of activities, different types of enterprises, and different motives for participation. It is important to recognize the considerable heterogeneity of the informal sector. In spite of their heterogeneity, all informal sector activities have in common that they are vulnerable. This vulnerability is due to the fact they have to rely as best they can on self-supporting and informal institutional
arrangements for credit, training, social security, etc., which operate separately and independently of the institutions of the modern economy.

While there continues to be some controversy as to whether the informal sector concept is useful or appropriate either for analysis, taxes consideration or for policy-making, the phenomenon that it describes can in any way be called a sector. The term “informal sector” is now widely used and accepted and is found not only in academic literature but also in many official documents and policy statements. From a statistical point of view, the informal sector has proved to be a useful concept for the collection of data on various types of activities which otherwise would not be sufficiently reflected in official statistics.

In attempting to put forward a coherent approach to informality, the study draws on what in the author’s opinion is indeed a common strand in the literature, namely that the distinguishing factor for informality has to do with the relationship of economic activity to intervention or regulation by the state. Urban design and planning confers or limits users in their appropriation and production of space using regulatory instruments; development plans, urban design plans etc. It is thus paramount that every characterisation of informality in the context of this study needs to specify precisely the regulation concerned; it is the authors contention thus that formality and informality are dichotomies relative only to specific interventions or regulations.

However, even this specification leaves a fair amount of complexity. Introducing an intervention or regulation in a world formerly without intervention creates several possibilities for those affected and their activities post-intervention, relative to the pre-intervention situation. To contextualize our frame work we take an informal economic enterprise situation and consider our intervention/ regulation as being a minimum standard stall quality regulation for enterprises above a certain income size in a particular locality; affected actors have to decide simultaneously whether to comply and how to adjust to this intervention:

A. Stay within the ambit of the regulation and comply.
B. Stay within the ambit of the regulation but not comply.
C. Adjust activity to move out of the ambit of the regulation.
D. Outside the ambit of the regulation in the first place, so no need to adjust.

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10 Adapted from Ravi Kanbur’s conceptualizing informality: regulation and enforcement (Kanbur, Conceptualising Informality: Regulation and enforcement, 2009)
If we had to use the labels “formal” and “informal”, category A would perhaps merit the label “formal”. If the rest of the categories are “informal”, then B is clearly “informal illegal.” What about categories C and D? For both of these categories, the regulation does not apply—for example, because the regulation stipulates minimum enterprise size, and these enterprises are below that minimum size. But there is clearly a difference between them—category C has adjusted size to come below the minimum size, while category D was below the minimum size in any case so the regulation has not affected it at all. Should either, neither, or both, of these be labelled “informal”?

To pose the question is to reveal the problem that a single label in this case will obscure more than it reveals. A, B, C and D are distinct categories with specific economic features in relation to the regulation under consideration. It is best to keep them separate unless a compelling case can be made that aggregation is analytically revealing and provides for better analysis. As the set of regulations expands, then perhaps the size of category D shrinks as fewer and fewer activities stay outside the intended ambit of the regulations as a group. Indeed, the size of category D is sometimes taken as a measure of the extent of “the problem” if the regulation is taken to be “good”, since this is the group of agents who are not covered by regulation. But again, generality and genericness is problematic. The argument here is that it is better to consider the issue regulation by regulation, and conduct a detailed analysis of the impacts of each, since these may be very different within the categories A, B, C and D, and even more so in relation to movements of activity between these categories.

The illustration only demonstrates the myriad definitions of informality and also the heterogeneity of informality even given a single regulation in consideration. Following this argument it is critical in the study to be deliberate on the regulations in consideration as well as the threshold that defines the nature informality in question.

### 2.1.6 Informal sector and urban planning

The term informality has attracted significant attention within recent planning literature. It is, however, used in different senses and contexts. As a starting point, we can distinguish several themes of usage of informality in planning literature:

Friedmann (2005) talks about “planning cultures” in various countries being characterized by a degree of informality, but at the same time describes informality as a category of activity that results from the interweaving of the formal and informal and of the informal legal and the illegal and criminal. Informality is also used to describe a range of behaviours and practices unfolding within cities; it is used in reference to a category of income generating, servicing or settlement practices that are relatively
unregulated or uncontrolled by state or formal institutions in contexts where other such activities are regulated. Tranberg Hansen and Vaa (2004) for instance consider extra-legal housing and unregistered economic activities as constituting the informal city; Meagher (2007) extends this definition to encompass social institutions and cultural practices.

Informality has also been used in the sense of the various modalities of urban associational life; authors such as AbdoulMaliq Simone (2001); De Soto(2001) have recognised the capacity for social capital generated through informal social networks to alleviate the vulnerability of poor people. Alternatively, certain modes of political engagements such as communities confronting and making demands on the state through mechanisms that blur the lines between extra-legal and formal, have been described as informal. AbdouMaliq Simone’s interest in informality is its relation to urban associational life; he argues that as the productive capacities of African cities wane under conditions of globalization, trade liberalization and structural adjustment, space is created for the informalization of many domains of urban life. AbdouMaliq Simone also talks about African cities undergoing an informalization of the relationships between and among states and citizens, which is linked to rapid urban growth and its attendant consequences: massive growth of the informal sector and informal settlements. Despite efforts towards municipal strengthening and institutional development, city governance processes are becoming increasingly informalized, as formal institutions are reconfigured as contexts in which informal (business or other) ends are pursued. His conception of the informalization of associational life is linked to the production of “ephemeral” (i.e. transient) urban social formations.

Ananya Roy (2009) interprets informality as “a mode of production of space defined by the territorial logic of deregulation”; informal spaces are produced as states of exception where the ownership, use, and purpose of land cannot be fixed and mapped according to any prescribed set of regulations or the law. Planning as presently conceived cannot solve the contemporary urban crisis as it is implicated in the creation of that crisis via the designation of certain activities as authorized and others as unauthorized; planning as a formal sate activity is itself a process of exception and ambiguity.

Focused on the regulation of land uses, urban planning is a key technology of the state’s territorial aspirations. In contrast, as will be discussed, informal economic actors are usually defined by the regulations they avoid, including planning and health requirements (Perera and Amin, 1993). In consequence, informality is often the ‘dark matter’ of the urban universe; manifestly important but just beyond telescopic reach;
crucial to contemporary forms of urban capitalism, as Sassen-Koo (1986), Castells and Portes (1989), and de Soto (1989) have posited, but also part of “another city, one no longer fuelled by capital” (Lake, 2003).

The debates on informality, its processes and its effect on urban space within the context of planning literature is wide and varied, however, popular thematic areas include among others: a critical discussion surrounding the general veracity and analytical potential of the formal/informal conceptual dichotomy, broad generalized definitions of informality, as well as commonplace assumptions regarding the generation and operation of informality (i.e. why and how it exists).

Definitions of informality most often point to those activities that do not closely follow the law (for example, not paying taxes) or institutionalized planning regulations. However, in some countries such as Zimbabwe, businesses in home industries and the informal sector are supposed to pay taxes, although this may not happen for various reasons (Kamete, in Tranberg Hansen and Vaa, 2004). Werna (2001) criticizes the problematic tendency to equate the informal economic sector with small-scale production and informal settlements, and to treat it as homogeneous. Many small-scale enterprises follow governmental regulations precisely, and medium-scale to large-scale businesses may exemplify a degree of informality (e.g. the construction sector).

The equation of the informal sector with informal settlements is undermined by the fact that informal activities may be conducted in “formal” urban areas (by both commuters and local residents), and that informal settlements house large numbers of formal workers. Empirical investigation shows that informal economic activities are highly varied and contingent. The idea that informality consists purely of survivalist activities has also suffered criticism, with authors distinguishing between “informalization for accumulation and for survival.” Engagement with the informal sector may not necessarily be a survivalist strategy of last resort, but may emanate from a conscious livelihood strategy, as informal business may offer the possibility for greater income returns than formal wage labour, as well as greater freedom and flexibility.

Another interesting idea (associated with Roy, Yiftachel, etc.) is that planning itself is not a “formal,” strictly rule-bound process, but is characterized by exceptions, contradictions, ambiguity and arbitrary decision-making. Illegal developments in suburban areas, for example, may be deemed acceptable or exceptionable, due to a personal relationship between the developer and a local government official (for example) in this view the way that planning “actually happens” is largely “informal,” which is obviously at odds with the idealistic interpretation of planning as a rational, prescribed, deliberative process serving
the public good. The neat formal/informal binary is further undermined by observations that formal legal systems are open to creative interpretation and exploitation by individuals and interest groups. James Holston’s studies of “insurgent citizenship” in Brazilian cities, for example, note that people eking out fragile livelihoods in peripheral settlements (that would invariably be described as informal) are often quick to resort to their official legal rights to legitimize their land claims ahead of those of newer migrants. Sanyal (2008) also notes that informal-sector labourers are increasingly interested in unionization in order to promote their political agency. Therefore, it is clear that people do not practise their urban existence in clearly distinct formal/legal or informal/illegal realms. People can weave between these different modes and strategies of urban life as it suits them. Urban activities are perhaps better understood as unfolding within a continuum of formal/informal relations (e.g. Donovan, 2008). Furthermore, particular forms and modes of urban informality are produced through a complex place-bound interaction of historical, social, political and economic forces – informality is by no means a universal constant, oblivious to context. Planning thus needs to be attuned to these complex realities and should respond appropriately; allowing or regulating informality where and how it is needed and desirable. Then we have a much more critical interpretation of the entire notion of planning and its relationship to the informal. This is the idea that planning inherently drives the production of the informal, states of exception and urban segregation in general. Planning as we now know it cannot “solve the problem” of informality because the production of “informal spaces” (involving the reproduction of the formal/informal binary) allows states and elites a degree of “territorial flexibility” to pursue their own interests.

Given these conceptual difficulties, some authors have recommended that urban governance and planning discourse needs to move beyond the formal/informal binary opposition if it hopes to produce a more equitable form of urban development (Simone, 2001; Fawaz, 2009). There are also implications for urban political and cultural analysis, for “decision making involves not just the formal processes, but the myriad of informal processes by which resources are allocated, access is achieved and development takes place” (Devas, 2001). Interestingly, James Holston’s article in the 8th volume of the planning theory periodical titled “dangerous spaces of citizenship” based in contemporary Brazil does not include the words “informal” or “informality” at all; perhaps a sign of the willingness of some urbanists to move away from the formal/informal dichotomy.
Urban design and urban planning must be used to promote equity as these processes provide opportunities for urban dwellers to thrive; as such the study seeks to establish how this can be achieved, a balance that is a win-win situation for both the informal sector practitioners and other users within the public and private spheres that these activities sit.

2.2 HISTORICAL BACKGROUND OF INFORMALITY IN NAIROBI

The development of informal economic activities in Kenya is closely intertwined with Nairobi’s history. Nairobi was founded in 1899 as a settlement stop on the Kenya-Uganda railway; a number of Indian migrant “Dukawallahs” (derived from the Hindi words duka for small shop and wallah for trader) who first came to Kenya to build the railway started selling refreshments to the Europeans and in the process their African employees imitated. Since then informal trade has continued unabated, rural to urban migration, the structural adjustment programs and market liberalisation policies of the 1980s and 1990s played a significant role in the growth of the informal economy in Nairobi.

Kenya’s urban poor mainly survive by engaging in informal economic activities in major towns including the capital, Nairobi; the major driver for large numbers of people migrating to urban areas in search of a livelihood has been poverty and a lack of gainful employment in the rural areas (David, Ulrich, Zelezech, & Majoe, 2012). Low skills levels, a lack of adequate level of education are among numerous hurdles faced by people searching jobs in the shrinking formal sector; chances are even lower considering the sector is unable to absorb the 80,000 annual numbers of graduates leaving education institutions with the requisite skills (David, Ulrich, Zelezech, & Majoe, 2012). Thus for these people work in the informal sector, informal trading or hawking, remains the only means for their survival as it requires minor financial input and the skills involved are low.

The informal economy in Nairobi is very diverse and heterogeneous, providing goods and services which seriously compete with formal businesses. Being a major source of employment for Nairobi’s population, the informal economy has taken on many forms. One of the more prominent types of informality in Nairobi can be found in a sub-sector known as Jua kali, whose operators have resisted concerted government efforts to steer them well away from mainstream economic activities. All the same, 85 per cent of informal enterprises in Nairobi operate side by side with formal businesses (Nabutola,
Informal enterprises do not just seriously compete with formal ones: on occasion they even introduce new products in the market. A broad categorisation splits informal economic activities in the city into two major groups: production and manufacturing, as epitomised by Jua Kali; and the services sector, which is best represented by street trading (this categorisation assumes self-employed enterprises). The informal economy in Nairobi expanded considerably in the 1980s and 1990s due to harsh economic circumstances, including a suspension of World Bank loans and assistance. Unemployment and inflation both worsened significantly during that period, leaving as many as 16.8 million Kenyans below the poverty line of one US dollar (USD) per day. Furthermore, the structural adjustment policies imposed by the International Monetary Fund and the World Bank led to massive lay-offs in the formal employment sector. Rising poverty in rural areas further exacerbated the problem as it drove migrants to the cities, where no employment was readily available. In 1999, it was estimated that street-based workers in Kenya numbered more than 415,000, with Nairobi accounting for about 200,000 (World Bank, 2004).

According to the Kenya 2010 economic survey about 2.2 million people are engaged in informal economic activities in Nairobi accounting for 70% of the city’s employment. A joint Socio-Economic Survey on Street Vendors in Nairobi’s CBD carried out by USAID and the Nairobi Central Business District Association (NCBDA) revealed that most of the informal traders are young adults aged between 25 and 34 years; 58 percent are aged 35 years and under. Almost all of them (98.2%) have some level of formal education with more than half (51.7%) having secondary level of education. Slightly above 5% have postsecondary education. Many vendors have been working informally in the street for a long time; an estimated 60 percent of Nairobi’s street vendors have been engaged in this activity for one to nine years, and another 30 percent for 10 to 19 years. Individual informal traders are part of larger networks that include suppliers, competitors, money-lenders, customers and public authorities. They operate on makeshift structures, including mats, tables, racks, wheelbarrows, handcarts and bicycles, others simply carry their wares in their hands and/or on heads and shoulders, whereas some hang their goods, such as clothes, on walls, trees or fences. More advanced entrepreneurs set up temporary shades with stands to display their goods. Most street vendors do not operate with any formal tenure for the sites they use, nor with formal business names and do not meet the requirements for registration under the law; only 11 percent have acquired business licenses (UN-HABITAT, 2006).
According to recent research published by the Nairobi Central Business District Association (NCBDA), 12.2 per cent of street vendors in Nairobi sell foodstuffs (NCBDA, 2004). A majority are female, who mainly trade in the fabrics and clothes trades; conversely, male vendors are predominant in hardware, toys and assorted goods, shoes and electrical appliances. The most common items sold by street traders are, by far, clothes and textiles. Recent data also shows that street vendors account for a significant amount of the city's capital stock; a survey of the 8,000 to 10,000 vendors in Nairobi’s Central Business District has showed that they hold a combined daily capital stock worth USD 935,000 (NCBDA, 2004). Their average individual profit is equivalent to USD 72 per month, an improvement over Kenya’s national minimum wage (USD 62).

The following section captures the evolution of the activities in Nairobi, and how they were perpetuated as a result of the policies (read abstract space) which have been adopted in Kenya. Spatial demands by informal economic activities at various stages in the development of the city are in this study viewed as a direct response to the land use policies which were adopted in the city, and the ensuing legal and socio-economic set up. In tracing the African entrepreneur since the pre-colonial period to date the study attempts to capture the contribution of abstract space in shaping the evolution of how these entrepreneurs produce and consume urban space.

2.2.1 Pre-colonial and colonial eras:

Paul Collier and Deepak Lal in, ‘The labour in Kenya, 1900-1980’, develop 4 broad economic groups in their study of the pre-colonial conditions; settled agriculturalists, nomadic pastoralists, small craftsmen and traders (These they argued was a representation of adaptations and manipulation of the physical environment) the forth economic group were the Arab slave dealers and plantation owners, and Indian money lenders and small scale traders. Collier and Lal note the deficit in labour, but no wage labour; men either worked for themselves or were slaves thus unemployment was unknown. The interior was mainly rural, agriculture was meant to meet the subsistence needs of the communities. The rare trading mode (usually barter trade) among people was accessioned by drought or pestilence; the Akamba people from Eastern province are among those pushed to barter by drought. On the same lines of thought, Christopher Leo (1984) in Land and class in Kenya writes:

“...when the Europeans arrived in the Kenya highlands, they found societies largely untouched by capitalism. Social organisation was focused on the extended family and people earned their livelihood by subsistence agriculture, livestock farming, and
handcrafts. The mode of transfer of goods and services was by barter, and because of freedom of movement it was relatively easy for a community to satisfy its needs. It is thus Leo’s contention that in confiscating and alienating the Africans from their means of production (Land and Labour) the colonial masters introduced a capitalistic approach to the economy. Collier and Lal point out the traumatic changes the Kenyan labour force faced at the incorporation of the British administration; severe inequalities emerged on the distribution of resources as the white settlers were encouraged to stay in the country and farm in order to pay for the cost of occupation of the country. By 1915, the distribution of agricultural land in Kiambu was such that the average white settler was allocated 4500 acres on a 999 years lease where a Kikuyu family got 0.25 acres on squatting terms. Kikuyu families started trading their labour for farming land with the white settlers.

The legal implications for this barter of labour for land, an informal trade referred to as Kaffir farming later called squatting, according to Ghai and McAuslan (1970) was a kind of feudal relationship between the white settlers and the Kikuyu. As access to Land became more difficult for the Kikuyu, labour supply turned from deficit to surplus in the 1930’s (Mochache, 1990). The fall back for subsistence then for these people was to steal from the white settlers, carry out illegal trade, or attempt to establish petty trade within African neighbourhoods in Nairobi. The tricky part to setting up trade in Nairobi was that the target customer was a male; living without his spouse or children and his income was minimal and paid in cash thus a low purchasing power within the African neighbourhoods (Mochache, 1990). The idea was borrowed from a number of Indian migrant “Dukawallahs” (derived from the Hindi words duka for small shop and wallah for trader) who first came to Kenya to build the railway line and started selling refreshments to the Europeans and in the process their African employees imitated. The withdrawal land rights from the African population saw agriculture, the pre-colonial source of subsistence, curtailed compelling this population to find an alternative means of livelihood: forced employment in European farms, employment in exchange for subsistence farming land or engagement in petty trade within the restricted African reserves. The initial form of informal economic activity was thus between the white settlers and the displaced African for subsistence farming land (squatting) and as

11 Cited in Phd thesis from Public law and Political change in Kenya, a study of the legal framework of government from colonial times to present (1970) by Yash P. Ghai and Patrik McAuslan
pressure mounted petty trade was born from necessity, with no access to land and an excess in supply of labour the growing city provided hope for these population. Subsequently hawking of food in the African neighbourhood of Pumwani, in the areas abutting the Kenya Railways African Quarters of Muthurwa and the industrial area emerged. The spread of activities of this nature deeper into the CBD was highly restricted by the Vagrancy ordinance which negated the African proceeding beyond the present day Machakos country bus station without a valid work permit in European employment, giving the Asians an upper hand in selling in the white and Asian neighbourhoods and the general CBD area. Despite the motivation for engagement in these businesses being a genuine intent to meet subsistence needs, official documents referred to it as illegal; the **1918 Native Residents Ordinance bound the Native African population to exchange any goods they needed with labour rather than cash** (Mochache, 1990). We see here abstract space at its best curtailing access to means of production, the colonialists supplanted the existing subsistence systems with a capital system that they would not allow the Natives access to, a social-political destabilization of a working economic system, thus accessing labour supply in surplus. Henceforth these petty traders were pursued by the Municipal administration as ‘illegal hawkers’, while their counterpart activities for residential purposes were referred to as ‘squatter settlements’.

In the 19th century trade existed between Africans especially between the Maasai and Kikuyu in the South-West region of Nairobi as evidenced in Donald B. Freeman and Glen B. Norcliffe (1985) in rural enterprise in Kenya: Development and spatial organisation of the Non-farm sector and Marris P., and T. Somerset. (1971) ‘The African Businessman’. Barter trade was motivated by subsistence needs, and traders paved way for others with no class differences; the pre-1895 trade was free for all. Demand for cash increased when the colonial administration introduced taxes, and increased variety of goods by imports; it was soon after curtailed by introducing regulations that restricted access based on race and economic capability. This restricted African trade, then classified as primitive and unscheduled, to the African reserves.

Instances where Africans were allowed to trade was in restricted markets that had tax imposed on all goods being traded; bearing in mind that most could not raise the market entry tax, alternative avenues were sought and referred to as illegal, Arabs and Asian had an upper hand given these conditions. Traders who dealt in non-agricultural products were to trade in an enclosed duka; the then Ministry of Local government through District County Councils developed type plan shops, which were to be built by a
prospective trader in order to enable licensing for the business to be granted. The cost of putting up the duka premises using the specified imported corrugated iron roofing sheets and sawn timber became prohibitive for most African traders. Asians and Arabs who were better organized financially took over most of the business plots. Through regulations African entrepreneurs were regulated out of the recognised economic hierarchy the only alternative being operating outside official regulations.

Those who managed to put up a duka felt it failed to adequately display their products, it was dark and hot inside, and the initial capital cost raised the selling cost of vendors in dukas above those who displayed their goods in the open. The result was duka owners displaying their goods outside, when weather is favourable, to attract more customers. For the African customers dukas were not favourable for two reasons: their background for fair trade demanded that goods be displayed in the open where all can see and avoid being cheated in the dark, dukas were seen to be expensive and thus for the higher income groups.

Figure 2-1 Growth of Nairobi city from 1900-1963, Source (Obudho, 1997)
In response to these psychological tendencies among Africans, Asian and Arab traders began to develop highly mobile entrepreneurship as early as 1920’s. They transported their wares to African meeting places (some of which were to grow into temporary markets) to sell them in the open attracting most customers from the market place leaving the enclosed dukas with low business. The Indians developed the mali-kwa-mali touting salesman in the Kenyan market places, while the Arabs had the motorbike clothes sellers, guo guo, who sold their wares through the residential estates. These were granted licences while African operators who had their wares outside the market were denied licences.

Withdrawal of land rights, lack of entrepreneurial skills, and a pejorative attitude from the administration form the circumstances the African entrepreneur struggled with. Gradually unregulated ribbon developments of trading activities along transportation routes escalated in the rural market places, other urban areas as well as the city. By the time a migrant trader made it to Nairobi he was well versed in methods of evading administrative restrictions in order to run their business outside specific market places. The future of Nairobi was for the first time drafted by a plan, the 1948 colonial master plan for Nairobi by Prof. Thornton White which was to replace the racial segregation.
forces with physical planning guidelines for Nairobi for a harmonious functional arrangement. Instead the plan’s motif was to develop a colonial image celebrating imperialism and colonial rule in the city beautiful movement’s order; Kenya centre was to be the epicentre of Nairobi. The plan did nothing to integrate economic activities of the natives it instead created a pedestal for the colonialist’s to impose their presence to the locals.

2.2.2 1950-1960:
In 1950 Nairobi was accorded city status, but it was not until much later in 1972 that the Nairobi Urban Study group generated a development strategy for the city. The colonial government was compelled to change a number of spatial planning policies by the Mau Mau freedom rebellion of 1952 to 1959 dramatically changing operation of African economic activities in Kenya. During this period, various commissions were set up to study and advice the government on how to handle the increasing unrest among the African economic sector, of particular significance were the Swynnerton Plan of 1954 and the East African Royal Commission of 1955.
The Swynnerton plan reversed earlier ban on Africans undertaking commercial farming, and also encouraged the extension of credit to Africans for agriculture and commerce. The East African Royal commission went a step further and recommended removal of all racial and political barriers inhibiting the free movement on land, labour and capital. It was however until 1960, a time when in principle the independence of the country had been agreed on, that these policies were put into practice. The usefulness of the commissions therefore at that time was little as far as the African economic condition was concerned, except that they acted as reconciliation between the departing colonial administration and the leaders of independent Kenya, who thereafter closely followed the same policies (Collier and Lal op. cit).

The state of confusion in the planning of Nairobi in the first decade of independence is aptly captured by Njau (1973); Committees were being appointed to make plans on various aspects of the urban system, without any form of co-ordination or comprehensiveness, with each group aiming at its individual success. That the planning committees aimed at providing housing and employment to the lower income groups is the closest link to the informal economic activity actors, they did not have representation at council or government levels. Werlin argues that the planning committees adopted a crisis resolving approach to their operations, only urgent and obvious needs were considered while in reality emerging city problems were interrelated and demanded a comprehensive approach, for instance: the links between housing problems, unemployment (both rural & urban) and, the growth of the shanty settlements in Mathare, Kawangware and Kibera indicated by housing problems which had their origin in the rising unemployment in both the city and rural areas where landlessness among the population was rampant that led to rural to urban migration (Dalgleish, AG (1960) Survey of unemployment Gok (1960), Nairobi);

Prior to 1973 Nairobi Metropolitan Growth Strategy Study, the city planning experienced major organisational difficulties, most of which were attributed to lack of proper personnel for the various tasks and lack of organisational methods. Neglect from the city administration enabled the informal activity operators to gain sufficient politically motivated sympathy, an aspect which ever since made attempts to resolve the informal sector issue a political entanglement.

**Development in commerce among the poor (1961-1970):** By 1940s small shop-keeping activities and involvement in open air trade continued to increase, in the rural market places, African traders set up small scale butcheries, tea rooms and retail dukas, which served the crowds which gathered on market days. However, because of low
purchasing power, cultural tendencies (which favoured open air shopping to the dukas), and the nature of subsistence farming activities the people were involved in, the main commercial activities were still conducted in the open air market on appointed periodic market days. This periodicity enabled demand for goods to build up. Dagoretti and Kawangware periodic markets, located in the western fringe of the city, were main centres for African commerce. However, because of the restrictions on Africans crossing the city centre the African population in Pumwani (in the Eastern zone) found it difficult to visit these markets located in the western fringe of the city, instead the commercial activities which evolved at Gikomba where they intensified.

Gikomba is a case in point for an intervention whose intent to curb the growth of a market failed and instead hutchted informality outside the formal structure, it represents the continuous struggle for business space among the African population in Nairobi, both within the colonial period and after independence, in an environment which did not appropriately cater for the activities\textsuperscript{12}. In the early years of independence, because of the negative attitude the African traders had developed for the colonial market shed at Gikomba, the market structure was demolished and in its place a modern market structure was built. This new structure, together with three others located at Jogoo Road, Muthurwa and Ngara were expected to accommodate all the small scale retailers whose number was growing rapidly in Eastern region of the city. But as findings show, (Mochache 1985), the informal activities in Eastern Nairobi were hardly contained by the new market structures. As soon as they were allocated to traders, more business units conglomerated in the open areas surrounding these market structures, taking control of the customers. In fact the stalls in the Quarry Road Market (Gikomba) were later abandoned by food vendors, to be taken over by small scale tailors, who preferred to work indoors. The rest of the informal traders moved back into open air markets, while others streamed into the streets of the CBD. The question the vendors raised was; what purpose did it serve to have a one square metre stall inside the market shed where rent was exorbitant and yet all the customers were buying from the vendors’ located outside, where they were paying no rent?

Elsewhere entry into commerce by Africans after independence was frustrated by among others malice from Asian whole sellers as recorded by Marris and Somerset (1972), Freeman and Norcliffe (1985); apparently avoiding rent and tax was the easier option out hence they abandoned their dukas or sold them to Asians, and largely joined

\textsuperscript{12} See Gatuma (1983)
the open air informal business. Abstract space here is captured in the form of social capital where certain ethnic groups marginalise and limit the access by other groups to the means of production by frustration. Preconditions for a loan such as fixed business premises of reasonable standards locked out itinerant traders despite spreading to districts under Districts Trade Development Joint Boards, increased staffing or reducing legal requirements; abstract space so to speak, had not taken cognisance of the existence informal yet. In effect the first decade of independence brought little change to the environment in which the informal economic activities were operating. If anything, what was gained was more freedom for more people to migrate from rural areas to seek work in the city with subsequent congestion in the informal activities. Werlin (1974) records the violence visited upon the informal structures in the Nairobi River belt in 1968-1970, political intervention led to relocation to Mathare Valley and Korogocho, the reason for City Council of Nairobi (CCN)\(^\text{13}\) action, despite not being substantial, was a link of the informal activities and crime. On another perspective the call by the founding president Kenyatta for migrants to “go back to their land” is used by CCN to intensify violence by demolition of structures that were termed illegal; indeed political decisions for informal activities were only a crisis aversion tact. Informality, against all odds, continued to grow levering insufficient facilities to absorb those job seekers and shelter in the city; in a study by the Housing Research and Development Unit (HRDU) of the University of Nairobi, (Etherton, 1971), it was revealed that over 30% of the city population was living in ‘illegal’ settlements, and most of whom were occupied by ‘illegal’ hawking and other related activities in the city. Nairobi’s poor population experienced during this period continuous exchanges between the CCN “demolition squads” and the informal sector “contractors”; the “contractors” built at night, while the demolition was done during the day, it really boiled down to who got tired first and the latter it appears were more enduring. Almost as soon as the structures were demolished they would be rebuilt, it was futile for CCN to carry on this exercise without dealing with the root causes (Werlin, 1974).

\(^{13}\) The City Council of Nairobi was replace by the county government following the promulgation of the constitution in 2010, the county government however came into office after the general elections held in March 2013, at the time of the study, the structure had not been changed at the ward level as the institution were in transition. The study thus refers to the City Council of Nairobi as the local government institution.
2.2.3 1971-1980:
The need to restructure the economy so that African aspirations may be realised arose courtesy of critics in the late 1960s, political independence had to be translated to real economic freedom: major economic activities, use of urban space for commerce and employment, were still in the hands of aliens and low income groups were handed harassment just as it had been served in previous decades. This however was not to be condoned at the political level because it was creating further unemployment and degradation among indigenous population, some African nationalists felt that the situation was an extension of the colonial rule because the free Africans were still not able to penetrate into Asian business networks. This complaint was succinctly stated in the Kenya Development Plan (GoK, 1966-7):

“No other activity is in direct contact with the people as commerce. Yet as long as the indigenous people as consumers depend on shops that are owned or controlled by non-Africans, they concluded that, although Africans have gained control over political and administrative machinery of the country, the economic life of the nation is still in the hands of non-Africans, thus the country is still considered as a colony of another category”

“Kenyanization” and “Africanization” was subsequently instituted by 1968 in various sectors of the economy, which were intended to improve the level of participation of the indigenous people and indicate government’s determination to address itself to the problem more pragmatically, thus the first Kenya Development Plan. A 1971 survey of the distribution of commercial activities would show an increase in the proportion of establishments in retail and whole sale trade owned fully or mainly by Kenyans, from 48% in 1966 to 80% in 1971, and 55% to 89% in retail trade alone; but these large percentages were due to the fact that a large number of Asians and Europeans involved in commerce had taken up Kenyan citizenship. The general position of the indigenous population in commerce still remained comparatively small. Nairobi’s population in this decade alone grew threefold, with minimal growth in employment opportunities, ‘Kenyanization’ of the formal sector could not facilitate adequate absorption of all those seeking employment (particularly the African population). On aggregate there was a large surplus potential labour force which was not absorbed into formal employment.

14 Collier and Lal (1986) for instance detail the nature of controls at the employment figures in various sectors, by showing that the skill composition of Nairobi African wage labour force was still a poor presentation for the African population. For instance in 1957, the percentage of Africans in the professional, executive and supervisory employment cadres were only 4% and 7.2% in 1968. The rest of the high level manpower was therefore alien, even as late as 1970. a factor indicating that self-government did not quite bring with it the benefits expected by the African population immediately.
It is as a result of these shortfalls in development in the country that the Nairobi Metropolitan Growth Strategy (NMGS) was conducted by the (Nairobi Urban Study Group) as a result of the recommendations of the ILO study on employment strategies for increasing productive employment in Kenya. Despite the ILO study theoretically highlighting the significance of involving the informal sector in development, the recommendations in the NMGS on the development of the informal sector were not really brought out as a significant sector in spatial allocation because of the lack of institutional support, and the failure to get backing in funding of projects geared towards this end. There was also the apparent theoretical rejection within CCN of all recommendations made by the ILO report. However most of the developments of the city beyond 1971 are greatly influenced by the NMGS and the ILO study, because at least the Central Government considered the report a useful document.

The well-meaning Nairobi metropolitan Growth Strategy was derailed by international bodies who were to finance these projects, the social problems which necessitated the whole strategy in the first place were displaced by the need to grow capital\textsuperscript{15}. The result was that the informal commercial activities did not get mentioned as a separate sector in the study, other than the mention they received as a part of the low-income housing activities, or as part of the small scale industries. The NMGS study instead largely concentrated efforts in developing growth strategies for the formal sector activities, while the informal sector was mentioned little when considering future spatial requirements for the various activities in the city. A probable reason cited for this bias was unavailability of reliable data on the informal sector generally being not easily available due to the fact that at the time, the “informal sector” concept was in its embryonic stage and as such it was difficult to delimit which activities to include within the informal sector umbrella.

Owing to the lumping of the informal sector activities together with the low income housing activities or as part of the small scale industrial sector, policies which were addressed to these sectors did not directly accommodate the street retail activities. Hence, this was seen as a major failure of the NMGS for the post 1972 planning of Nairobi’s informal sector. This failure is shown for instance by the rapid growth of informal kiosks and wayside commercial activities within the new residential areas of Dandora, Kibera, and the shanty village of Mukuru within the main Industrial Area after

\textsuperscript{15} See (Mochache, 1990) for how international agencies such the World Bank, USAID, British ODA, and other United Nations Agencies, had their economist spear head the NMS report and whose major aims were mainly to propose developments which were in line with the economic aims of the agencies they were representing in effect sideling the social agenda for the Native poor Nairobians.
the 1970s. Consequently, even with the ILO and NMGS studies, the informal retail activities largely remained an unexplored sector of the city economy, apart from the frequent newspaper reports which covered cases of eviction, prosecution or other such drastic measures which were affecting the activities from time to time. It was under this neglected state of the informal sector that the CCN after 1972 continued to intensify the “city clearance” of the activities from their lucrative sites at the CBD, Ngara, Kamkunji and the Nairobi River belt, with the intention of containing them within specified market structures, which the CCN was constructing in various residential neighbourhoods of the city. But space in these markets was constantly inadequate and expensive, while some of the markets were located in unsuitable sites, the futility of the “city clearance” in the 1970s decade continued to demonstrate that the informal retail sector was a significant part of the urban economy, which could not simply be removed from the city space by enclosing them in bounded market areas, without due regard to the factors which had conditioned the system to be located in specific sites in the city. On this account, this study argues that even after the NMGS and the subsequent research which followed the publication, it does appear that the relationship between the informal sector activities and other urban activities were still poorly understood. There were however some attempts in development of theoretical understanding on the subject between the 1972 and the middle of the 1980s when Nairobi received significant attention. Such studies as those spear headed by the Institute of Development Studies, University of Nairobi, e.g. Child (1973), Malcom (1975), Elkan and Mukui (1982), House (1977), Mbugua (1977), Muench (1978), Ndua and Ngethe (1984), and others like ILO (1981), Werlin (1981), Mochache (1985), McCormick (1988), have dealt with specific aspects of the subject to some degree. But even after all these, Aleke-Dondo et al (1986), suggests that the literature in the informal sector has been ‘recycled’, without significant breakthroughs in understanding the spatial structure of the informal activities. As a result of the slow pace in the theoretical understanding, policy towards improvement of the activities in Nairobi continued to be spasmodic, even up to the end of the second decade after independence. This was further escalated by the unfavourable economic conditions in the country, which resulted from the depression of the 1970s and early 1980s which created wide spread unemployment and further participation in the informal sector. The 1969 National Population Census had pointed the informal economic activities as a major source of livelihood in the Kenyan economy consequently a Sessional Paper No. 10 on employment was published in 1973 (GoK 1973). Recommendations made by the
ILO mission on informal sector were fully adapted on the paper whose main objectives was, inter alia to increase employment through the promotion of the informal sector; this was the first major government address towards that direction. Five years later, however, House, Kabagambe and Green (1977) noted that in practice, few positive measures had been taken to actively promote and encourage the growth of the sector; inadequate database on which to build a programme is cited for the lack of positive action by the government.

In the same vein, the 1974-78 Kenya Development Plan (GoK 1974), further made reference to the sessional Paper No. 10, and singled out the informal activities as an area to be embarked on in order to increase productive employment among the lower income groups. An institutional framework was established to look after the affairs of the informal sector; the Industrial Survey and Research Promotion (ISRPR) and a Small Business Development Corporation (SBDC) were set up within the then ministry of Commerce and Industry to intensify efforts in research towards development of appropriate industries, and to manage the financing of small businesses. These efforts got only to the 'organized' sector of industry and commerce while to itinerant traders in the city it remained inaccessible; the new institutions neither had the managerial capacity nor the methodology to reorganize the informal activities into easily identifiable enterprises for promotion. The "self-help activities" as Hake (1977) referred to them, continued to grow side by side with the new efforts of the now institutionalized small scale commercial and industrial activities.

Apart from the establishment of the industrial estates and rural industrial development centres as proposed by the 1973-78 Plan (Gok 1974) some of the inimical local government regulations would be reviewed to reduce harassment and the difficulties faced by the informal enterprises. Again these activities were missed, the review concentrated on the regulations affecting the housing sector; business licensing remained virtually unchanged and the informal activities remained illegal in the city save where irregular occasional Temporary Occupation Licences (TOL) were granted by the CCN, or token Presidential permission to operate within specified areas, (Aleke-Dondo et al 1986). Amorphous growth of these activities persisted in the city being fuelled further by the deteriorating conditions: the economic depression of the 1970s, and the oil price hikes in 1973 which virtually froze employment, particularly in the construction industry a major consumer of unskilled labour in the city. Despite all these conditions, demolitions courtesy of the CCN persisted in a bid to rid the city of the informality phenomenon.
In post-independent Kenya, the size and composition of the informal economy was closely linked to a formal education system that promoted industrialisation over agricultural pursuits, and resulted in rapid urbanisation in the belief that cities offered a superior income to that of rural areas (David, Ulrich, Zelezech, & Majoe, 2012). The informal economic activities were initially associated with manufacturing, operations under the hot sun, hence the term Jua Kali. Active formulation of policies to stimulate the development of the Jua Kali sector (i.e. especially manufacturing Micro and Small Enterprises), has not been complemented by implementation (ILO/EAMAT 1996), even with official recognition by government in the mid-1980s as a significant factor in the local and national economy, little had been done to effectively address the problems of the country’s informality. The lack of analytical and implementation capacity at the level of local government in relation to the informal economic activities has been cited as the root to this inertia (Mullei and Bokea 1999).

2.2.4 1981-1990:
The 1979-83 Development Plan Period (the forth development plan) consequently succeeded a structure where there was an already laid down policy on the informal sector, but the methods which were in operation in dealing with the activities were still divergent from the policies. Some of the informal sector promotional measures included inter alia: massive expansion of the Kenya Industrial Estates (KIE) for every district, availing a 5 million Kenya Shillings fund specifically for the informal sector, review of inimical laws and regulations, training and encouraging subcontracting between small manufacturers and large enterprises, the Kenya external trade authority was to assist handicraft producers to modify and adopt designs to meet export market requirements. As a result of this, the 1979 Plan stipulated a number of measures which were to be implemented during that plan period so as to coordinate policy with practice. The proposal of attempting to control the growth of the informal activities from the district level, rather than at the city scale alone reveals a more holistic approach. The informal sector in Nairobi, however, remained largely unchanged during the fourth plan period, as shown by reviews for the 1984-88 Development Plan. Conflicts between the activities and the municipal planning ensued particularly at the CBD; as a result of the CCN’s intentions to clear the vegetable vendors from their long time stronghold at Tusker House (Ronald Ngala Street) the bus stage was removed from the spot. Tusker House, located on Ronald Ngala Street, was the major city buses terminus from the 1950s. However, the agglomeration of informal sector activities at this point had made
the location one of the most notorious spots in all types of crimes. These vendors were granted a Presidential permission to setup their businesses temporarily at Nyayo Roundabout, at Ngara, but as this proposal created enormous traffic congestion, the activities were ordered out soon after but this time to no specific site. Gradually, although with much resistance from the CCN, the vendors returned to various sites in the streets of the CBD. The informal sector during this period had become so much part of the political field that the CCN could hardly take the slightest action on them without receiving a major onslaught in parliamentary debates. This continued to put the activities at a disadvantage because policies were often silently shelved without question, and yet the position of the informal sector remained that of harassment and spatial instability.

Kenya’s adoption of structural adjustment programs (SAPs) and market liberalisation policies of the 1980s and 1990s proposed by the International Monetary Fund (IMF) led to the most significant growth spurt in informality, the formal economy dramatically shrunk. Mass downsizing and closure of local industries forced many people to venture into informal activities transforming them in terms of size, demographic profile and dynamics; the activities now included retrenched white collar workers with higher educational qualifications as well as a growing number of tertiary level graduates who were unable to be absorbed by the formal job market. The size and composition of the informal economy indicates that, over the years, it has transformed to become the backbone of the country’s economy.

In the 1984-88 development Plan Period, there was a major change in approach to handling the city’s informal sector, political intervention took centre stage side lining professionals, and even the executive departments within the CCN; any of the previously formulated policy had to await whatever emanated from the political decisions the then President Moi gave the activities direct political patronage, consequently policy measures directed to the sector became even more unpredictable in that even minor political shifts in the country were reflected in the political addresses to the informal sector. This approach while directly creating significant political support from the low-income population for the government also dramatically increased the activities in Nairobi. This was a welcome position for the activities, because they would once again enjoy conditions similar to those of the laissez faire period at the beginning of Kenyatta’s presidency. The government rapidly got involved in the sector in Nairobi, and within a

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16 The standard of July 1979 suggested that no place was as dangerous as tusker house in the whole of Nairobi. If one did not get his wallet pickpocketed, the most probably he would be mugged or even run down by a bus, matatu or even a mkokoteni.
period of three months in 1985, some of the once unsettled artisans at Kamkunji and Gikomba received what was later to be known as Nyayo Jua Kali Workshops, which comprised basically “temporary” work-sheds, built in permanent materials, and provided with some basic infrastructural support.

The work-sheds programme was further supported by the inception of a Nyayo Jua Kali Revolving Fund, which was initiated country wide in order to assist the informal sector in the various districts to finance construction of work-shed, and equip them with some basic facilities. Although the programme was seen as a major pragmatic breakthrough among the general public and the people involved in the activities, in academic circles there was scepticism on the suitability of the approach. Others argued that, this was only a way of silencing the unrest among the informal sector but not a lasting solution because the programme neither specified any tenancy conditions for those allocated the spaces, nor were there any stipulated conditions within which businesses would operate, in the absence of the presidential patronage. Also because, the programme was basically oriented towards helping industrial activities, the condition of the informal retailers still remained largely undermined.

Even with the new ad hoc approach to reorganizing the informal sector in the city, the problem of finding a suitable location still remained a thorny issue at all levels of the administration. It was seen for example that the location at Kamkunji where the first Nyayo Work-sheds had been built, abutted to Muthurwa Primary School on one side, Shauri Moyo and Muthurwa residential estates to the East and South, and the Kamkunji Park on the North. All these land uses were experiencing a major environmental problem as a result of the bellowing smoke and noise from smitheries at Nyayo work sheds. In fact for the residential activities at Shauri Moyo, there was hardly any separation between the workshops and the residential premises. Some of the workshops activities were extending into the housing units creating unbearable environmental conditions for the residents. Yet, it was difficult for the planners to decide where these workshops could be relocated without creating resentment from the “now protected” informal operators. Thus within this new intervention in the informal sector, the CCN inspectorate appeared detached from whatever was going on at policy level, and still administered the same eviction rules.

In 1986, the Kenyan Government began to incorporate the ‘Jua Kali’ (the colloquial term for informal economic activities) into national economic policy, identifying the informal economy as having the greatest potential for job creation in Kenya (Becker, 2004).

Different strategies were identified, including direct assistance, strategic advice and
information to enhance their businesses and the possibility of subcontracting the Jua Kali for various government assignments. However, it was suggested that the implementation of the policies had been hindered because there had been no coordinating body in government responsible for it, it had not been integrated with the overall technology and industrial policy, and the Jua Kali entrepreneurs had not been properly consulted in making recommendations for their sector. However, a system of registration was introduced by the City Council of Nairobi, and this led to a decrease in numbers of harassment cases faced by the street hawkers because they could prove they have paid their fees.

2.2.5 1991-2000
Kenya has been proclaiming official support for Small and Micro Economic Activities since 1986 (Kenya 1986), but street vending seems not to have been included in this. A number of changes occurred and in 1992 a major policy initiative was undertaken through Sessional Paper No. 2 of 1992 on Small Scale enterprises and Jua Kali development in Kenya. In the paper the government observes that women face a number of problems in their operations, including low education attainment, lack of property for securing loans and negative attitude of financial institutions. In the Kenya Government country position paper to the World Social Summit, the government notes that it will ensure that the general enabling environment extends to women entrepreneurs in the small and micro economic activities (SMEA), especially in handicrafts, petty trading and hawking.

Sessional paper No.2 of 1992 on ‘Small Enterprises and Jua Kali Development in Kenya’ served as the basis of all programmes for the development of the sector then. An Agenda for Action was defined covering a period 12 to 24 months in those areas then considered crucial for the promotion of the informal sector, this period expired in February 1994. In early 1994 under the agenda for early action through assessment of policies the government carried out strategies and programmes. The obstacles inhibiting growth in the sector were identified and further analysed. The following issues emerged;

- Weak or non-existent coordination mechanism among the multitude of actors involved in various levels of policy implementation thus producing results of minimal impacts. Furthermore, the government's capacity to play its facilitative role was weak and required strengthening.
- The regulatory environment still remained hostile to informal sector activities, despite the review of the disabling by laws and regulations inhibiting the sector's
growth. This was due to inadequate dissemination of information to the implementers.

In order to address these issues the Micro-Small Enterprises (MSE) unit in the then ministry of Planning and National Development was upgraded to a division with two distinct sections. The first section was policy section, mandated to develop, monitor implementation, coordinate policies, disseminate information to the target population, and further assess the impact of the policies on the beneficiaries. The second section was the deregulation unit, mandated to facilitate the creation of an enabling environment for promoting the informal sector. This was to be achieved by addressing the existing constraints, specifically those regulations that proved punitive to the sectors development (Oyugi, 2001).

In 1993 the Nairobi city convention on the Nairobi we want prepared a report with recommendations titled “actions toward a better Nairobi” as a historical attempt participatory development by Nairobians, a reflection of the recent political developments in democratic space. This was an attempt at offering practical and pragmatic solutions to problems that Nairobians were facing given the deterioration of all aspects of life in the city and to define a new vision of the city that dwellers wanted in the era of political pluralism. Street vendors were to participate in the planning process. Part one, chapter 5 is dedicated to markets and the informal sector, the major call is for the CCN to avail land or develop a land tenure system where informal practitioners can be assisted in carrying out their craft.

The National Development Plan 1989-93, for instance, sought to create 1.9 million jobs of which one third was to be generated by the small-scale and Jua Kali sectors, mainly through: provision of technical and business skills training to existing entrepreneurs; deregulation and liberalization of the MSE sector; provision of incentives in the form of workshop sheds; and encouraging the formation of (geographical) Jua Kali associations.

In the Sessional Paper no. 2 of 1992, GoK set out the important position that its role in the development of the Jua Kali sector would be one of facilitator rather than an interventionist one. Since then, “an enormous amount of work has been done to identify various rules and regulations affecting start-ups, operation and growth of informal economic activities in Kenya, however, very little positive action resulted” (Karingithi 1999). A major constraint for the formulation and implementation of policies and programmes for the informal economic activities has been the fact that the responsibility for the Jua Kali sector has been scattered among various government ministries and agencies. This only changed with the cabinet reshuffle in 1999 when most functions and
programmes related to the sector were regrouped under the Ministry of Labour and Vocational Training. After benign neglect for the larger part of 2½ decades after independence, the Jua Kali sector steadily began assuming a more prominent role in Kenya’s national development planning. The Kenya Local Government Reform Programme (KLGRP) was a 1999 intervention, it was a deliberate policy priority focus on reducing poverty and unemployment going hand in hand with accelerating economic growth. The KLGRP reforms had three components: improving local service delivery; enhancing economic governance; and alleviating poverty. These objectives were to be achieved through increasing efficiency, accountability, transparency and citizen ownership and on the practical side, removal of unnecessary regulatory barriers and the reduction in costs of doing business. In particular, the government initiated two nation-wide reform efforts, namely: the Single Business Permit (SBP) and The Local Authority Transfer Fund (LATF). The SBP was a response to business licensing problems faced by informal entrepreneurs in the start-up phase as they had to get multiple licences before opening shop draining the initial business inertia.

2.2.6 2001-2010

The Sessional Paper No. 2 Small Enterprises and Jua Kali Development in Kenya was reviewed in 2002, leading to a new policy framework that provides a balanced focus to small and micro enterprises development in line with the national goals of fostering growth, employment creation, income generation, poverty reduction and industrialization. In 2003 the Economic Recovery Action Plan was formulated; the action plan was anchored on three key pillars: restoration of economic growth within the context of a stable macroeconomic environment; enhanced equity and poverty reduction; and improvement of governance to enhance efficiency and effectiveness in the economy. The central focus of the Plan was job creation through sound macroeconomic policies, improved governance, efficient public service delivery, an enabling environment for the private sector to do business, and through public investments and policies that reduce the cost of doing business.

The plan acknowledged several serious challenges faced by the informal economic activities and highlighted inter alia: insecurity and harassment by local authority, dearth of serviced commercial sites. These are mainly spatially related that confront the need to access urban space for their activities, subsequently it was proposed, once again, that suitable zones with access to basic infrastructure be identified through local authorities which will serve as incubators for informal economic activities. This, it was contended,
would also improve the image, visibility and facilitate linkage between informal economic enterprises (small and micro enterprises) and medium and large scale enterprises. Policies were to be focussed on rural enterprises to stabilize migration but more importantly to provide an enabling environment for development of this economic activities to formalization and inclusion in the tax brackets.

The thaw in the relationship between the government and the informal economy is evidenced by Sessional Paper No 2 of 2005, titled “Development of Micro and Small Enterprises for Wealth and Employment Creation for Poverty Reduction”, this came about from the realisation that the sector should be promoted as a way to mitigate the spiralling unemployment rate, as this would reduce reliance on the government. Lyons and Snoxell in 2005 noted that in Nairobi there were 7000 licences and formal sites even though it was estimated that there were 500 000 street traders operating in the city (cited in Skinner 2008). In addition, a wide range of informal activities fall outside of the purview of the country’s national accounts. This change has also been manifested over the last ten years with notable legislation initiatives such as the proposed Micro, Small and Medium Enterprises Bill (2011) which, if passed by parliament, will create a governing council to oversee the regulation of all informal enterprises. The “Micro and Small Enterprises Authority” will include umbrella organisations of traders who will have four seats reserved. Of even more value to informal traders is the mandate of the proposed Authority to facilitate the relevant Government Ministries and other agencies in providing suitable infrastructure, including worksites.

Kenya’s long term development policy, Vision 2030 aspires to transform Kenya into a middle income country by the year 2030. The development of micro and small enterprises (MSEs) has been identified as one of the strategies for employment generation and poverty reduction to meet the Vision 2030’s ambitious goals. The vision for informal economic activities is to raise earnings by providing opportunities for transformation into the part of the formal sector that is efficient, multi-tiered, diversified in product range and innovative. In chapter 4 on the economic vision and strategy: adding value to our products and services, the vision calls for enumeration informal sector operators for purposes of provision of permanent and serviced facilities and also the simplification of business registration and trade licensing to continue in order to create a more enabling business environment for all trading activity.

Pursuant to achievement of the Vision 2030, Kenya’s grand economic blueprint the Ministry of Nairobi Metropolitan Development was formed on 13th April, 2008 by presidential decree. Within this blueprint, the government identifies the need to improve
the lives of all Kenyans as the supreme goal of the vision, through equitably distributing resources and development throughout the country, providing a framework for sustainable urbanization through providing capacity for urban and regional planning, provision of adequate housing for all, replacement of slums with affordable housing, improve and enhance proper infrastructure and sanitary facilities, among others.

2.2.7 Recent developments

Until 2008, Nairobi's urban growth was selectively and scarcely guided by a metropolitan growth strategy written in 1973. In 2008 the Ministry of Nairobi Metropolitan Development released the “Nairobi Metro 2030: A World Class African Metropolis.” This new strategy for growth was created as part of a national agenda known as “Kenya Vision 2030” and was designed to be a document that can be revised and modified over time. To supplement “Nairobi Metro 2030”, the Ministry of Metropolitan Development, in February of 2008, launched an international competition to design a spatial planning concept for the Nairobi Metropolitan Region; the winning concept was chosen in early 2010.

The 2011 Kenya Economic Survey data report estimated that in 2010 the country’s informal economy employed 8.3 million people, this comprised of approximately 79% of the country’s workforce; the sector generated an additional 440,900 new jobs in that year (Kenya National Bureau of Statistics (KNBS), 2011). However, there are no figures for actual numbers of enterprises, due the fact that by its very nature many informal economic activity go unrecorded. There are also measurement challenges such as seasonal fluctuations where some vendors only sell at certain times of the year and recording the itinerant segment of traders is logistically complicated. Despite recognition at the policy level of the value of informal enterprises, numerous constraints still limit their economic contribution; traditional perceptions of linking informality with the black market (illegal activities) persist and have also been manifested by the government. The official policy regarding the informal sector has certainly changed over the years, as has been reflected here, the state and by extension the City Council of Nairobi since colonial times have always hesitated between repression (the informal sector being ruled out as illegal, or even politically threatening) and control (if not integration in the formal economy) of petty traders mainly through taxation (Robertson, 2002).

This policy survey demonstrates that the evolution of the informal sector in Nairobi is not accidental, but caused by a form of government administration policies. The same policies perpetuated the existence of the activities up to the time of independence period to rid the city of the activities, the persistence of the phenomenon show that the methods
applied have failed. Therefore, informality in Nairobi after almost a century still remains as thorny an issue as at the inception of the city in the beginning of the century. It is on this grounds that this study reaffirms that, failure to manage the informal sector activities in Nairobi has been as a result of misconception of the activities, attempts to control the activities by elimination rather than by inclusion into the rest of the urban activity system have borne no fruit. Did the public policy really change anything in the nature and relative importance of the informal sector in Nairobi’s economy?

Thus informality has often been regarded as a social problem whose only solution was mainstreaming it into the formal economic system. However, the development of a more positive and constructive approach towards the informal economy is often challenged by an incoherent institutional set-up and a non-alignment of policies regarding the informal economy, which is coordinated currently by five government ministries, namely; finance, trade, industrialisation, local government and labour, as well as semi-autonomous government agencies such as the National Environmental Management Agency. This often puts the sector operators in a confusing position and without access to policy updates, often on a collision course with enforcement authorities because they lack information.

On 14th September, 2011, the SME Handbook was launched, pursuant to addressing the critical need for information on service providers to the SME sector in Kenya. It is a reference document with a countrywide map of the organizations providing various services to micro and small entrepreneurs; entrepreneurs will know where to get assistance within their own locality, or from without. The Information in the handbook has been packaged into four main categories as follows:

- Information on the Small and Medium Enterprise Sector by experts and stakeholders; this section has articles written by people who work or teach about the sector and understand it on its dynamics and what drives it.
- Information on business skills; this section has quick-read articles on the ABCs of running a business e.g. writing a business plan, registering a business, investing your money, qualifying for a business loan, protecting your innovations and inventions, finding a market for your products etc.
- Information on Government Services Available to small businesses in Kenya, (Public agencies and other statutory bodies) including trade attaches in various missions abroad, and local contacts of district offices for various Ministries i.e. Ministry of Trade, Ministry of Industrialization, Ministry of Labour, Ministry of
Youth Affairs and Sports, Ministry of Fisheries, and Ministry of Planning and National Development

- Information on Business Member Organizations (BMO’S) that support the growth and development of small businesses in Kenya and donor and development partners targeting small business owners. The Handbook has profiled BMOs from various parts of the country that support small businesses.

The Handbook also has a catalogue section where one can access contact details of all the banks, micro-finance institutions, insurance companies and agencies, Non-Governmental Organizations dealing with small business owners.

The former president, H. E Mwai Kibaki assented to the Micro and Small Enterprises (MSE) Bill in 2012, the new law endeavours to streamline and standardise the small and micro enterprises (SME sector), and bring it to par with shifting dynamics in the country’s economy. In distinguishing the businesses the new law defines firms with an annual turnover of below Sh500, 000 ($5,880) and employing less than 10 people as “micro enterprises”, while those with an annual turnover of between Sh500, 000 and Sh5 million (up to $58,880) and employing between10 to 15 people classified under “small businesses”. The Act segments the activities into four categories; manufacturing, trading, services, and agriculture, this stratification in business focus and turnover is hoped to facilitate formalisation and enable interest to investors. Strata and definition mean that the businesses will have to keep business transaction records. This Act provides for the a legal and institutional framework for the promotion, development and regulation of micro and small enterprises by: (a) providing an enabling business environment; (b) facilitating access to business development services by micro and small enterprises; (c) facilitating formalization and upgrading of informal micro and small enterprises; (d) promoting an entrepreneurial culture; and (e) promote representative associations. The Act also establishes the Micro and Small Enterprises Development Fund and the Small Enterprises Tribunal. To oversee the implementation of the Micro and Small Enterprises Act, which became law in January 2013, the government of Kenya established the **Micro and Small Enterprise Authority** (MSE Authority).
Table 2.1 Summary of Policy milestones that have affected informal economic activities pre-independence to date, Source: Author’s reconstruction

<table>
<thead>
<tr>
<th>GOVERNMENT EFFORTS TO PROMOTE EFFICIENCY IN THE INFORMAL ECONOMY</th>
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<tr>
<td><strong>Document</strong></td>
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<tr>
<td>Sessional Paper No. 10 (Kenya national assembly African socialism and its application to planning in Kenya)</td>
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<tr>
<td>Sessional Paper No. 10 (sessional paper on employment)</td>
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<tr>
<td>Sessional Paper No. 1</td>
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<tr>
<td>Government Development Plan (1989 – 1993)</td>
</tr>
<tr>
<td>Budget Speech</td>
</tr>
<tr>
<td>Sessional paper No.2 of 1992 on ‘Small Enterprises and Jua Kali Development in Kenya’</td>
</tr>
<tr>
<td>Small Enterprise Policy Implementation Programme (SEPIP)</td>
</tr>
<tr>
<td>Industrial transformation to the year 2020</td>
</tr>
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<td>Year</td>
</tr>
<tr>
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<tr>
<td>1999-2003</td>
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<td>2008</td>
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<td>2011</td>
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<td>2013</td>
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</tbody>
</table>

The significant expansion of street trading in Nairobi has given rise to heated debates about its environmental impacts, such as cleanliness and sanitation, as well as issues related to congestion and crime. Competing formal businesses in the central business district have been particularly frustrated by the continuous proliferation of street vendors.
and their avoidance of legal regulations and taxation. It is worth also noting that many formal businesses have decided to face informal street competition by deploying their own street traders (United Nations Human Settlements Programme (UN-HABITAT), 2010).

2.3 LOCAL GOVERNMENT AND THE INFORMAL ECONOMY
Nairobi’s governance system comprised of an elected city council which operates as per the Local Government Act under the regulatory authority of the Ministry for Local Government. It comprised of an elected council, an appointed administrative municipal service, a few civil society groups (residents’ associations) and the regulatory authority of central government. This leadership structure does not generally promote civil participation or create accountability frameworks for overall municipal management.

The city has been overwhelmed by rapid population growth coupled with repercussions ranging from traffic congestion, pollution, poor waste management, and chronic water shortages. Like any other local authority in Kenya, City Council of Nairobi finds itself seriously challenged with respect to resource requirements and this adversely affects the city’s economic development. The Physical Planning Act of 1996 places planning responsibilities with the local authorities: the Directorate of City Planning (DCP) is mandated to coordinate various development activities, such as slum upgrading, micro-enterprises and municipal reforms; in practice, though, DCP finds this mandate overwhelming. Economic and physical planning is not integrated nor harmonised with land use and land taxation. The City Council has as one of its core values stakeholder involvement and has thus embraced a public–private partnership approach to overcome some of the challenges the city faces in light of rapid urbanisation most visible in the beautification and street lighting initiatives that assist the Council in enhancing safety and security. The tension between the desired modernisation of the city and the on-going “un-modern” informal economic activities tend to determine the local authority’s attitude. The informal economic activities are more often than not conceptualised by the Nairobi City Council planners merely as a spatial problem of where to locate trading zones rather than as a phenomenon with a multitude of socio-economic dimensions and implications.
Table 2.2 Leadership structure of the City Council of Nairobi, Source: Adapted from (Mitullah W., 2006)

<table>
<thead>
<tr>
<th>OFFICERS</th>
<th>PRINCIPAL URBAN FUNCTIONS</th>
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<tbody>
<tr>
<td>The Council</td>
<td>Legislation and policy making, budget approval.</td>
</tr>
<tr>
<td>Town Clerk</td>
<td>Coordination of city management, policy/programmes implementation, accounting officer, advocacy and customer relations.</td>
</tr>
<tr>
<td>City Treasurer</td>
<td>Financial management/control, budget planning /implementation, collector of revenue, paymaster and financial advisor for Nairobi City Council.</td>
</tr>
<tr>
<td>City Engineer</td>
<td>Roads, transport, public works, parks, building and maintenance.</td>
</tr>
<tr>
<td>General Manager</td>
<td>Water supply, sanitation services, revenue administration and system maintenance.</td>
</tr>
<tr>
<td>Director of City Planning</td>
<td>Zoning, development control, plans approval, subdivisions, buildings design, policy planning.</td>
</tr>
<tr>
<td>Director of Social Services and Housing</td>
<td>Rental housing, markets, libraries, community development, culture/sport, youth and street people programmes.</td>
</tr>
<tr>
<td>Director of Housing Development</td>
<td>Low cost housing, settlements upgrading, and community facilities.</td>
</tr>
<tr>
<td>City Education Officer</td>
<td>Pre-school education, primary and special schools.</td>
</tr>
<tr>
<td>City Medical Officer</td>
<td>Healthcare management, public/community health, hospitals, clinics and dispensaries.</td>
</tr>
<tr>
<td>Director Environment</td>
<td>Pollution control, solid/liquid waste disposal and cleaner production initiatives.</td>
</tr>
<tr>
<td>Director City Inspectorate</td>
<td>By-laws enforcement, ceremonial guard.</td>
</tr>
</tbody>
</table>

Despite street trading being legal according to the city’s by-laws, the colonial era general nuisance by-law has often been used to supersede this provision, allowing city officials to arrest any individual they deem to be creating a “general nuisance” in public spaces. Though the Local Authority Service Delivery Action Plan (LASDAP) is the main vehicle for public participation in urban planning, the continued perception of informal economic activities as temporary in nature has meant that informal sector representatives have still been excluded from crucial policy-making. As a result, informal trading activities have not been incorporated adequately in the city’s land use framework and trading spaces for informal entrepreneurs, if provided, commonly lack adequate infrastructural facilities. In the last ten years however, political reforms have impacted on the leadership style at the City Council of Nairobi, which is slowly but gradually taking up a more development oriented approach towards informal economic activities. Similar to the national level, the acknowledgement of the informal economy’s importance in terms of employment and poverty alleviation lies at the heart of this change. The rise in the number of highly
educated people venturing into the informal sector and being aware of their rights to
demand accountability from the council has positively impacted on this development.
Today there is growing space for dialogue discernible which has brought the
stakeholders to the negotiation table and which has been mediated primarily by four
organisations, namely; the Nairobi Central Business District Association (NCBDA),
Nairobi Informal Sector Confederation (NISCOF), Kenya Private Sector Alliance
(KEPSA) and the National Taxpayers’ Association. While it is still early to determine the
long-term effectiveness of this dialogue, its emergence signals a positive change in the
direction of the discourse regarding the informal economic activities.

2.4 EXISTING REGULATORY FRAMEWORK
The informal economic activities in Kenya, and in particular street vending, have been
subject to a number of statutes and by-laws that proposed to improve its governance in
the country. Instead, the regulations have led to an unfavourable business environment
because many rules were in place before Kenya came under the influence of
globalisation and economic liberalisation and have not been adapted or reviewed to suit
the attendant changes in the business environment (UN-HABITAT, 2006). Instead, local
authorities have, in not reviewing the colonial by-laws, perpetuated statutes and rules
that suppress the development of street vending and other forms of informal trade. The
body of legislation and rules that have been used in vain attempts to regulate trading
activities in urban centres includes the following:

**Local Government Act (Cap 265):** This Act is largely blamed in Kenya for creating the
conditions that have rendered local authorities unable to deliver effective services to the
public. Many local authorities are deadlocked by serious conflicts between elected
(political) officials and appointed (administrative) officers over their respective roles.
Such power struggles largely affect their ability effectively to plan for local development,
including informal trading issues. As a result, decisions affecting informal trading have
tended to be ad hoc and purely top-down

**Physical Planning Act (Cap 286) commenced 28th October 1998:** (This led to
repealing of both the Town Planning Act and the Land Planning Act) This Act ignores
both the considerable expansion in informal trading and its impact on urban space as
planned for other uses. Such inflexible inability to accommodate informal activities
remains a source of conflict

**Land Act:** This Act has been abused to the extent that much of the public land that
could have accommodated informal traders is no longer available in the land banks. If
the Act had been effectively enforced over the years, most of Kenya's town centres would have had the land resources required for potential informal trading malls.

**Trade Licensing Act (Cap 497)** commencement date 8\textsuperscript{th} January 1968: An Act of Parliament to provide for the licensing of certain trades and businesses: wholesale and retail trade are classified under “regulated trades” Section 3 states that: The Minister may, by order, declare the area, or any business part of the area, of any city, municipality or township to be a general business area for the purposes of this Act. This Act requires applicants for trade licenses to state their address of trade, space ownership title or other evidence of permission to access and use that space for which the business application is sought, but many informal trade activities neither operate with a permanent physical address and therefore are not recognised nor have any formal ownership of the physical address of their area of operation, these conditions can hardly be met given that their areas of operation are either public land or land earmarked for other purposes; which means they are perceived as illegal. Before the licence can be issued, the business location must be certified by the planning authority in collaboration with the public health department to ascertain that the proposed business will not be injurious to the neighbouring activities.

Obtaining a license does not give street vendors full trading rights, vendors have to observe other trading requirements, for example, trading in approved or designated areas, and observing health requirements. While this is appropriate, a majority of street traders are not aware of the details of the health requirements nor is it public knowledge of approved informal trading spaces if they exist at all. This results in their licenses being confiscated for not observing health requirements. The trade license provided under its terms is not necessarily considered, in practice, as the final document authorising informal trading. Even street vendors who acquire the hawker’s license as provided by local authorities have been arrested during regular crackdowns on unlicensed informal trading, it thus becomes ambiguous.

Mitullah contends that licensing of street traders is a major problem and has contributed to the confrontation between street traders and urban authorities (Mitullah, 2003). The prevailing situation is that many vendors are trading without any license; few street vendors have a license to trade, some urban authorities charge daily fees, while others fear that this would attract more street vendors in the streets. The process of obtaining a license is cumbersome and most urban authorities issue very few vending licenses and generally have a negative attitude towards vending. Those who get a licence have to
either pay a bribe or are well connected to urban authorities or influential personalities (Mitullah, 2003).

Public Health Act: This Act prohibits informal trading in unsanitary conditions, sets standards for trade in foodstuffs and lays down general trading conditions. However, many local authorities have failed to enforce this Act in any rigorous way, leading to faster and uncontrolled proliferation of street vending, some of which in unsanitary conditions.

Employment (Repealed) (Repealed by Employment Act (No. 1 of 2007)) Act) and Other Employment-related Act: Commencement Date: 1976-05-03. This statute acted as a hindrance to informal activities, although its purpose is to protect workers’ wage payment, work hours and general welfare. It is interesting to note that, according to the Act, women cannot be employed in an industry undertaking mining or manual work. Together with the Regulation of Wages and Conditions of Employment (Cap 229) and the Factories and Other Places of Work Act (Cap 514), this is another piece of legislation to which public authorities should pay particular attention if Mexico’s legal framework is to be adapted to the particular conditions of the informal economy.

City and Urban Council by-laws (subsidiary to the Local Government Act Cap 265): The City of Nairobi (Hawkers) By-Laws 1963 are the main impediment to street trading and other micro-enterprises in the capital, since the bulk have been adapted neither to the changing conditions of Nairobi’s urban development nor to new economic challenges such as street trading. The City Inspectorate has often used these by-laws in order forcibly to remove informal vendors from the street, where their presence was perceived as an offence. Interestingly, the same by-laws do allow hawking as a licensed activity, but fall short of defining how and where such trade could or should be carried out. It is a paradox that under these by-laws, even those traders who had secured hawking licenses have also been forcibly removed alongside those without licenses. Clearly, street vendors make use of public space, which is a public good and therefore entails some sort of charge. Many vendors would readily regularise their informal activities, but are prevented from doing so as much by complex regulations as by lack of support or repressive action by public authorities. Yet for all the wasteful efforts to evict them from public space, most vendors continue to use it illegally. This pinpoints the lack of government recognition of their economic contribution as one of the main sources of the problem. By contrast, the Government of Uganda has moved far ahead of Kenya in this respect: on top of formal recognition of the informal economy, it has published a handbook setting out the diverse types of informal trading and their various rules of entry.
and operation. Since informal operators in Nairobi feature a high degree of self-organisation, the Ugandan experience would be easy to replicate.

2.4.1 Evaluating existing legislation and its effects on the informal economic activities

The Local Government Reform Programme [LGRP] of 1999 focused on a key policy areas such as reduction of poverty and unemployment, and promoting higher rates of economic growth. The reforms had three components: improving local service delivery; enhancing economic governance; and alleviating poverty through increasing efficiency, accountability, transparency and citizen ownership.

Its immediate policy focus was the removal of unnecessary regulatory barriers and the reduction of costs of doing business. In particular, the government initiated two nationwide reform efforts, namely: the Single Business Permit [SBP] and The Local Authority Transfer Fund [LATF]. The Single Business Permit (SBP), a significant milestone, in relation to small businesses is a response to business licensing problems faced by micro and small enterprises (MSEs) especially street vendors. Business licensing was aimed at protecting consumers from exploitation, health and safety hazards and control of business activities.

In reality, the form and coverage of policies and regulation render them impossible to enforce seeing as they are colonial by-laws. While the basic idea was that the intent of licensing is to enable entrepreneurs conduct their businesses productively and profitably, it has become a stumbling block. Over and above the limit in the number of people who can practically be licensed, once the license is obtained, it is shrouded with many other outdated restrictive requirements relating to public health, building requirements, and other regulations outlined in the Local Government Act. The result is evasion by most traders and therefore flouting most regulations laid down by authorities. There is need for local authorities to put in place relevant policy frameworks and reviews of the existing by-laws if they have to enable conformity to government policy of enhancing the performance of these enterprises.

The 2002 - 2008 Kenya Development Plan indicated measures aimed at ensuring control and regulation of hawking within the Central Business District; inadequate space for all street vendors within the CBD faulted this process. For instance over fifty thousand street traders operated in Nairobi then, the council however only managed to set aside sites that could accommodate about 7,000 traders (Organisation for Economic Co-operation and Development [OECD], 2010). Under this arrangement the tenure remained unclear; the urban authorities viewed the sites as temporary while the vendors
viewed them as permanent. A mix up in allocation halted the council’s plan to charge
some fees; there were cases of double allocations, infiltration by those not allocated
sites, and/or hostility directed at the City Council Authorities. Such stand offs can only be
solved through dialogue and negotiation. Most of these sites lack infrastructure and
services, and are congested. Congestion is in part the result of infiltration by vendors
who were not allocated sites, or those allocated unfavourable sites where there is
insecurity and fewer customers. These are aspects that should be considered in future
responses, resistance to intervention has been shown to be brought about when the
informal entrepreneurs feel access to customers and security were not well considered.
On the part of the entrepreneurs’ lack of coherence and representation does not make it
any easier to be assisted by the Council. For this reason they can rarely negotiate for
anything and become mere recipients of what the council has decided to offer. The
interventions would be more successful, if entrepreneurs have a unifying body
advocating and negotiating on their behalf. Ensuring a dynamic MSE sector requires
functioning associations that support entrepreneurs, lobby and dialogue with authorities.

2.5 THE RIGHT TO THE CITY
The study asks with David Harvey whether urbanization has contributed to human well-
being, in defining a city he quotes Robert Park an urban sociologist: “man’s most
successful attempt to remake the world he lives in more after his heart’s desire. But, if
the city is the world which man created, it is the world in which he is henceforth
condemned to live. Thus, indirectly, and without any clear sense of the nature of his
task, in making the city man has remade himself.” This fundamental question first
acknowledges that the city is lived in collectively and so moving forward the city is made
for man by man collectively and the resulting form binds its inhabitants; the desired city
cannot be divorced from the social, environmental, political etc. spheres that are desired.
Who then should create this city? Who can change this city? What effect has this
change on its inhabitants? The concept of the right to the city begins to engage this
debate.

The concept of the right to the city draws inspiration from two main sources; firstly: a call
for a reappraisal of human rights to embrace the urban domain given that more than half
the world’s population lives in cities. The debate focuses on whether the ‘human rights’
agenda, mandated by the UN’s 1948 Universal Declaration of Human Rights, that
created a global standard for all people and nations to liberty, justice and equality,
should be extended to include political, economic, social, or environmental rights. The
1948 UN Universal Declaration of Human Rights states; all human beings are born free and equal in dignity and rights (Article 1) regardless of race, colour, sex, language, religion (Article 2) everyone has a right to life, liberty and security of person (Article 3). The prevailing situation in cities today calls for a response to modernity and the rise of a modern state paralleled by its (the state’s) increased power which has seen the decline of ‘traditional’ communities and systems of mutual support; and this is aptly captured even in Nairobi’s history. The current challenges being faced in cities are inter alia; vast numbers of separate families and individuals, increasing lack of protection from economic threats, and these are issues that human rights are designed to mitigate (Alison brown in Moser, et al., 2010). Bernashre Bernajee in a February 2010 e-debate hosted by the UN-HABITAT said of the right to the city:

The paradigm of the right to the city is based on the universally accepted concept of human rights, but it cannot be seen to be part of the human rights regime. The critical difference is that the right to the city can be effective only when city dwellers become, and continue to be, active agents of change rather than recipients of dispensed benefits. This is the common thread that runs through the development of thinking on the concept from when it was first articulated by Henri Lefebvre in the 1960s. The implication is that development decisions about the city are not confined to the city hall but are the result of debate and deliberation among the citizens. Claims and negotiations around the use of public space in the city acquire particular significance, given the regime of private property rights in most cultures. The other issue of importance is that of equity and priority in the access to civic services and right to housing, health care etc.

The term the Right to the City can first be traced to the writings of French Marxist philosopher Henri Lefebvre, through his work in Le Droit à la Ville in 1966-67 and subsequent work. ‘La Droit à la Ville’, or ‘the Right to the City’, is a passionate plea for a new and radical kind of urban politics. Lefebvre states that the right to the city can only be conceived as a “transformed and renewed right to urban life” (Lefebvre 1967) and explains the concept by discussing different aspects of this right. A central theme in his work is the perception of the city as an ‘oeuvre’, a collective artwork of all the inhabitants and users of a city. They can contribute to the ‘oeuvre’ by collectively shaping the future of urban space and by inhabiting their urban environment actively, for example by participating in the public life of their community, but especially by the appropriation of both time and space of their city (Lefebvre 1967, 1973, 1974).

The emphasis on appropriation is based on Lefebvre’s opinion that everybody has the inalienable right to use all space of the city in order to provide themselves with the necessities of daily life. According to him, the appropriation of space is more important than the domination of those who own space. Therefore, in the city-as-an-oeuvre the
use value of space has the priority above the economic value, which means that the
social function of space is always more important than the profit that can be made by its
exploitation or selling (Lefebvre 1967). Lefebvre points out how the ‘use value’ (the
benefit of city life) has been overwhelmed by an ‘exchange value’ as urban assets are
commodified. Thus many communities have been denied access to key attributes of
city life including participation in political decisions and the practice of urban culture. He
contends that citizenship confers to all urban inhabitants’ two central rights;
participation (allows people to access space) and appropriation (allows people to
occupy space). He argues as follows:
The right to the city manifests itself as a superior form of rights: right to freedom, to
individualisation in socialisation, to habit and to inhabit. The right to the oeuvre, to participation
and appropriation (clearly distinct from the right to property), are implied in the right to the city
(Lefebvre 1968 in Kofman and Lebas 1996)
Another important theme in his work is the ‘centrality’ of space. Inner cities are
epicentres of social interaction and human creativity and everybody has the right to
access the centre and appropriate space of centrally located areas. Lefebvre’s right to
the city is not a closed system of set procedures, but should be seen as a mentality,
which implies the right to the ‘oeuvre’, the right to appropriation and the right to have a
final vote in decision making processes. These rights need to be fought for permanently
in the urban environment or as Lefebvre states: “the right to the city does not abolish
confrontations and struggles.
His work created a powerful paradigm in the struggle against the exclusion, nature of
citizenship and structure of capitalism (established economic and political orders)
evident in globalised economies, and became a rallying cry for social action during the
1968 riots in urban France. Lefebvre’s right to the city had two main themes:
• it enfranchised citizens to participate in the use and production of urban space,
• to appropriate the city: a right to full involvement in urban life.
His call emphasized on the right to the city as a whole, rather than specific rights,
inspired a wealth of social action to strengthen the contract between cities and citizens,
and a rich debate by leading academics such as David Harvey. Crucially, his vision is of
a collective rather than an individual right rather than individual right. Nevertheless, how
to implement the concept remained vague.
2.5.1 Thoughts on the way forward;
Lefebvre’s critique of the capitalist world order has been taken up by other academics,
notably David Harvey, in his book Social Justice and the City (1973) and later writings,
who argues that urbanization is a direct result of the investment of capital surplus, and
that cities have always been a class phenomenon as the rich have benefited most from
capital accumulation (see 2.5.2). There is thus an intimate link between urbanization
and capitalist economics that Harvey suggests can only be broken through continuous
political struggle. Harvey thus viewed the right to the city as a framework to unify the
struggles of urban social movements, he writes thus in 2008 “the right to the city is far
more than the individual liberty to access urban resources: it is a right to change
ourselves by changing the city… the freedom to make and remake our city and
ourselves.” (Harvey, 2008) The Right to the City has been a powerful slogan adopted by
urban social movements. Harvey’s work moves the emphasis from the individual to the
notion of collective and structural change. However, direct engagement cannot take
place without the individual rights bearer making claim on the Right to the City, a
process of continual struggle (Mayer, 2009).

Others, such as Purcell (2002) have argued that the Right to the City is a challenge to
the nature of citizenship. The idea of citizenship is based on a contract between the
nation state and the individual, conferred through political rights and the payment of
taxes. But many urban residents, such as migrant communities and transient workers,
do not qualify for such rights but nevertheless form an integral part of city populations.
Thus the concept challenges traditional relationships between cities and individuals,
placing emphasis on the Right to the City as a whole rather than specific rights. These
distinctions create opportunities for debates.

Another core theme in the debates explores the Right to the City as claimed through
public space. John Freidman (1992), for example argued that streets are places for
celebration, protest or control, and that political freedoms are often claimed in public
space; Mitchell (2003) likewise argues that the Right to the City has the fulcrum through
which social justice is claimed, as played out in the public space of cities. Other
debates focus on the role of migrants and commuter populations and the many different
ways in which they make their claims on cities through labour market participation, and
the challenges posed by a world without borders (Dikeç and Gilbert; 2002; Bastia,
2010). The debates around poverty reduction focus on the role of local government in
pursuing a rights-based agenda for all urban inhabitants (Parnell and Pieterse 2010).
Brazilian jurist Edesio Fernandes (2007) has argued that the Right to the City can only
be implemented effectively if enshrined in legislation, as in Brazil, Colombia and
Ecuador, where the Right to the City is now enshrined in national constitutions.
Fernandes used the Brazil City Statute (2001) and suggested change in socio-
environmental functions of property rights. It included rethinking urban planning, social right to housing, conservation, capturing surplus value and regularization of informal settlements. The social function to property rights has been defined in law, in order to underpin arguments for regularisation of informal settlements; the legislation includes a right to participation in urban planning, and a social right to housing, capturing the surplus value of land. Right to the City seeks to provide a platform for inclusion of all actors in urban domains defined locally within particular social contexts to claim the benefit of city life; it creates a platform for championing a halt to punitive evictions, and breaks down the narrowly defined, exclusive model of individual property rights (citizen in this context implies inhabitants and does not necessarily demand citizenship of the nation state). In the context of this study this right calls for an inquiry of access by the informal economic practitioners to urban resources and services, being inhabitants of Nairobi can they lay legitimate claim to rip the benefits of this city. If so, does this infringe on the right of other inhabitants to enjoy benefits they are entitled to? How as urban designers do we mitigate these challenging notions for rights as we develop our city to include all actors and allow appropriation? In this sense the Right to the City provides a framework for analysing how informal economic practitioners are being disenfranchised of their right to exist in Nairobi city. At the centre of this debate is access to urban space (informal market space as it may be defined) and appropriation of this space to meet the ultimately sort after subsistence etc.

2.5.2 Capitalism, urbanisation and marginalization

From their inception, cities have arisen through geographical and social concentrations of a surplus product. Urbanization has always been, therefore, a class phenomenon, since surpluses are extracted from somewhere and from somebody, while the control over their disbursement typically lies in a few hands. This general situation persists under capitalism, of course; but since urbanization depends on the mobilization of a surplus product, an intimate connection emerges between the development of capitalism and urbanization. Capitalists have to produce a surplus product in order to produce surplus value; this in turn must be reinvested in order to generate more surplus value. The perpetual need to find profitable terrains for capital-surplus production and absorption shapes the politics of capitalism. It also presents the capitalist with a number of barriers to continuous and trouble-free expansion. If labour is scarce and wages are

17 Adapted from David Harvey’s Right to the city; (Harvey, 2008) pg. 24-25
high, either existing labour has to be disciplined (i.e. technologically induced unemployment or an assault on organized working-class power are two prime methods) or fresh labour forces must be found by immigration, export of capital or proletarianization of hitherto independent elements of the population. Capitalists must also discover new means of production in general and natural resources in particular, which puts increasing pressure on the natural environment to yield up necessary raw materials and absorb the inevitable waste. They need to open up terrains for raw-material extraction often the objective of imperialist and neo-colonial endeavours. The coercive laws of competition also force the continuous implementation of new technologies and organizational forms, since these enable capitalists to out-compete those using inferior methods. Innovations define new wants and needs, reduce the turnover time of capital and lessen the friction of distance, which limits the geographical range within which the capitalist can search for expanded labour supplies, raw materials, and so on. If there is not enough purchasing power in the market, then new markets must be found by expanding foreign trade, promoting novel products and lifestyles, creating new credit instruments, and debt-financing state and private expenditures. If, finally, the profit rate is too low, then state regulation of ‘ruinous competition’, monopolization (mergers and acquisitions) and capital exports provide ways out.

If any of the above barriers cannot be circumvented, capitalists are unable profitably to reinvest their surplus product. Capital accumulation is blocked, leaving them facing a crisis, in which their capital can be devalued and in some instances even physically wiped out. Surplus commodities can lose value or be destroyed, while productive capacity and assets can be written down and left unused; money itself can be devalued through inflation, and labour through massive unemployment.

How, then, has the need to circumvent these barriers and to expand the terrain of profitable activity driven capitalist urbanization? The study agrees with Harvey’s contention that urbanization has played a particularly active role in absorbing the surplus product that capitalists perpetually produce in their search for profits. Where does this leave those in these cities who do not own or have access to the means of production? Harvey demonstrated how the urbanisation process has over the years been the solution for surplus capital at the expense of all other inhabitants of the city; Haussmann’s Paris he argues was a project aimed to produce a city that absorbed vast surpluses through crass and frivolous consumerism (Harvey, 2008). In 1968 the base of overextended and increasingly speculative financial system and credit structures crashed, capital abandoned Paris to find greener pastures. But the city still has inhabitants who had no
say in what they wanted their city to be but still had to deal with the crisis this episode
had occasioned them. Harvey’s also revealed the hand of capitalism in the urbanisation
process in Moses’ 1960 United States development of a Haussmann model but up
scaled to begin defying city scale and approaching national scale (the whole of United
States), it crashed in 1968 leading to claims for civil rights in the central cities, and a call
to build another kind of world including a different kind of urban experience (Jane Jacobs
contribution is here acknowledged).

The Capitalism cycle in an attempt to resolve the crisis it creates has basically taken full
control of the urbanisation process, it has changed the focus of community action
towards the defence of property values and individualized identities above all other
urban persuasions. It was in this context that Lefebvre predicted, among other things,
not only that the urban process was crucial to the survival of capitalism and the right to
the city had to mean the right to command the whole urban process that was
increasingly dominating all spheres of life.

Capitalist processes have resulted in the proliferation of masses to the cities creating a
reserve army at the disposal of those who own the means of production. As the reach of
capitalism is now global and defies national even regional boundaries this group of city
inhabitants have no voice in what their city should be, the visual aesthetic that they
desire, and access to subsistence. The right to the city provides a platform to enable all
inhabitants participate and hence produce and consume space in their collective image.

2.5.3 A case for informal economic activities in the context of the right to the
city

Access and therefore to practice the privileges’ of appropriation of space in Nairobi,
Kenya is controlled by land tenure systems. Who owns the tenure of public urban space
in Nairobi? Who has the right to shape and modify this space? Public urban space is
pertinent because pervasive increase in poverty levels especially in urban areas have
locked out masses in the access to tenure for the private urban space; even the middle
class can scarcely afford tenure to this space. The government having promised over
the years to designate spaces in the city for informal economic activities, but as has
been shown in historical analysis, this has not seen the light of day at least no official
zones for these activities have been gazetted. Informality being the mode of production
of space defined by the territorial logic of deregulation, practitioners spontaneously and
creatively respond to the state's incapacity to satisfy their basic needs, to put it in De
Soto’s words. Despite this de facto tenure system not fitting neatly in the legal
framework, these masses have opted to resort to occupying urban public spaces and
appropriating it to etch out a living. The human right to seek subsistence and all inhabitants including the entrepreneurs have the right to the city; a struggle thus ensues for informal economic practitioners to access public urban space whilst challenging the spatial order established by planning instruments.

It follows then that as urban planners and designers we can only be useful if these competing rights can be resolved to guide urbanisation process for the greater good.

H.W.O. Okoth-Ogendo in the perils of land tenure reform: the case of Kenya offers a possibility in the context of rural communal land and its inefficient use; he argues that by changing tenure, that is, the manner and conditions under which land is held, it is possible to generate efficient land use practices. This assumption is in turn founded on the argument that ownership per se, especially if it is individualized and is secure against State intervention (or interference), is the foundation of economic initiative (Ogendo, 1982). He further argues that land tenure has been offered as the explanation for the alleged inability of indigenous tenure institutions to stimulate agricultural development; it being contended that because of their "communal" nature these institutions are inherently incapable of accommodating "modern" production methods, techniques, and practices.

In the context of this study then the articulation of tenure of public urban space and hence its predisposition to production and appropriation is brought to the fore. Here is a case where the state (local state in this case) has the prerogative to avail access to this resource but for years has not been successful in this endeavour. The result is that public urban space becomes contested; it offers marginalised communities space to set up their businesses where there is access to masses (who are viewed as customers) only to be evacuated by the council administration in the pursuit of modern metropolis aesthetic and to protect the rights of other citizens and ensure a clean environment. The right to the city offers a framework for analysis of the praxis of production and consumption of this peculiar urban dynamic. As the rights of other urban space users as well as those of the informal economic practitioners compete for public urban space use the peculiar spatial character is realised, the subject of this study; how are other users affected? How have the land use practices been changed by the presence of these activities? Whose rights and which rights are violated? What is the local government’s position?

These queries are explored more in the chapter 4 on field research.
2.6 Synthesis

Figure 2-4 represents the conceptual frame of the literature review as the study transition into field work studies.

INFORMALITY

DEFINITION

PRODUCTION AND CONSUMPTION OF URBAN SPACE

MATERIAL AND SPATIAL PRACTICES (Lived)
- Material flows
- Movement and habitation
- Co-existence

REPRESENTATIONAL SPACE (Conceived)
- Boundaries
- Signage

SPACES OF REPRESENTATION (Perceived)
- Relationship to urban space
- Relationship with other inhabitants: residents, patrons etc.

PARTICIPATION
- Production of space
- Citizenship
- Emancipatory struggle

APPROPRIATION
- Access to urban resources: urban space, goods and services etc,
- Legal: Regulations, enforcement of regulations
- Citizenship: Livelihood,

Authors’ discussions
Lefebvre (1991)
Harvey (1990,2008)
Ogendo (1992),
Mochache (1990)
Anyamba (2006)
Mitullah (2003, 2006)
Roy(2005)

Authors’ discussions
Lefebvre (1967)
Harvey (1990,2008)
De Soto (2001)
Bernajee (2010)
Fernandes (2007)
Oyugi (2001)
Roy(2005)

NGARA WEST
- Who are the inhabitants (respondents): The local government, informal entrepreneurs residents,
- How/ why did the informal entrepreneurs enter and locate in Ngara West,
- What physical structures support the informal activities; materials, construction and maintenance,
- Regulations and their enforcement in Ngara West,
- What is resultant physical environment and what are the arising issues,
- How have the inhabitants responded to the resultant public urban space in Ngara West, how do they compare the situation to what it was before,
- What is the councils position and what do they intend to do about it?
- How does the situation in Ngara West compare to the past, and findings in literature?
- What is the role of urban planners and urban designers in this situation?

Figure 2-4: Conceptual frame work, Source: Author
This chapter presents the methodology used for the study which was carried out on informal economic activities in Ngara West, Nairobi. The fieldwork was conducted between February and April 2013. For this research, the case study method was employed; Yin (2009) describes case study as an empirical investigation of a contemporary fact that allows investigators to retain the holistic and meaningful characteristics of real-life events. Case study methods are applied specially to answer the "how" and "why" in situations when the phenomenon being studied is embedded within important contextual conditions. Hartley (2004), states that case study research "consists of a detailed investigation, often with data collected over a period of time, of phenomena, within their context," with the aim being "to provide an analysis of the context and processes which illuminate the theoretical issues being studied". In this respect, it is important to note that case studies have an important function in generating hypotheses and building theory.

Given this definition it might be important to note that a case study is not a method but a research strategy (Hartley, 2004; Titscher et al., 2000). Or, put differently: "case study is not a methodological choice but a choice of what is to be studied. By whatever methods, we choose to study the case" (Stake, 2000). As matter of fact, case study as a research strategy comprises an all-encompassing method, which means that a number of methods may be used: either qualitative, quantitative or both (Hartley, 2004; Yin, 2003). Therefore, a case study cannot be defined through its research methods, but rather in terms of its theoretical orientation and interest in individual cases (Hartley, 2004; Stake, 2000). Besides, case study research design can be used with other research strategies to address related research questions in different phases of a research project. Hartley (2004) summarises case study research thus:

"Case study research is a heterogeneous activity covering a range of research methods and techniques, a range of coverage (from single case study through carefully matched pairs up to multiple cases), varied levels of analysis (individuals, groups, organizations, organizational fields or social policies), and differing lengths and levels of involvement in organizational functioning".

That informality is heterogeneous has been firmly established in recent literature on informality. It has also further been argued that lumping together all the different
activities referred to as informal weakens the analysis in the study of these activities because the different forms express and locate themselves in strategically different localities based on their specific needs. It is for this reason that the study focuses on the services sector of informal activities and narrows down to retail activities that have agglomerated in the streets of a predominantly residential setting. For purposes of projecting the future of urban design in a context of informal economic activities, the study will analyse an organically/informally grown cluster of informal economic activities within the street network of a predominantly residential neighbourhood that has developed over time and survived the local authority’ interventions. The objective was to understand the spatial needs of these practitioners, the conflicts that have arisen due to their presence, their challenges in as far as space production and consumption and the possibilities of integration of these activities within their context. Respondents were interviewed and the resulting data presented and analysed in chapter four. Lefebvre’s model of production and consumption of space and the right to the city was used to explore the space use conflicts afforded by the presence of informal economic activities in public urban space and thereby suggest possibilities of mitigation through urban design.

3.1 OBJECTIVES OF THE STUDY
The general aim of the study as was cited earlier is the desire to increase the understanding of informal economic activities from an urban design perspective; this is a prerequisite to meaningfully participate in the manipulation of the current urban design and planning process. The study is cognisant, from literature review, of the major issues related to informal activities which include among others access to credit or capital, need for technical knowledge in running the enterprises, and access to work sites. Given the urban design lens of the study, focus was limited to access to worksites by informal enterprises and issues arising from this process. From this broad aim, three interrelated objectives were set out to guide the field work in Ngara West towards achieving this aim:

- the study of activity interrelationship between different actors,
- nature of spatial demands,
- spatial expression.

3.1.1 Study of activity interrelationship with different actors
The first objective was to study interactions afforded by the presence of informal economic activities; a context of interactions ensues with this increased numbers of
people, new needs arise, some facilities are overrun etc. four actors were the focus of these interactions:

- informal entrepreneurs,
- residents within the locality of these informal activities (private homes, private formal businesses),
- local authorities (administrative actors),
- and external users (patron/customers).

The interactions were captured and used to develop quantitative measures to enable the exploration of attitudes towards informal economic activities.

### 3.1.2 The nature of spatial demands

The second objective envisaged for the field work was to trace the spatial demands of informal economic activities in urban space to shed light on why activities strive to locate in specific sites, how access to this space is gained (entry) and the conflicts that arise based on these developments; all this despite prescriptive measures instituted by city planning machinery as has been revealed in chapter 2 on historical background of informal economic activities in Kenya.

### 3.1.3 Spatial expression

This objective pursued spatial decisions and space use behaviour of informal sector operators. The informal economic activities base their choices of form, materials to use, permanence etc. on key issues that are the core of this objective. How these entrepreneurs produce and consume urban space is expressed in their sales platform. Though these options of production and consumption of space may conflict with those envisioned by local authority planning machinery, the need to reconcile these conflicting notions cannot be over emphasized to mitigate the conflicts that have arisen.

The street that is the context of these activities was also investigated from a democratic street\(^\text{18}\) perspective; this notion postulates that democratic streets have meaning for people, invite access for all, encourage use and participation, are loved, and are well cared for by their users. The objective of a democratic street is to accommodate all in participating in Lefebvre’s ouvre, the city.

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\(^{18}\) The concept of a democratic street was developed due to the growing concern that streets were becoming "privatized," denying people basic rights of access, use, and enjoyment and the need to resolve this; empirical research, historical analysis, and some demonstration projects (Rudofsky 1969; Whyte 1980; Appleyard 1981; among others) revealed the same.
3.2 POINT OF DEPARTURE FOR THE STUDY
The study proposes that all inhabitants in a city can enjoy their right to the city without prejudicing others right to enjoy the same. The greater good for all city inhabitants can be realised if urban designers and planners engage the ‘locational spatial’ conflicts created in urban space in the context of informal economic activities. That planning as is currently constituted creates exceptions that are the informal activities seen in the city has been articulated in the literature review. Informal activities need not be informal if they are considered for accommodation within the contexts they arise; urban design and planning can reverse the conflicts that arise due to informal economic activities into opportunities.
That abstract space has been the Achilles heel for Informal economic activities to fully express themselves spatially has been well captured in the historical background of Nairobi in the literature review. Informal economic activities attracts actors beyond the limits of Ngara West bringing together diverse groups and as such creates a new urban experience; the conflicts that arise may be explained by the limited access accorded to these activities to urban space and hence their spatial expression. This point of view links the limited or strained expression in the sales platforms to a partition created by local authorities despite the greater use value of urban space being achieved by the interactions generated by these activities.
Heterogeneity of informality is inherent even in the use of space by the informal sector entrepreneurs; there is thus a diversity of space needs and uses among these actors. Conversely space actors within the urban context i.e. planners, residential dwellers, business residents, the city planning system have divergent perceptions of space use; the sum of conflicting perceptions represent the conflicts of common space use when each freely operates, yet as inhabitants they have the right to appropriate and occupy urban space the object of urban design thus is to bridge these diverse notions. By studying the spatial preferences of these actors, an understanding of how to alleviate the conflicts that arise may be realised. If a group of inhabitants of the city have their perception of the city pursued at the peril of the others, the right to the city is denied to some hence the need for urban design and planning that take cognisance of the collective use value of urban space.
Spontaneity of informal activities comes about due to the government’s inability to provide a framework that accords equitable access to urban space especially to informal entrepreneurs; thus trial and error approach is the order of the day as far as production and consumption of space is concerned, the perceived advantages for these
entrepreneurs thus conflict with the planners urban designers’ schemes. A competition ensues between informal practitioners, residents, and urban authorities without realising the full potential of locational advantages that abound.

3.3 THE CASE STUDY APPROACH

Several approaches to doing social science research have been developed over the years, including: experiments, surveys, histories, analysis of archival information and case studies. Research design requires a choice of research strategy, and Yin (1984) suggested that the three conditions could determine the type of research programme adapted:

- First, the type of research question;
- Secondly, the degree of investigator control possible;
- Thirdly, the degree of focus on contemporary events desired (vs. historical events)

Table 1 provides an outline of the relative performance of each type of research strategy under each condition:

Table 3-1: relevant situations for different research strategies, Source: adapted from (Yin, 2003)

<table>
<thead>
<tr>
<th>Relevant situations for different research strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
</tr>
<tr>
<td>Experiment</td>
</tr>
<tr>
<td>Survey</td>
</tr>
<tr>
<td>Archival analysis</td>
</tr>
<tr>
<td>History</td>
</tr>
<tr>
<td>Case study</td>
</tr>
</tbody>
</table>

'What' questions are usually suggestive of an exploratory research, or may actually be rephrased as 'how many' or 'how much' questions. 'Who' and 'where' questions (or the derivative 'how many', 'how much') favour survey or archival research, and tend to describe incidents or phenomena with the goal of predicting outcomes. 'How' and 'why' questions are more explanatory by nature, and are likely to lead to the use of experiments, histories and case studies. These questions tend to deal with operational links which occur during a span of time, rather than the incidents or phenomena which occur at intervals over time. Defining the research question is the most important step in
a research programme, especially since this indicates the type of research programme likely.

The second criterion is the extent of control over behavioural events which the researcher can exercise. Histories are the preferred strategy when there is no practical form of control and the event or phenomenon occurred in the past (since historians deal in the 'dead' past). If there is a high likelihood of focus on contemporary events, the case study is preferred. The researcher using case studies not only has the historian's primary and secondary documentation as resources, but can add direct observation and systematic interviewing: The case study’s strength is thus its ability to deal with a full range of evidence - documentation, artefacts, interviews and observations.

Given the research question at hand, the possibility of a harmonious co-existence of all public urban space use in a context of informal economic activity, the case study approach is a suitable research approach.

Case studies can be classified into three categories:

- The exploratory (traditional form)
- the descriptive
- and the explanatory.

Catharine Hakim (1987) classified descriptive case studies as typical, or selective: The selective case study may focus on a particular issue or aspect of behaviour with the objective of refining knowledge in a particular area, to provide a better understanding of causal processes. The selective case study may lead to questions about 'how' and 'why' issues or behaviour conspired to produce the resulting outcomes: This leads into explanatory evaluation. Descriptive case studies may be exploratory, if relatively little research has been done in the area, or they may be illustrative of aspects thought to be representative or typical: Both exploratory and illustrative aspects may be included in a single case study, with accent being on the typical.

Once a body of research evidence has been accumulated, particular issues can be focused upon using selective case studies. Other data, provided by other forms of research such as surveys, can be corroborated and illustrated through more richly detailed and precise accounts. The value of the case study is measured by the degree to which the incidents discussed can be generalized to other situations; how they can explain phenomena. A more rigorous application of the explanatory case study may try to isolate selected social factors or processes within the real-life context to provide a test of the existing explanations.
There is no exclusivity between exploratory, descriptive and explanatory case studies, in fact some of the best case studies are either exploratory and descriptive or descriptive and explanatory. (Yin cites William F. Whyte's Street Corner Society (1943) as an example of a case with excellent descriptive and explanatory qualities)

In an endeavour to better understand and improve the quality of life in urban areas, urban research is conducted from two general positions that are not mutually exclusive: academically oriented (basic research) that focuses on theory building, and policy-oriented (applied research) that focuses on problem solving. Researchers and research projects can and do easily move from one orientation to the other. There is a benefit to using the methods of basic research in an applied research project and to thinking about the practical implications of conducting basic research. The study intends to shed light on the phenomenon of informality in a public urban setting with a view to resolving the conflicts that have arisen within these circumstances.

3.4 CASE SELECTION
A single case was used for the study; as has been vividly articulated, informality is unique to context, regulatory environment that exclude them, etc. it then follows that each case of informality is unique thus a single case, Ngara West was studied.

Informality being an evasive phenomenon calls for a cautious approach; it is normal for significant quantitative shifts on the nature of activities within a day with changes in location from time to time. For homogeneity of data, collection should be done in short periods on specific activities (Mochache, 1990). Informal activities happen in diverse conditions, a single case study offers an opportunity to concentrate study efforts to a specific urban system; generalisations may be made for replication in similar or other contexts to further develop our understanding of this phenomenon. Hence in this study, within the numerous interactions characteristic of informal sector activities a specific set of activities is analysed within a complex nexus. This not only calls for a careful observation, but also assists in attaining a greater understanding of the system for meaningful interventions to be realised. An embedded single case was adopted to provide a framework of observation and analysis; the embedded units were the four respondents in objective one that engage the urban space where informal activities occur.
The City of Nairobi with its administrative area of 684 km² is the capital of the Republic of Kenya and also the centre of administration, politics, economy and culture of Kenya. According to the 2009 Population & Housing Census results, population in the city of Nairobi has grown to approximately three million (3.138) (Ministry of State for Planning, National Development and Vision 2030, 2010). Ngara West is a sub-location in Starehe constituency, it sits about 0.73 kms North of the Nairobi Central business District. The study area is limited to the area bounded by Ngara road to the south, Mushembi road to the west, Kolobot road to the North and Muranga road to the East. To capture these activities as they sprawl in to the CBD, more entrepreneurs will be engaged along Muranga road as you approach the CBD as shown in see Figure 3-3. Ngara West provided an appropriate scale for the analysis of informal economic activities, links to all areas of urban life abound: residential (reproduction\(^\text{19}\)) and commercial (production\(^\text{20}\)) sit in close proximity and have attracted these informal activities in their midst. Limited time and finances only afforded a single case for a meaningful study of this phenomenon; this

\(^{19}\) The social relations of reproduction, i.e. the bio-physiological relations between the sexes and between age groups, along with the specific organization of the family

\(^{20}\) The relations of production, i.e. the division of labour and its organization in the form of hierarchical social functions.(see 1.5 on conceptual approach to informality in markets)
was the most appropriate method that would enable thorough and reliable information on specific activities to be collected within a short period.

A questionnaire was adopted for gathering data from the four respondent groups; this instrument was particularly appropriate because it enabled the generation of quantitative detail where there was a difficulty in investigating all the elements. By sampling out the various informal economic activities by activity types then applying random and stratified sampling techniques (based on the four respondent groups) the universe of the informal economic activities within Ngara West was reduced to manageable numbers upon which the interviews were conducted. Therefore a single case study approach with the questionnaire as data collection instrument offers a suitable system for field work.

Direct observation and recording of observable interactions within the streets through hand drawn sketches, photography and field notes were used to capture the qualitative aspects of informality in Ngara west. To capture participation in the ouvre, the following observable issues were considered: street use and user diversity, accessibility, participation and/or modification, real and symbolic control, traffic management, safety and security, ground floor street relationship, and ecological quality. These issues are viewed with a perspective of a democratic street with a bias to the conflicts that are as a result of the presence of informal economic activities.

During the field work and collection of data the respondents were engaged in focused group discussions to articulate salient common issues that arose, such issues as the role of the council, waste/environmental management and who bears the highest responsibility. The focused discussions were also used to open up discussions between the inhabitants and move beyond stereo types that may influence individual interviews.

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21 See 3.1.1
Figure 3-1: Ngara West in the context of Starehe constituency, Source: adapted from the preliminary report on the first review relating to the delimitation of boundaries of constituencies and wards: Republic of Kenya, The Independent Electoral and Boundaries Commission (IEBC)

Figure 3-2: Study area in the context of Ngara West, Source: adapted from Google earth (accessed 26th March 2013)
3.5 THE UNIT OF ANALYSIS
The unit of inquiry in the field study was the informal sales platform; the informal sales platform is here defined as the spatial form adapted by an informal entrepreneur to enable him/her to among others display, store etc. his merchandise and thus conduct business. These platforms range from one carrying his merchandise and using his arms for display as he moves about soliciting customers, to a semi-permanent shelter. The main criteria for delimiting the enterprises to be studied is the permanency of the sales platform and its location within the street domain (road reserve; those considered were limited to those not accommodated in permanently built structures).

3.5.1 The Study Sample size
It must be noted that the task of capturing a statistically accurate sample size within informal economic activities is exceedingly difficult because a large number of the activities is unstable in location and operational timing. Some conglomerate at specific times of the day, on specific days of the week and move from place to place; the enumeration was done on Saturday 23 March 2013 between 3:00 and 5:00pm when according to a resource informant is an important period for trading. This enumeration served only as a guide for developing a sampling frame. For concrete generalisations repeat enumeration may be necessary in various seasons to reveal a fair estimate.

The data was obtained from a randomly selected but stratified sample of respondents within Ngara West area to garner their aspirations, and perceptions of governance institutions as far as their use of public space is concerned. The initial stratum is based on the four respondent groups that are embedded in this case study approach:

The informal enterprise operators will be selected from a stratified sample frame, using systematic random sampling and there after convenient sampling (non-probabilistic) for the individuals to be interviewed. The study intends to capture at least 2-5% of the enumerated informal sales platforms for interviewing. The first sampling level developed during reconnaissance visits is based on the products being offered for sale, three broad categories: organic products, inorganic products and others conglomerating personal services and kiosks (general merchandise stall), these included: **inorganic products**

572 sales platforms were enumerated, the products on offer in this category included among others: clothing and garment items, shoes and footwear items, cooking utensils,

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22 See 3.5.1
plastic bags, multimedia items (music and movies in CD or DVD formats); **Organic products** 516 sales platforms were enumerated, the products on offer in this category included among others: vegetables and fruits, cereals and grains, cooked food stalls etc. **Personal services** 44 sales platforms were enumerated, the services and products on offer in this category included among others: shoe cleaning, shoe repair, tailoring, kiosks (general merchandise stall). On aggregate a total of 1132 enterprises were enumerated; the study targeted about 57 entrepreneurs to facilitate a meaningful study.

According to the 2009 census data Starehe constituency has a population density of 25640.24 per square kilometre; the study area Ngara constituency has a total population of about 25,354, with an area of about 2.6 square kilometres giving it a density of 9751.54, way below the constituency density. The study area being about 157,928.394 square meters (0.157928 square kilometres) the approximate population within the study area assuming even population distribution is about 1540 people. Approximate target for residents then translates to about 31 interviews (at 2%). As for the resident respondents two groups, business residents and domestic residents, were interviewed based on a stratified sample generated by their geographic locations as indicated in Figure 3-3. Each zone represents a strata for interviews the target was at least 6 interviews per strata two business and four homes for analysis.

Patron respondents were sampled at their convenience based on strata developed for the informal entrepreneurs, they are targeted as patrons of specific entrepreneurs and thus identification is based on siting of interactions or visits to specific sales platforms. The sample size is generated from the target resident sample size, it is assumed that more patrons do not reside in Ngara West and are passing through; this assumption is informed by the presence of Ngara stage, Stima plaza and the numerous hotels that attract a high population, it was thus assumed that out of five people three do not reside in Ngara west. The target sampling frame for patrons thus is as follows; given the target of 31 residents representing 2/5 of the target patron, then the total target patrons is about 77.5, the interviews targeted at least 4 patrons per strata (zone) (see Figure 3-3). The respondents to represent local authorities will be interviewed based on their availability and willingness to participate in the study. Professionals who occupy themselves with representation of space (planners, architects etc.) will also be interviewed to capture their take on this phenomenon. They will be interviewed based on projects that they have done in the study area and their response to the informal economic activities in the study area.
To facilitate communication between research assistants, and also for easier and accurate references, the study area was subdivided into subzones (see Figure 3-3) creating strata for case analysis. These were based on the observed mobility and relative permanency/establishment of the informal entrepreneurs: Zone 4 had the most mobile and least permanent establishments, while zone 2 had the least mobile and more permanent of the informal establishments observed; zone 3 and 1 fall between respectively. These are based on observations made during the reconnaissance visit. The zones are street/road reserve based and encompass one lot flanking the street as follows: zone one is on Ngara road, zone two is on Shilingi road, Kienjaku road and Tiwi street, zone 3 is on Kolobot road, and zone 4 is on Muranga road.

3.6 DATA COLLECTION METHODS
The field data collection methods to be employed to achieve the objectives afore mentioned are cut across human behaviour and the context of this behaviour. The object of field work is to capture spatial practices in a contemporary setting, Lefebvre’s third parameter for space production and consumption. As such qualitative and quantitative methods are employed to capture this data. Field observation techniques will be used to capture qualitative data, they include: direct observation, photography, free-hand sketches, and field notes. To generate quantitative data, semi structured questionnaires will be used to guide interviews and later to generate aspects that can be compared one on one.
Qualitative techniques will capture among others: locational features: permanency, structures for business, materials used for developing sales platforms; composition of activities: business types (vegetable sales, shoe shining, clothes sale etc.); conflicting situations.

3.6.1 Questionnaire respondents
Four respondent groups who were earlier discussed will be interviewed using the semi structured questionnaire.
3.6.2 Questionnaire design

The growth and operations of street vending as informal economic activities can be conceptualized to be influenced by a number of factors which reflect the social, economic, physical, institutional and environmental aspects. The social aspects highlight the entrepreneur's social background like marital status, family size, gender, level of education, kind of professional training etc. The economic sphere includes aspects such as source of income, business characteristics e.g. ownership, market etc. are considered. The physical sphere entails availability of space, land use patterns, spatial distribution of available infrastructure. Institutional factors highlight the central government policy and laws, local authorities’ policy and by-laws administration and political policy etc. all of which control and regulate the planning of these activities. Once started the operation and performance can be conceptualized to revolve around an environment with such factors as: location, pre-existing built up spaces, working space (built or otherwise), marketing aspects (access to customers), business ownership and management. The environment may either encourage or discourage the progress and development of these activities.
It is noteworthy that the factors determining the formation and growth (social, economic, institutional and physical) together with those determining the operation and performance (environment created) need institutional support (central and local government, non-governmental organisations, financial institutions) in order to be co-ordinated with the aim of developing a policy framework that may facilitate growth and sustainable operations of street vending economic activities.

3.7 DATA ANALYSIS

Three general strategies were implemented in analysing the case study data: relying on theoretical propositions, using both qualitative and quantitative data, and examining rival propositions. The theoretical preposition that the city is an ouvre and that all inhabitants have a right to the city was adapted from Lefebvre’s theory of production of space; it was thus postulated that one inhabitant’s right to the city should not infringe on another’s right to the same. In the context of informal economic activities, their presence in urban space have resulted in conflicts. The study picks on from Ananya Roy’s proposition that planning modalities as currently constituted produce the unplannable; that urban designers can strategically mitigate these issues by reconsidering the right to the city. The study first identifies these conflict issues arising in Ngara West due to the presence of informal economic activities; qualitative and quantitative techniques were used to corroborate observed conflict issues. Pattern matching is used to consider whether the conflicts can be sufficiently resolved through to urban planning and design; two rival explanations are considered: harmonious co-existence in urban space, and thus enjoyment of the right to the city will require interventions other than urban planning and design, and that urban planning and design interventions are not sufficient in resolving conflict in public urban space arising from the presence of informal economic activities. Despite the spontaneous occurrence of informal economic activities, the conflicts that arise due their presence can be predicted; some of these conflicts are attributable to the production and consumption patterns of these informal activities.

Case study field work findings were contrasted and compared with literature review findings to check for validity and consistency. Such a triangulation of the information obtained allows the researcher to increase the validity and credibility of the research because of the possibility of corroborating results from various data sources (Yin, 2009). Unlike quantitative analyses where data collection and analyses tend to occur more sequentially, in case studies, qualitative data analysis begins in the field during data
collection as notes are recorded, initial interpretations are made during team discussions and tentative hypotheses are tested in subsequent interviews.

In analysis of case studies, there are inevitably more variables than cases, or data points, so traditional statistical analyses cannot be applied. Therefore, different techniques need to be used to organize and systematically review large amounts of information. The analytic focus in single case studies is on the overall pattern of variables within a case, looking at the parts in relationship to the whole.

In quantitative analyses, analyses are usually variable-oriented. Variable-oriented analyses examine predictor variables, their relationship to each other and their effect on the outcome. For example, if the columns in a table are the variables and the rows are the cases, a variable oriented analysis reads down the columns. The results may or may not fit any given case, but typically they establish an "average" case that is non-existent in real life. On the other hand, case oriented analyses examine the interrelationship among variables within each case first, and then in multiple case study situations make comparisons across the cases, looking for similarities and patterns. In the same table, a case-oriented analysis reads across the rows. This "horizontal" logic is at the core of case study analysis. Some researchers may combine variable and case-oriented approaches. For example, the researcher may use variable-oriented analyses to look for recurrent themes, then do a case oriented analysis to develop types or "families" of cases (Miles and Huberman, 1994). The primary focus of case study analysis, however, is on the level of the overall case. The study used the rows as variables, and the column cases to establish conflicts attributable to the presence of informal economic activities; this was to corroborate observed conflicts and capture those that are not observable.

3.7.1 Analysis of observable conflicts

For observable conflicts a 10 point criteria (see table 3-2 and 3-3) was adopted to profile different streets and hence allow the measuring of street democracy;

<table>
<thead>
<tr>
<th>Very weak</th>
<th>Weak</th>
<th>Strong</th>
<th>Very strong</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 2.5</td>
<td>2.6 - 5</td>
<td>5.1 – 7.5</td>
<td>7.6 - 10</td>
</tr>
</tbody>
</table>

The observable issues considered were as follows:
**Street use and user diversity observed:** investigated a balanced mix of different user groups [age groups, social classes: the presence of informal entrepreneurs was considered positive as the entrepreneurs were deemed to be from a different social
group in this context, user competition/conflicting uses to evaluate balance between freedom of use and control of the same.

**Accessibility:** degrees of public are interrogated in terms of safe access by all age groups especially children and the old, the impact of presence of informal activities on access by the vulnerable was considered.

**Participation/modification:** direct participation by street users in the design and management process is interrogated as this helps establish an on-going attachment to the street; participatory cues include movable chairs, planters, information boards etc. the presence of informal activities may act as pull or repel factor for other users’ participation on the street.

**Real and symbolic control:** democratic streets are realised when inhabitants perceive a sense of responsibility over the street, (the street belongs to us and not the anonymous city in which case it seems to be controlled by no one) Observable cues to this quality include maintenance of the side walk, street trees well maintained shrubbery, responsibility for the space beyond the private front yard or an extension of the entrance to the public domain.

**Traffic management:** traffic management contributes to inhabitants’ attachment or detachment to a residential street (Appleyard 1981), observable queues to this quality include pedestrian and bicycle flows, safe crossing spots, vehicular speeds and volume, signage etc.

**Ground floor and street relationship:** social connection links ground floor building uses, the informal enterprises and other street activities; this relates to real and symbolic control above, but begins to observe the separating membrane between the private domain and public to find cues on the attitudes to the street activities.

**Ecological quality:** common comfort levels of air and noise can be empirically determined using instruments, the study however due to constraints of time and resource will depend on the research team’s common perception of the same to take note of extreme diverging levels of noise and air pollution, subjective but objective in that all research assistants agree on the notable levels. More critical observable cues are natural or artificial shading elements that shelter inhabitants from the scorching sun or rain but allowing them enjoyment of the outdoor space.

Over and above these observable cues to a democratic street, in recognition that democratic streets evolve over time, the research engaged inhabitants in focused groups’ discussions to establish whether the process of developing the street into a livable democratic space is underway; inhabitants must engage in one way or another to
shape the character and form of the streets, this can only be done when there is representation and opportunity to dialogue. The study will query on local user groups representative of the embedded cases to establish whether the divergent groups are conversing on the way forward (negotiating with each other on the way forward).

Table 3-4: template for street profiling to establish the level of public use in a street, Source: Compiled by Author with reference to Appleyard (1981)

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Average building heights</th>
<th>Pavement width (maximum and minimum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side walk width</td>
<td>Presence of vendors</td>
<td>Presence of vulnerable age groups/ user behavior on street</td>
</tr>
<tr>
<td>Street width</td>
<td>Safety measures for children/old</td>
<td>Impact of vendors on safety</td>
</tr>
<tr>
<td><strong>Street use and user diversity</strong></td>
<td>Presence street furniture that encourages people watching</td>
<td></td>
</tr>
<tr>
<td><strong>Accessibility</strong></td>
<td>Maintenance of front of property</td>
<td></td>
</tr>
<tr>
<td><strong>Participation/ modification</strong></td>
<td>Speed: (fast, moderate, or slow)</td>
<td></td>
</tr>
<tr>
<td><strong>Real and symbolic control</strong></td>
<td>Volume: high moderate or low</td>
<td></td>
</tr>
<tr>
<td><strong>Traffic management</strong></td>
<td>Management: zebra crossing, bumps, pedestrian bridges, signage</td>
<td></td>
</tr>
<tr>
<td><strong>Ground floor &amp; street relationship</strong></td>
<td>Private/public edge</td>
<td></td>
</tr>
<tr>
<td><strong>Ecological quality</strong></td>
<td>Front yards</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spacing between buildings on separate lots</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street lighting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Garbage collection</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street cleaning</td>
<td></td>
</tr>
</tbody>
</table>
4.1 PHYSICAL INFRASTRUCTURE SURVEY

Ngara West is well serviced with a road network that connects it to the city’s main frames; to the north kolobot road connects the study area to forest road which in turn links to Waiyaki way and Thika super highway. Muranga road that connects to the Thika road super highway forms the south eastern edge of the study area. Ngara road also links the study area to waiyaki way. Figures 4-1 and 4-2 illustrate these links.

The presence of Stima plaza, the headquarters of the Kenya power generating company speaks volumes for power supply in Ngara west. Stima plaza is on Kolobot road just after the Mushembi road junction. There is also a substation off Limuru behind the Stima plaza, indeed this is a significant building that is quite a crowd puller as people seek to resolve their issues on power supply such as paying bills etc. at the building. The area is also adequately supplied with water sewerage services.

Figure 4-1 Main frames of Nairobi City, Source: [www.flickr.com](http://www.flickr.com) (accessed 25th march 2013)
4.2 LAND USE IN THE STUDY AREA

Ngara West is generally a residential area while it has been zoned for both residential and commercial developments. It is in zone 2 within the city development ordinances and zones; the minimum allowable land subdivision is 0.05 Ha. (0.1236 acres) with a ground coverage of 80% and 35%, and plot ratio of 150% and 75% for commercial and residential developments respectively. High-rise flats are allowed in this zone.

Figures 4-3 to 4-7 show a representation of current land use, it is noteworthy that high-rise commercial developments are on the increase, at during the study about 4 lots were under construction each developing a high-rise commercial development. When viewed against the rest of the city the changing land uses in Ngara west are significant (between 10000 and 20000 sqm) as has been captured in the changing land use maps of Nairobi (see fig 4-9).

The area also has several hotels and lodges, including fig tree hotel, stima hotel among others perhaps due to its proximity to the city. There are also numerous hostel facilities.
catering for college level students who form a significant population in Ngara West. Majority of the hostels are old Indian type houses (see fig 4-3) that have been modified to maximize on rent accrued per month on the floor area with little redevelopment or modification.

Residential developments in the study area range from single dweller single units within a lot (low density), multi dweller units (two stories high), to multi dweller high rise units that are more than three levels. The distribution is even between these typologies, the single dweller units are however being commercialised or redeveloped to high-rise residential or commercial developments.

The area is served with numerous public utility amenities such as schools (pre-primary, primary, and secondary); including city primary school, Jamhuri high school, Arya boy’s secondary etc., religious buildings. Public recreational facilities are also within reach, city park lies 0.58km.s North the study area, while Michuki recreational grounds is 0.38 km.s south of the study area see fig 4-4
Figure 4-6 recreational spaces around Ngara west Source: Adapted from google earth

Figure 4-7 Land use in the study area, Source: Author
Figure 4-8 land use in the study area, Source: Author

Figure 4-9 land use in the study area: Source: Author
Figure 4-10 land use in study area, Source: Author

Figure 4-11 land use in study area, Source: Author
Figure 4-12 land use change in Nairobi from residential to commercial, Source www.virtualkenya.com (accessed 24th march 2013)
4.3 FIELD DATA ANALYSIS AND INTERPRETATION

The informality of economic activities in Ngara west may be defined and thus identified by the fact that they have been located in public urban space, in this case along the following roads: Ngara road, Kienjeku road, Shilingi road, Tiwi street, Kolobot road, and along Muranga road (from the Limuru road junction and move all the way into the CBD). They are informal because they have sought no permits from CCN to conduct business here, given that they do not own the space they could not seek built permits for their structures thus their temporary nature. There were claims from some of the entrepreneurs and even two CCN officials from Ngara West ward, that Tiwi Street and Kienjeku road had been gazetted as market streets in 2010, this could not be substantiated; and neither did the author come across the said gazetment in the study.

The study captured informal economic activities which were expressed in different forms of sales platforms based on their level of permanence (mobility) as discussed in table 4-1 below.

Table 4-1 Sales platforms in Ngara West based on their permanency and level of mobility. Source: compiled by author with reference to (South African Local Authority Association (SALGA), 2010) categorization.

<table>
<thead>
<tr>
<th>Category</th>
<th>Comments</th>
<th>Image</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales platforms where the entrepreneur carries his wares soliciting patrons</td>
<td>The level of mobility for these entrepreneurs is very high, no physical structures are constructed. They solicit patrons from pedestrians and motorists especially slow moving traffic.</td>
<td><img src="image1.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Those whose sales platform is wheeled; wheel barrows, hand carts etc. the arranged wares are on/in the wheeled structure</td>
<td>They have a fairly high level of mobility (highly temporary) the constructed choice of sales platform is wheeled to the location of choice each morning and wheeled to a safe storage location that may include where the entrepreneur lives.</td>
<td><img src="image2.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Those who place their wares directly onto the pavement/street surface</td>
<td>Despite their high transient nature because of no built structure, their set-up and set down time is relatively long because they have to arrange their wares on the ground surface</td>
<td><img src="image3.jpg" alt="Image" /></td>
</tr>
<tr>
<td>Category</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Those who place their wares on mats/fabric materials or containers</td>
<td>This group have a high level of mobility and may move from place to place to find a location where they feel patrons are responding. Like their counterparts above, they have to arrange their wares each time they set up, their set down is faster since they merely warp up the nylon gunny bag fabric on which their wares are placed to set down; this in the author's opinion may have been developed as a quick response to CCN agents.</td>
<td></td>
</tr>
<tr>
<td>Those who suspend their wares/products on the walls, fences or canopies</td>
<td>This may be an overflow of a business housed in the same building, or rented space outside a building or in some cases is an entrepreneur who has no association with the building on whose face/canopy that his/her wares are suspended.</td>
<td></td>
</tr>
<tr>
<td>Those whose sales platform is movable and also collapsible</td>
<td>This group is similar to the above but is of two categories in Ngara west: those with the carton box material as the sales platform and those who have a collapsible timber contraption (below is an image of a collapsed timber sales platform that has just been removed from the stores for set up to start business).</td>
<td></td>
</tr>
<tr>
<td>Those whose sells platform is in mobile non collapsible pieces (e.g. a shoe shine sales platform with a two seats, an umbrella, and a toolbox set)</td>
<td>They are also mobile, but tend to be located at a consistent location, especially at the entrance to a bus stage; in Ngara west they locate opposite the new Ngara stage.</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Immobile sales platform constructed with rudimentary materials such as gum poles’ framing, polythene material on carton box materials for roofing, no vertical planes or nylon gunny bag</td>
<td>In Ngara west they dominate Ngara road, Kienjeku road, Tiwi street, Shilingi road and Kolobot road. They are constructed on site (in situ) These are consistent and despite their temporal structural nature their location is consistent.</td>
<td></td>
</tr>
<tr>
<td>Sales platforms that can only be mechanically moved, but are constructed predominantly of steel; this include containers, kiosks etc.</td>
<td>These are constructed elsewhere and mechanically brought on site. These represent a high capital investment on the sales platform.</td>
<td></td>
</tr>
<tr>
<td>Sales platforms that are extensions (transformations) on permanent structures that extend on to pedestrian walkways</td>
<td>They are immobile and are constructed thus, a concrete plinth with no vertical planes, steel framing and a canvas or corrugated iron sheet roof. This may be argued to be semi-permanent structures given the concrete floor. In Ngara West they serve as more seating space for eateries or bars.</td>
<td></td>
</tr>
</tbody>
</table>

Since the streets which had been planned for circulation (both vehicular and pedestrian) and passage of services are reconfigured into business spaces, given these circumstances the conflicts arise; figure 4-12 captures in a nutshell some of the observable conflicts: pedestrians are displaced by the informal activities and they move on to the vehicular carriage posing a danger of being harmed by the cars and resulting in
congestion and traffic snarl ups as each attempts to safely pass through, congestion also results as some patrons also park on the road carriage reducing the space available for movement.

Some sales platforms have located in front of access gates creating a conflict when residents or their visitors attempt to access their premises, the effect on access is also created when cars park in front of the access gates the warning signs, ‘do not park in front of this gate’ tell of this conflict; the cars that are likely to park in front of these gates are patrons of these informal enterprises as no other activities happen within these streets. Overhead, surface, and below ground services may be compromised by the structures built by the entrepreneurs because they may not be aware of their presence; the sales platform location on the pedestrian space also results in storm water drainage problems as the surface runoff has no clear path to follow, waste management is also affected in that the sales platform harbour beneath them garbage that spills onto the streets during rainy seasons.
Figure 4-13 Conflicts caused by the presence of informal economic activities. Source. Author
### 4.3.1 Street profiles

#### 4.3.1.1 Muranga road street profile

Table 4-2 Muranga road street profile, Source: Author

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Muranga road</th>
<th>Zone</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>45m</td>
<td>Side walk width (maximum and minimum)</td>
<td>6m / 1.2m</td>
</tr>
<tr>
<td>Average building heights</td>
<td>5</td>
<td>Pavement width (maximum and minimum)</td>
<td>3m / 1.1m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>strengths</th>
<th>weakness</th>
<th>score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengths</td>
<td>weakness</td>
<td>score</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET USE AND USER DIVERSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presence of vendors</td>
</tr>
<tr>
<td>Presence of vulnerable age groups/ user behavior on street</td>
</tr>
<tr>
<td>Have well paved pedestrian pavement</td>
</tr>
<tr>
<td>High road curb inhibits vehicles from getting on to the pedestrian area.</td>
</tr>
<tr>
<td>Adequate space in some areas to meet CCN threshold for modern kiosk.</td>
</tr>
<tr>
<td>Parents noted to tightly clasp the hands of young ones showing that they did not feel safe.</td>
</tr>
<tr>
<td>High road curbs are a disadvantage to physically challenged individuals with disability especially at the zebra crossing.</td>
</tr>
<tr>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACCESSIBILITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety measures for children/old</td>
</tr>
<tr>
<td>Impact of vendors on safety</td>
</tr>
<tr>
<td>None sited</td>
</tr>
<tr>
<td>At some location for instance at Makini building the vendors have completely displaced pedestrians leaving the vulnerable to the high fast moving traffic.</td>
</tr>
<tr>
<td>The vendors on the flanking pavements near the new Ngara stage are haphazardly located on the generous paving, pedestrians thus meander through the sales platforms.</td>
</tr>
<tr>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PARTICIPATION/MODIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presence street furniture that encourages people watching</td>
</tr>
<tr>
<td>No feature sited</td>
</tr>
<tr>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GROUND FLOOR &amp; STREET RELATIONSHIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private/public edge</td>
</tr>
<tr>
<td>Front yards</td>
</tr>
<tr>
<td>Spacing between buildings on separate lots</td>
</tr>
<tr>
<td>Most buildings along Muranga road are commercial buildings with ground floor having shops opening onto the street.</td>
</tr>
<tr>
<td>The shops near the globe cinema roundabout have grilled or painted their street windows reducing interaction with the street.</td>
</tr>
<tr>
<td>The raised level of Muranga road at the same locations creates an enclosed feel of the street.</td>
</tr>
<tr>
<td>5</td>
</tr>
</tbody>
</table>
### Real and symbolic control

| Maintenance of front of property | Control has been weakened by measures to close out the exterior despite shop doors opening onto the streets, the character at Fig tree on both sides of the road create a curious interest; outside fig tree along Muranga road is a high wall which is used as part of the sales platform to suspend merchandise, the inside (private property is completely delinked from the street) yet the vendors creates interest, across the road the shops are linked to the street with as the shops activity spills onto the street also having vendors suspend their merchandise on the canopy, despite the pedestrian being displaced the shops wholly engage the street. | Closing off of most streets has left the front unattended, the vendors being transient and haphazardly organized leave the place unattended; nobody has claimed ownership of most of the street, only one restaurant near the Tiwi - Muranga road junction has taken responsibility over the front space as the restaurant seating is on the street. | 3 |

### Traffic management

| Speed: (fast, moderate, or slow) | At the center of the road is an MS grill discouraging crossing at non designate areas on the road. A pedestrian bridge is used to access Ngara west stage from the vehicle moving into the CBD, it is frequently used. A zebra crossing was sited at junction into Kipande road. Signage sited, but targeted for vehicular users only. | Speed: fast  
Volume: high  
The pedestrian bridge serves only one side of the road to the center at the stage, the road side for vehicle from the CBD does not even have a zebra crossing as you get into the new Ngara stage. | 5 |

### Ecological quality

| Street lighting  
Garbage collection  
Street cleaning | Streetlights have been installed along the new Muranga  
No street furniture for waste management was sited. Two open | 4 |
road; no lights were sited on the buildings though Canopies from building shade pedestrians from the elements. The storm water drains are covered; no trash gets into the drain, and no smells or eye sores were experienced.  

dumps were sited, outside the city primary school boundary wall, and at the slip road into the CBD near Kenya international hotel) creating an eye sore and air pollution, it may not necessarily be linked to the presence of street vendors. The streets are generally dirty with waste (mainly packing material and organic pieces on the streets) very few trees or plants that soften the urban landscape space were sited.

### 4.3.1.2 Ngara road street profile

Table 4-3 Ngara road street profile, Source: Author

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngara road</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STREET width</th>
<th>Side walk width (maximum and minimum)</th>
<th>Average building heights</th>
<th>Pavement width (maximum and minimum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>24m</td>
<td>3m / 2.4m</td>
<td>4</td>
<td>3m / 1.2m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street use and user diversity</th>
<th>strengths</th>
<th>weakness</th>
<th>score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presence of vendors Presence of vulnerable age groups/ user behavior on street</td>
<td>Vendors have established sales platforms at the Muranga road junction and also at the Kienjeku road junction; it has prevalence of informal sales platforms that are an extension of a formal business premise in a permanent structure. Presence of the young with parents holding their hands for safety</td>
<td>The informal entrepreneurs have not located in front of shops; it may be a cue to a past conflict or an understanding arrived at in time.</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accessibility</th>
<th>strengths</th>
<th>weakness</th>
<th>score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety measures for children/old Impact of vendors on safety</td>
<td>No safety measures were sited Vendors and extended sale platforms have</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Ground floor &amp; street relationship</td>
<td>Participation/ modification</td>
<td>Real and symbolic control</td>
<td>Traffic management</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------</td>
<td>--------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Presence street furniture that encourages people watching</td>
<td>High presence of benches on the street, though related to a particular business premise, potted plants also sited with businesses especially bars and restaurants opening up and spilling onto the street, encouraging people watching.</td>
<td>Maintenance of front of property</td>
<td>Speed: (fast, moderate, or slow) Volume: high moderate or low Management: zebra crossing, bumps, pedestrian bridges, signage)</td>
</tr>
<tr>
<td>Private/public edge Front yards Spacing between buildings on separate lots</td>
<td>There were few walled residential lots, but which had their gates open. The majority of lots between Muranga road junction and Kienjeku road junction are businesses with shop fronts opening on to the street, some have sitting right onto the street</td>
<td>Fronts are well taken care of as activities have surpassed the private beacon line into the street</td>
<td>Road carriage wide (@ 12m), and has provision for parallel parking.</td>
</tr>
<tr>
<td>Due to the benches being related to a stall or shop, it may not necessarily be public.</td>
<td>Some spill over situations which are semi-permanent have displaced pedestrians.</td>
<td>Speed: fast Volume: high No traffic management features observed.</td>
<td>Building canopies cover pedestrians from the element but little green was sited, to soften the landscape.</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>6</td>
<td>2</td>
</tr>
</tbody>
</table>

| | | | | 24 |
### Shilingi road street profile

**Table 4-4: Shilingi road street profile**

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Shilingi Road</th>
<th>Zone</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>12 m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average building heights</td>
<td>4 storey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side walk width (maximum and minimum)</td>
<td>3m / 1.2m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pavement width (maximum and minimum)</td>
<td>No pavement discerned</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>strengths</strong></th>
<th><strong>weakness</strong></th>
<th><strong>score</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>STREET use and user diversity</td>
<td>Presence of vendors Presence of vulnerable age groups/ user behavior on street</td>
<td>Presence of vendors is concentrated at the junctions of Mushembi road and Kienjeku road, at the center there are no informal sales platforms. Parents were noted to allow their children to walk on their own.</td>
</tr>
<tr>
<td>Accessibility</td>
<td>Safety measures for children/old</td>
<td>No such measures were sited In sections where vendors are the pedestrian is displaced.</td>
</tr>
<tr>
<td>Participation/ modification</td>
<td>Presence street furniture that encourages people watching</td>
<td>No street furniture encouraging modification or interaction was sited</td>
</tr>
<tr>
<td>Ground floor &amp; street relationship</td>
<td>Private/public edge Front yards Spacing between buildings on separate lots</td>
<td>Most lots have a stone masonry wall to the street, three lots are however of interest: the first lot is one commercial low rise which has flowers planted and well kempt in the front of the lot, no vendor has claimed this space, the other lot is one with no boundary wall, a mixed use development, on shiling road the ground units are offices and it has off street parking, a chain demarks the extent of the plot, no car goes beyond the chain demarcation, chemlab also has its back gate on shilingi, but also has shrubbery in front of</td>
</tr>
</tbody>
</table>

All lots were fenced, with 2100mm masonry wall, one building a mixed use development (off Shilingi road the ground floor had offices) had its façade as boundary, and the off street parking lot extended from the building’s façade to beyond the beacon on to the street. The lots have by and large distanced the selves from the street via the stone masonry walls; the only gate open was to a hotel.
its lot, the vendors have begun to erect sales platforms in front of these shrubs.

**Real and symbolic control**
- Maintenance of front of property
- The plantings as well as the chain demarcations begin to engage the street but also restrict access
- Some lots have plants that have not been attended to, they only serve to keep any users off.

**Traffic management**
- Speed: (fast, moderate, or slow)
- Volume: high moderate or low
- Management: zebra crossing, bumps, pedestrian bridges, signage
- Speed: low
- Volume: low
- No traffic management features sited

**Ecological quality**
- Street lighting
- Garbage collection
- Street cleaning
- Street lights available.
- Junction to Kienjeku road dirty, perhaps dirt spread by storm ware; the vendors however collect their waste in paper bags. The street is not regularly cleaned especially at the center where dirt has collected

<table>
<thead>
<tr>
<th>STREET: Kienjeku Road</th>
<th>Zone</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>12 m</td>
<td>Side walk width (maximum and minimum)</td>
</tr>
<tr>
<td>Average building heights</td>
<td>3 storey</td>
<td>Pavement width (maximum and minimum)</td>
</tr>
<tr>
<td><strong>strengths</strong></td>
<td><strong>weakness</strong></td>
<td><strong>score</strong></td>
</tr>
<tr>
<td>Presence of vendors</td>
<td>Vendors present on the entire stretch of the street</td>
<td>The street has been informally pedestrianized</td>
</tr>
<tr>
<td>Presence of vulnerable age groups/ user behavior on street</td>
<td>Some vendors with children were observed to allow them to play on the street.</td>
<td></td>
</tr>
<tr>
<td><strong>Accessibility</strong></td>
<td>Safety measures for children/old</td>
<td>Displacement of pedestrians, creates conflict with vehicles on the carriage. No safety feature sited</td>
</tr>
<tr>
<td>Impact of vendors on safety</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Participation/ modification</td>
<td>Presence street furniture that encourages people watching</td>
<td>No benches sited. all users merely moved through the street</td>
</tr>
<tr>
<td>----------------------------</td>
<td>---------------------------------------------------------</td>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Ground floor &amp; street relationship</td>
<td>Private/public edge Front yards Spacing between buildings on separate lots</td>
<td>The wall separate the domestic domain from the public and on this backdrop the vendors can locate their platform with little interference to the private domain, the wall have allowed the co-existence. All lots along the street were originally residential, the lots have front yards fenced with 2100mm high wall and about two lots have a live fence</td>
</tr>
<tr>
<td>Real and symbolic control</td>
<td>Maintenance of front of property</td>
<td>The vendors having created a new front have taken control of the street front of their sales platforms</td>
</tr>
<tr>
<td>Traffic management</td>
<td>Speed: (fast, moderate, or slow) Volume: high moderate or low Management: zebra crossing, bumps, pedestrian bridges, signage)</td>
<td>Speed: slow Volume: Low These conditions render the street usable by vulnerable groups No management features were sited One side of the carriage has been converted into a side parking resulting into and even smaller passage for vehicles, resulting in traffic congestion</td>
</tr>
<tr>
<td>Ecological quality</td>
<td>Street lighting Garbage collection Street cleaning</td>
<td>Street lamps sited (combined with electrical cables on the same poles) Vendors store their garbage in paper bags which is collected by the council once a week. The vendors have maintained the street generally clean. The lack of storm water drain creates drainage and waste management problems during rainy seasons</td>
</tr>
</tbody>
</table>

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<thead>
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<td></td>
</tr>
</tbody>
</table>
### 4.3.1.5 Kolobot road street profile

Table 4-6 Kolobot road street profile, Source: Author

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Kolobot road</th>
<th>Zone</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>24m</td>
<td>Side walk width (maximum and minimum)</td>
<td>1.8m / 0.6m</td>
</tr>
<tr>
<td>Average building heights</td>
<td>5</td>
<td>Pavement width (maximum and minimum)</td>
<td>3m / 1.1m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>strengths</th>
<th>weakness</th>
<th>score</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street use and user diversity</strong></td>
<td>Presence of vendors Presence of vulnerable age groups/ user behavior on street</td>
<td>Vendors situated between junctions at Muranga road and Kienjeku road, and at the junction of Kolobot road. The young age groups sited to sit with their parent along the street.</td>
<td>6</td>
</tr>
<tr>
<td><strong>Accessibility</strong></td>
<td>Safety measures for children/old Impact of vendors on safety</td>
<td>Bumps sited within site (i.e. from Muranga road to Mushembi road junction) Bollards sited on both sides of the road in front of the Jain temple. People watching is encouraged by benches along the street, some have been improvised as large slabs etc. A large part of the pavement is finished in concrete paving blocks with no curb but a slope towards the road carriage; this eases use by physically challenged individuals.</td>
<td>Some parts of the pavement are non-existent or have disappeared and there is no space between boundary wall and road carriage.</td>
</tr>
<tr>
<td><strong>Participation/ modification</strong></td>
<td>Presence street furniture that encourages people watching</td>
<td>The benches sited were not fixed and can thus be oriented based on the seaters’ tastes.</td>
<td>Benches have been placed there by sales platform owners for their patrons.</td>
</tr>
<tr>
<td><strong>Ground floor &amp; street relationship</strong></td>
<td>Private/public edge Front yards Spacing between buildings on separate lots</td>
<td>The lots along the road within the study area were mainly of residential land uses, some were pseudo public utility land uses.</td>
<td>4</td>
</tr>
</tbody>
</table>
(church and temple), and the lots are fenced in 2100mm stone masonry wall with front yards not visible from the street. The gates to the properties were however noted to be open a possible sign of perceived security.

<table>
<thead>
<tr>
<th>Real and symbolic control</th>
<th>Maintenance of front of property</th>
<th>Vendors having taken over the street front, maintain the space about their sales platform, some were sited cleaning and sprinkling water to reduce dust.</th>
<th>Some vendors are however nonchalant about their immediate environment</th>
<th>4</th>
</tr>
</thead>
</table>
| Traffic management        | Speed: (fast, moderate, or slow) | Speed: slow  
Volume: moderate  
Management: zebra crossing, bumps, pedestrian bridges, signage | The bumps reflective paint has faded off; this may render them not noticeable and result in accidents. Bollards only sited on sections of the road | 5 |
| Ecological quality        | Street lighting  
Garbage collection  
Street cleaning | Street lights sited  
Vendors noted to store their waste in paper bags for weekly CCN collection; the street is generally clean. | Near the Muranga road junction the entrepreneurs dealing with green maize in particular do not manage their waste appropriately the section was noted to have waste on the street | 3 |

### 4.3.1.6 Mushembi road street profile

Table 4-7 Mushembi road street profile, Source: Author

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Mushembi road</th>
<th>Zone</th>
<th>Cuts across zones 1,2 &amp;3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>12m</td>
<td>Side walk width (maximum and minimum)</td>
<td>2m / 1.2m</td>
</tr>
<tr>
<td>Average building heights</td>
<td>7</td>
<td>Pavement width (maximum and minimum)</td>
<td>3m / 1.1m</td>
</tr>
</tbody>
</table>

| STREET use and user diversity | Presence of vendors  
Presence of vulnerable age groups/ user behavior on street | No vendors sited on Mushembi road, save at the Kolobot road junction and Chemili road with a bias to be out of Mushembi road | 0 |

<table>
<thead>
<tr>
<th>strengths</th>
<th>weakness</th>
<th>score</th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessibility</td>
<td>Safety measures for children/old safety</td>
<td>Bumps were sited on the road. Sidewalks paved in front of lots with commercial land uses (mainly office blocks); residential lots had bare ground, an indication of developer led effort to improve area in front of their lot</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Participation/</td>
<td>Presence street furniture that encourages people watching</td>
<td>No opportunities for use by the public on the street were sited</td>
</tr>
<tr>
<td>modification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground floor &amp;</td>
<td>Private/public edge</td>
<td>Despite having a masonry wall separating the front yard from the street front, the fronts of these lots were used either as parking lots in the case of commercial buildings, or for planting shrubbery</td>
</tr>
<tr>
<td>street relationship</td>
<td>Front yards Spacing between buildings on separate lots</td>
<td></td>
</tr>
<tr>
<td>Real and symbolic</td>
<td>Maintenance of front of property</td>
<td>The presence of the above mentioned features shows control of the street front</td>
</tr>
<tr>
<td>control</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traffic management</td>
<td>Speed: (fast, moderate, or slow) Volume: high moderate or low Management: zebra crossing, bumps, pedestrian bridges, signage</td>
<td>Speed: moderate Volume: moderate Features: bumps which reduce traffic speed and side parking lots</td>
</tr>
<tr>
<td>Ecological quality</td>
<td>Street lighting Garbage collection Street cleaning</td>
<td>Street lights sited The street is generally clean; given the low volume of foot traffic and no informal enterprises.</td>
</tr>
</tbody>
</table>
No storm water drainage which causes storm water and waste management problems.

### 4.3.1.7 Tiwi road street profile

Table 4-8: Tiwi road street profile, Source: Author

<table>
<thead>
<tr>
<th>STREET:</th>
<th>Tiwi road</th>
<th>Zone 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street width</td>
<td>12m</td>
<td>Side walk width (maximum and minimum)</td>
</tr>
<tr>
<td>Average building heights</td>
<td>1</td>
<td>Pavement width (maximum and minimum)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presence of vendors</td>
<td>Vendors populate the entire stretch of the street</td>
<td>Vendors have taken over the street to a point that the street has been eventually informally pedestrianized; the junction to Muuranga road has been completely shut off from vehicular access.</td>
</tr>
<tr>
<td>Presence of vulnerable age groups/ user behavior on street</td>
<td>Parents noted to allow young ones to walk on their own. High school and primary school level students also noted to visit food stalls for lunch.</td>
<td>The no parking signs in front of the lot gates speak volumes about the parking lot issues on busy day such as weekends. Most gates in this street were locked. No benches for public seating were sited.</td>
</tr>
<tr>
<td>Street use and user diversity</td>
<td>The vendors having created a new front, manage the space about their sales platforms;</td>
<td>The lots whether private or commercial offices have completely shut themselves in, perhaps a sign of insecurity given the overwhelming presence of the informal enterprises on the street, some lots looked vacated.</td>
</tr>
<tr>
<td>Accessibility</td>
<td>Safety measures for children/old</td>
<td>No features sited</td>
</tr>
<tr>
<td>Participation/ modification</td>
<td>Presence street furniture that encourages people watching</td>
<td>The no parking signs in front of the lot gates speak volumes about the parking lot issues on busy day such as weekends. Most gates in this street were locked. No benches for public seating were sited.</td>
</tr>
<tr>
<td>Ground floor &amp; street relationship</td>
<td>Private/public edge Front yards Spacing between buildings on separate lots</td>
<td>The vendors having created a new front, manage the space about their sales platforms;</td>
</tr>
<tr>
<td>Real and symbolic control</td>
<td>Maintenance of front of property</td>
<td>Vendors have created new fronts</td>
</tr>
</tbody>
</table>
that relate well to the street; they are open and encourage interaction. A new canopy created using rudimentary materials lines the street near the Muranga road junction. Covering the street, in the author's opinion, does lower the visual aesthetic of the street.

**Traffic management**

<table>
<thead>
<tr>
<th>Street</th>
<th>Street use and user diversity</th>
<th>Accessibility</th>
<th>Participatory involvement</th>
<th>Ground floor &amp; street relationship</th>
<th>Real and symbolic control</th>
<th>Traffic management</th>
<th>Ecological quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muranga Rd</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>3</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Ngara Rd</td>
<td>4</td>
<td>0</td>
<td>5</td>
<td>4</td>
<td>6</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Shilingi Rd</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>7</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Kienjeku Rd</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>6</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Tiwi Rd</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>5</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Kolobot Rd</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Mushembi Rd</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>3</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>

4.3.1.8 **Summary findings on street profiles**

Table 4-9 Summary of findings on the street profiles, Source: Author
The findings indicate low scores on accessibility and participation/modification within Ngara West, this renders low use of the street by the public. Being predominantly residential the ground floor and street relationship for single dweller lots that was previously fenced with front yards hidden behind these fences has been changed by the presence of informal entrepreneurs, while the stone masonry walls separate the private from the public the vendors have created a new interactive layer within the street. Real and symbolic control has been in some cases realized due, in some cases, to the entrepreneurs presence (Kienjeku and Tiwi roads in particular) and the business residents on Mushembi and Shilingi (e.g. Stima sacco plaza on Mushembi road) have shown great control of the street, the neglect on Muranga road is problematic neither the vendors nor the residents have taken control. Management of traffic is a significant issue when dealing with residential dominant urban areas, despite the modest speeds or volume of traffic, something has to be done to encourage use of the street by all. There are areas for improvement but findings indicate accommodative levels: the street use and user diversity reveal this (the average score is 4.1 out of a possible 10), on aggregate the score is 33.87% for attaining a democratic street.

4.3.2 Sections indicating extent of informal economic activities in the study area
The informal economic activities have led to displacement of pedestrians and thus congestion on the vehicular passage space; the sections (figures 4-14 to 4-18) show a study of these conflicts on different roads and the levels of interruption.
Figure 4-15 Section B-B across Ngara road shows a double loaded pedestrian path to the left and an extension of a business premise on to the pedestrian path on the right, Source: Author

Figure 4-16 Section C-C across Kienjeku Road, showing a double loaded pedestrian path on the left causing a spill over on to the vehicular passage of the street. Hand carts that are the preferred mode for transportation for the entrepreneurs also cause congestion on the already narrow streets, Source: Author

23 two sales platforms perpendicular to the road carried and organised one in front of the other
Figure 4-17 Section D-D across Tiwi Street, shows a complete take-over of the streets by the informal entrepreneurs, the lots on these streets have difficulty getting access to their lots, some of the units looked vacated, Source: Author

Figure 4-18 Section E-E, cut across Muranga road, area in zone 1, and is dominated by very mobile (transient) informal entrepreneurs. Pedestrians have been displaced and their movement slowed as they manoeuvre through the sales platforms, Source: Author

4.3.3 PATRON QUESTIONNAIRE DATA

A total of 97 questioners were successfully filled, from the field interviews in Ngara West; in terms of zones (see fig 3.) where the patrons were interview: Zone 1- 25, Zone 2 – 33, Zone 3- 9, and Zone 4- 5, 25 questionnaires had no zone filled in.
Figure 4-19 Why Ngara west market is the preferred market based on the patrons interviewed, Source: Author

**Key:** A- competitive price, B- conveniently near home, C-good quality goods/services, D-conveniently on my way home, E- goods can be accessed in small quantities, F- other.

Findings indicate that preference for Ngara west is attributable to competitive price of goods and services in the market.

Figure 4-20 response on how patrons get to the market, Source: Author

**Key:** A- on the way home from work, B- purposely drive from home/work to market to buy goods, C- get to market as I get to the bus stage, D- Just happened to pass by on my way home/to work, E- purposely walk from home/work to market to buy goods.
The findings indicate that the market is a target destination for majority of the patrons interviewed, and specifically those who prefer the pedestrian mode of movement and is not a coincidental movement route occurrence; an indication of patron-vendor ties and relationships and also the significant role of such an amenity given the majority are walkers is evidence that they are residents (business or domestic).

For zoning (refer to zone map, figure 3-4): The findings reveal that organic goods are the most demanded goods in the market among the patrons interviewed, given the even distribution of incidental interviews across all zones. Zone one is dominated by the same good type, however zone 4 is dominated by the inorganic good type, this difference is also reflected in the form of sales platform where zone 4 had not temporary but highly mobile sales platforms, zone 2 had temporary but fixed sales platforms, see table 4-1 and figure 4-17.
On aggregate, 56.12% of respondent patrons felt that informal economic activities cause some conflict in the streets, against a 43.88% of those interviewed; however it emerges that majority had something to say about waste management issues that the presence of informal economic activities raise, fig 4-22 relays the same issue as pointed out by the patrons. 54.4% of those interviewed felt that City Council of Nairobi should take responsibility for the conflicts occurring, against 7.6% and 6.3% who felt that the entrepreneurs’ and everyone, respectively, were responsible.

Visual aesthetic is not considered a significant conflict issue notwithstanding the temporary and rudimentary materials used for the sales platforms, traffic congestion concerns the patrons most, and noise concerns come before insecurity. Given that 54.4% of patron felt that the council is responsible for the conflict issues that they raised they are less inclined to intervene and will probably await the council’s intervention. Of those patrons interviewed 55.4% felt that value to street use as public space had been added by the presence of informal economic activities, 44.6% felt the use value was not greater based on the conflicts that arise from these activities such as congestion, insecurity etc. one sentiment noted that since government generates no revenue from these entrepreneurs no use value can be considered to have been added.
Key: A- waste management problems, B- Noise pollution, C- Traffic problems, D- insecurity, E- Air pollution, F- Visual aesthetic degradation

Figure 4-23 Conflicts arising from the presence of informal economic activities based on interviews to their patrons and the burden for responsibility of these conflicts, Source: Author

Figure 4-24 conflicts and suggested solutions by patrons, Source: Author
Figure 4-25 Patron perception on the roles of inhabitants, Source: Author
4.3.4 Residents’ questionnaire data
Successfully filled questionnaires for residents were 47: 36 were domestic residents (76.6%) and 9 were business residents (23.4%). 85.7% of the interviewed businesses rented their premises, and have been in Ngara for between 6 months to a 6 years period (see fig 4-22) for a distribution curve.

![Duration of stay in Ngara West](image)

Figure 4-26 Duration of stay for residents within study area as generated from field work, Source: Author

![Preferred mode of transportation](image)

Figure 4-27 preferred mode of transportation, resident’s questionnaire, question 4, Source: Author

The majority of the residents interviewed mainly use public means of transport or are pedestrians. Other than moving through the streets, residents use the streets as space to transact business (access goods and services), it is needless to note who offers the same but is the alternative use they have noted to have for the street.
Key: A- dust, B- air pollution, C- Noise pollution, D- traffic congestion, E- insecurity, F- Aesthetic value degradation, G Garbage and associated problems, H-Other, I- obstruction from accessing private property. Waste management problems and insecurity are the most prevalent problems; it is noteworthy that the business residents are concerned more about the insecurity (@ 26.31% prevalence) associated problems as compared to their domestic neighbours (@ 17.44% prevalence), whereas garbage related problems concern the domestic residents more (@ 24.41% prevalence) than the business residents (@18.42%).

Of the patrons interviewed 76.19% thought that the streets were more vibrant with the informal economic activities within them; all respondents felt that the situation could be improved and given an opportunity they would respond in five thematic areas of improvements:

1. most 68% felt that they respond to permanency and order of the sales platform( general visual aesthetic,
2. 14% felt that hygiene and better waste management would improve the situation,
3. 9% felt that they would deal with congestion (overcrowding and access) and
4. 4% felt that they would relocate the market.
5. 5% would improve lighting.

When it comes to the real response on ground a majority 31.48% have done nothing so far to resolve the issues that have arisen due to the presence of informal economic activities; 24.01% have directly engaged the entrepreneurs, 22.22% have approached the city council of Nairobi via the Ngara ward and raised their concerns, 9.26% opted to retrofit their premises to keep out the menace, and 12.96% engaged the representatives.
of the informal economic activities. It thus follows that a majority of the respondent residents are passive observers in the happenings of the public life in Ngara west in as far as informal economic activities are concerned, a significant number directly engage the entrepreneurs and the CCN.

35.61% of the respondents felt that the best way forward was to redesign the market for the good of all residing in Ngara west, whereas 31.51% felt that improving garbage collection would do it for them, 8.22% felt that the best way forward was to leave the market as it currently is, 13.69% felt the market should be relocated while 4.10% felt they would themselves relocate, 6.84% felt that the best way forward was to retrofit their premises to keep out the menace. The willingness to reconcile any differences arising from the presence of informal economic activities is revealed by the low suggestions arising of moving the market or having to relocate themselves. Waste management has consistently been a concern when viewed as a conflict issue and also as a priority response measure.

4.3.5 Informal entrepreneurs questionnaire
A total of 61 questionnaires were filled in the four zones within the study area, see fig 4-27.

Within the 4 study zones earlier mentioned businesses were interrogated considering their trade as organic goods, inorganic goods, or services; and the findings were as follows:
On aggregate selling organic goods is the informal business type that dominates Ngara West market based on the interviews conducted as summarized in Figure 4-32. This business type dominates zones 1 and 2 of Ngara West market which are located along Ngara road and Tiwi road respectively. Zone four is dominated by businesses selling inorganic goods which mainly include cloth items, this is also the case for zone three which is however dominated by leather products mainly foot wear. Majority of the entrepreneurs got to secondary level of education.

Figure 4-32 aggregate occurrence of business type, Source: Author

Figure 4-33 gender analysis among the entrepreneurs, Source: Author
Male entrepreneurs dominate the market, while the 20-35 age bracket also dominates this particular market; it is noteworthy that this echoes the findings in the literature review with respect to the dominant age group, a difference should be noted however in the dominance of male entrepreneurs at the market the literature review finding pointed to the female gender as dominating these activities. Noteworthy also is that most entrepreneurs got to secondary level of education, majority of this level are females.
Findings indicate that these businesses are a significant source of income for the entrepreneurs and indeed a significant activity that sustains the majority of households represented here.
Majority of the entrepreneurs desired to be self-employed and were introduced into the activity through friends. Availability of workspace is a minimal motivator to engage in the business and thus the entrepreneurs in Ngara West were strategic in establishing their business as opposed to opportunistic as has been postulated in literature on informal entrepreneurs.

![Business age distribution within zones](image)

**Figure 4.38 Business age distribution within zones, Source: Author**

Zone 2 hosts the majority of the older enterprises, whereas zone 4 has most of the younger enterprises, this is also reflected in the level of transiency/temporal character of the sales platforms that dominate the two zones; zone 4 mainly has highly mobile sales platforms while those in zone two are relatively more permanent. Space use and appropriation even with regard to times of operation are interestingly different between the two zones, zone 4 entrepreneurs are at full operation after 11:00 am when foot traffic has gathered momentum, one respondent indicated that his first stop for the day from home is Gikomba market where he finds goods that he will stock at his sales platform; he takes longer to get to his stall because he has to select quality goods and his customers don’t show up early in the morning.

Of the respondents interviewed 57.4% have this business as an alternative to a previous attempt, 42.6% have their current business in Ngara West as their first attempt at earning a living; 56.5% however have this business as the only household income, 30.6% have the business as the main source of household income, thus the business form a significant investment that is being depended on by the households represented in the study. This relays the significance of these activities to urban dwellers as this has been shown to be the refuge of those who have failed to secure income in other income
generating activities; it also becomes more crucial as it is an only source of income for a majority of households represented at the market. This is also reinforced by the high rates of married entrepreneur and the high number of own children dependants.

![Marital status and dependants](image)

Figure 4-39: social profile of entrepreneurs; marital status and number of dependants, Source: Author

![What informed choice of business](image)

Figure 4-40: factors that informed the decision to venture in informal economic activities, Source: Author

Entry into the business highly depended on friendship ties (social capital), and personal initiative; 42.6% respondents were introduced to the activities by their friends, 29.5% got in to the activity by trial and error. None of those interviewed inherited the business from a relative or friend. 33% of the respondent were motivated into the business by the need to have an independent source of income, 31% were persuaded by the need to have a
source of income; in terms of having the opportunity to choose alternative source of income besides doing this business the data does not clearly represent the availability of such a choice given these competing options being prevalent in the data collected.

Ownership of the sales platform reveal a majority of rented platforms but only 6 were able to reveal a rent value that ranged from Kenya shillings 1000 to 2000 per month; 41% claimed ownership of the sales platforms in which they operated their business. 64.3% of the respondents had licences from the Nairobi city council, it was specified that a daily licence was paid to the CCN agents, the charges were confirmed by the respondents to be Kenya shillings 25 per day. 35.7% confirmed that they had no licences from the city council of Nairobi, only one respondent who has had the business for 25 years confirmed to have registered his business.

In comparing the two questions asked ( questions 10 and 11a respectively see Figure 4-43 ) adequacy in space for locating business is consistent in both instances while locating for customers ( strategic market location in question 11a) grows in significantly while CCN related issues drop by an eleven percentile margin. Thus in terms of
accessing space for informal activities the influence of CCN is not as significant as reaching customers a notable factor in comparison with the historical analysis in chapter 3, question 12 on micro siting within Ngara west revealed that accessing customers (foot traffic) was in most cases siting as the reason for locating at this place in Ngara west irrespective of the zone where the sales platform is located.

Figure 4-43 influences and challenges in making locational decision, Source: Author

Zone four represents a unique situation where about 30% of the respondents in this zone were not certain of retaining the space they conducted business the previous day,
this reveals that the level of mobility for these entrepreneurs is high; the spot will be used by another entrepreneur if it so happens that they do not use the space. It also reveals the ties to location being relatively low for the success of the business at this point in time, perhaps in search of an opportune location.

Source markets for business inputs

Gikomba market is strongly connected to Ngara West by virtue of it being the main source of business inputs for entrepreneurs. To transport these inputs to Ngara West public transport, specifically 13 seater public service vehicles (matatus) are used significantly at 52% of the means used, hand carts are also used prevalently as a means of transport at 35%.

Transport mode for raw materials/goods to market

Gikomba, 25
Marikiti, 8
Wakulima, 6
Highridge, 1
CBD, 4
Kamkunji, 1
Kariokoh, 1
Eastleigh, 2
Githurai, 4
Muthurwa, 2
Nyangakima, 1
Outside Nairobi, 5
Suppliers, 4

Figure 4-45 source markets for the entrepreneurs, Source: Author

Figure 4-46 means of transporting merchandise into market, Source: Author
The informal economic activities in Ngara West operate for 12 hours beginning at 6:00 am and gaining maximum capacity between 9:00 and 10:00 am when most sales platforms are occupied, the entrepreneurs leave by 8:00 pm.

On naming what influenced the most in choosing the type of sales platform the entrepreneur thought would adequately serve their needs, 8 thematic areas emerged;
those who felt mobility was critical, those whose orientation was based on the kind of products that they were offering at the market, those who were out to capture a particular customers attention, those whose choices were based on their circumstances especially financial situation, those who felt they have been were informed by what their peers had done, those who felt that the city council of Nairobi and its agents influenced their choice of the sale platform, those who felt the sales plat form is a product of their own efforts at trial and error, those who based their choices on availability of space and those who cannot say what influenced their choice. Among those who are certain of what influenced their choice, 22% felt their circumstances i.e. financial capacity and ready availability of building materials among others, influenced their decisions most. The City Council of Nairobi’s influence is surprisingly low at 4% its influence is however felt.

![Diagram](image)

**Figure 4-49 materials used for constructing the sales platform, Source: Author**

Different Materials have been used on the various parts of the sales platforms fig 4-41 represents a prevalence of certain materials on certain parts of the sales platform. To understand consumption of space, the use of the various materials capture spatial practices which has an embedded revelation of level of access in terms of permanency. Prevalent materials used are as follows: NA represent an area where there is no material used hence the part of the sales platform does not exist,

A. Represents sheet metal, corrugated iron sheets, under the frame work part of the sales platform it represents MS steel bars or structural metallic members
B. Represents polythene sheets (usually heavy gauge) on card board box sheet material
C. Represents reeds/makuti or such grass like material used for thatching especially as roof cover
D. Represents timber that may be in the form of structural members as gum poles in the frame category, as batten boards or ply wood for table tops or shelves, or even as floor planks in the flooring category.

E. Represents nylon gunny bag material, the sisal/jute material is used though not as frequently as its nylon counterpart.

F. Represents an umbrella or modified canvas material used as roof covering material

G. Represents cardboard box sheet material used as a display surface material on a cardboard box base or timber structural base.

H. Represents suspending prop materials such as metal wires, chains etc. used to suspend products on display

I. Represents a mobile unit that can be wheeled back and forth and represent several materials brought together to allow wheeled mobility.

J. Represents concrete as a flooring material on the ground with no foundations or hard core filling, it is poured on the pavement or on ground that has the vegetation cleared.

K. Represents the pavement surface that is the pedestrian or vehicular passage way, it may be asphalt, or bear ground it simply represent no intervention on the part of the entrepreneur to modify this surface in order to accommodate his/her sales platform.

Timber represents the most used material across the different parts of the sales platform; the prevalence of polythene sheets for the roof, no walls and no intervention at the floor is evidence of temporary nature of the sales platforms, the investment made for the sales platform is left minimal due to the uncertainties innate in the business location, the presence iron sheets as part of the construction materials, begin to reveal some level of confidence in the future of the space occupied. The prevalence of gum poles for the framework and no walls echo the concerns revealed in chapter four on the failure of the duka walah shop developed by the council for the African traders; the need for openness is key, it even overrides the need for security when the business closes, as the openness allows visual continuity hence attracting patrons who are passing by. Consequently the prevalent form of sales platform is basically a shed with a display surface.
Most entrepreneurs hire labourers to construct their sales platform but maintain the platform themselves. The 29% prevalence of platforms that have survived over 9yrs of existence not only defies the prevalent materials used but reveal a high level of maintenance on the part of the entrepreneurs. Majority of the sales platforms were constructed between 3 to 6 years ago.

The sales platform in some instances is locked down after hours as a storage for the products, some entrepreneurs store their wares elsewhere, and this begins to shed light not only on the adequacy of the sales platform but also on the security and activities that define the uses of surrounding formal spaces. The two options seem to carry equal preference among the entrepreneurs with each having equally high confidence in the safety of the stock.
Majority of the entrepreneurs do not think their sales platform affect their business, however, 82.9% of the respondents indicated an intent to change their sales platform to be more permanent, while 60% had invested something on their sales platform in the past 6 months of the interview, and 71.15% indicated that rain negatively affects their business because of among other reasons cited: they either have to cover their

A. Security of tenure (the entrepreneur does not own that space)
B. The authorities will have none of it, it could be brought down at any time
C. There is not enough money to reinvest in the business
D. The structure is not important as long as the business runs
E. It is a temporary arrangement, thus no serious future plans for it
F. It may create an impression that the entrepreneur is making high profits while this is not the case it creates insecurity
G. Other
products to stop rain destroying it, they have to find shelter for themselves so that they are not rained on, customers cannot access their stalls when it rains etc. It then follows that the sales platform is critical to the entrepreneurs, its durability, and how it responds to environmental conditions/elements. On enquiring what limited the advancement of their sales platform the entrepreneurs answered as follows:

Majority of the entrepreneurs feel access to capital has limited their capacity to improve their sales platform; this echoes informality as marginalisation, 19% felt that they cannot improve their stall for lack of tenure, interestingly the influence of the CCN agents is 10% and is equated to the transient nature of the business, which indicates more tolerance of the activity by the CCN.

The temporary and illegal nature of informal economic activities renders them susceptible to marginalisation in terms of access to services and infrastructure; from the bar graph on Figure 4-55, the use of power is non-existent, they rely on street lamps considering the operational hours go up to 9pm as earlier discovered. Storm water is an issue that has been noted especially with regard to having no alternative solutions to the same. While security is well supplied sanitation and solid waste management are disturbingly competing for lack of supply, and this is a key issue in compatibility and harmony within the context. On the responsibility for solid waste management the entrepreneurs felt that the CCN was responsible given that they pay a daily charge.
While majority of the respondents think that the CCN has not played a role in their business, 79.36% think it is CCN’s role to manage waste. 52.83% deny knowledge of conflicts created by their presence in Ngara West, however the issues obviated by their relegation of solid waste management to CCN. The entrepreneurs felt that most of their patrons are pedestrians (51.47%), the driving patron were also significant at 33.82% creating a need for parking and congestion issues arise, the denial of conflict is disqualified by this data.
While the entrepreneurs termed the collection of daily charges by CCN agents' harassment, only 19% felt that the payment of licences and business registration a challenge. The effect of weather is a significant challenge at 30%, with 24% pointing at profits.

Figure 4-59 perceived challenges in running business

Figure 4-60 the perceived effect on other street users by the presence of their business
4.3.6 Cross data analysis

While aesthetic degradation was the least concern across the board, traffic congestion was of major concern for all respondents. Waste management and Insecurity are the
other major concern issues among respondents. Interestingly noise pollution affects the patrons and residents significantly. The entrepreneurs are significantly affected by competition; this echoes the debate on whether growth of informal activities is by evolution or involution, this response points to the latter. Traffic congestion and insecurity are among the main issues highlighted by the informal entrepreneurs. Patrons were residents on had the same concerns as patrons with regards to most issues raised, however, the concern for competition only came up among patrons. In prioritizing responses to issues finding indicate need for rapid response to traffic congestion, waste management and insecurity respectively.

The findings indicate across the board respondents have high expectations from the council; the following are findings on what the respondent felt the council should do to mitigate the conflict issues arising from the presence of informal economic activities. Waste management out was an issue relegated to the council by the respondents and they felt it would improve the situation significantly if the council was to act. General management and enforcement of by-laws was a solution sought out by respondents to resolves arising issues. That permanent relocation of the activities scarcely features among a favourable solution, especially among residents points out to the willingness to co-exist and a significance in the role that these activities have within their context, the needs that these activities meet are such that they should not be relocated.

![Respondents Perception on the Role of CCN](image)

**Figure 4-63** Respondents role on the perception on the role of CCN (focus on conflict issues)
4.3.7 City council of Nairobi interviews

The study engaged the city council of Nairobi’s position on the entrepreneurs’. Interviews were conducted with officials from the department of city planning, technical office; the social department; markets section, the revenues collection department and the local city council office in Ngara west that is located next to fig tree hotel. Interestingly the response for approach was twofold based on the different departments that deal with the issue; at city hall within the social services department that deals with markets the indication given was that the Ngara west market is not a designate market and therefore the department cannot deal with it (a hands off approach given that the market has not met the legal threshold of definition as a market i.e. official recognition), the revenues department on the other hand cannot turn a blind eye to this market given that it is a source of revenue, and so collects daily rates (Kenya shillings 30 according to the divisional revenue office) through its ward revenue office at Ngara West.

Findings from interviews with City Council of Nairobi, reveal three contexts through which retail economic activities may be based; a designate market with an Land Reference number set aside for market activities, built, run and managed by the council, private markets where individuals have setup space for retailers to run their businesses.

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24 This section is based on interviews conducted by the author with City Council Officials from different departments
and have registered the same with the council, individuals with a temporary occupation licence for a designate area. Outside of this the activities are classified as informal, tolerance has been granted in some areas including the study area where space on road reserves is used for these activities, however the enterprises cannot be licenced and are only issued with a daily charge, this is at the council’s discretion and no particular structure was revealed.

The interviews revealed that council has had a recent take on the informal economic activities, in the late 2007 and early 2008 through a rapid results initiative in the department of city planning. The initiative was called integration of informal trade infrastructure provision, the result a modern kiosk initiative. Studies for pedestrianization of the city revealed potential zones for temporary use of space in the city by the so called informal traders, a case in point is Mamangina Street in Nairobi. The initiative took cues from the temporary arrangements within the city for Maasai market that locates at the Supreme Court parking lot and at the Michuki memorial park. The concept was to incubate traders for 5 years under a public private partnership arrangement where the City Council of Nairobi would create modern kiosks and the traders were to pay for the through rent. The traders would be exempt from other fees for the same period including the need for registration and business licences for this period. The lapse of five years would mean that the business be fully formalised i.e. registered and licenced.

The initiative was to be kick started by the traders themselves, who would organise themselves as a group (a chama (investment group) with a membership list) and approach the council requesting that their informal structures be upgraded through an application to the city urban design and development department. The proposal was to be located on road reserves where space was adequate to contain the kiosks whose design was developed by the council. The space needs amounted to 6800mm on the road shoulder i.e. 2400mm for the stall, 2400mm for the buyers, and 2000mm for the pedestrians. These conditions were an initial prerequisite for consideration. The other prerequisite was that there were no immediate plans to develop the road (expansion or new construction whatever the case may be). The council would inspect and verify the site through applications to its various departments; engineering for services especially below ground services etc. for information of services below ground and on goings of the said sites. On internal approval the council would approach stake holders for the secondary approval; the neighbourhood would be notified of the proposed solutions for opportunity to participate in the initiative. Successful proposal led to the moving on the
ground to implement the project; the entrepreneurs were given notification to bring down their structures to allow the construction of the modern kiosk.

Other stakeholders that were involved in the process included among others Kenya National Highways Authority (KENHA), Kenya Urban Roads Authority (KURA), and Equity bank. There have been successful implemented projects including Argwings kodhek road outside the Nairobi hospital, sumba road in Nairobi West among others. Unsuccessful applications include Muchai drive off Ngong road where the residents rejected the application after the project had started, Uhuru market along jogoo road among others.

The initiative has since been stopped on request by KENHA and KURA given the recent initiative to rehabilitate and construct new roads within the city hence the second requirement for the road reserve having no plans for rehabilitation in the near future is nullified. The initiative however faced several challenges as far as implementation was concerned; capital found its way into the initiative and the target entrepreneurs were being side-lined by well to do actors who wanted to capitalize on this program; the informal entrepreneurs were displaced when the stalls were build and formal shops bought the extra space in these kiosks, a case in point is the Nairobi west case where the informal entrepreneur ends up being completely displaced. Local political officers also demanded to be involved or else; the then ward representatives (now county representative under the new constitution) were to be applied to so that they engage the council on behave of the entrepreneurs ad this led to several challenges. The general attitude as displayed in the Uhuru market case is that the entrepreneurs mistrust the council and will hear nothing to do with upgrading their sakes platforms, stake holder meetings have yielded nothing.

At the ward office where there is direct contact between the council and the entrepreneurs in the study area the interviews revealed an alternative initiative from apolitical officer. The council began to collect revenue from the entrepreneurs in the study area in august 2004 after decentralisation of services in 2003. The then area Member of Parliament negotiated for location of the traders on Tiwi road on temporary basis; hence the sales platforms should not indicate permanency. These agreements were not gazetted and may be termed as informal arrangement since they have not been enshrined in official documents. Kienjeku and Shilingi road were also designated for these activities. The council’s responsibility according to the then revenue officer incharge of Ngara west was to collect the daily license charge of Kenya shillings 30, ensure that the traders locate within allocated roads, construct the specified temporary
sales platform of 2000 by 1500mm, and regularly collect the waste (a service that should be paid for separate for the daily licence charge).

The City Council of Nairobi has made efforts to integrate the informal traders into a formal system that they can sustain. The rate of urbanisation has overwhelmed these efforts and more solutions need to be innovated. The council’s image of demolishing may have been in the past but this haunts their efforts where mistrust hinders any negotiation with the informal entrepreneurs.

Formal markets are those located on designate market sites that have been planned as such. The Council builds the stalls usually within a single complex and provides services and amenities such as water, security, power etc. Some markets are built by partnerships between the council and the entrepreneurs under such arrangements as build and occupy, build and rent among others. Under such arrangements the council surveys the designate site, builds a boundary around the site and subdivides it into lots for building stalls, for which entrepreneurs apply for allotment and built the stalls based on the council’s designs and standards. Services such as sanitation are provided but are charged on per use basis, at the time of the study the rates were about Kenya shillings 10 per use. Security services are provided by Council askari’s. Entrepreneurs rent the market stall, cess charge is also levied to the entrance of goods in the market precinct.

Table 4-10 categories of City Council of Nairobi Markets Source: City council of Nairobi

<table>
<thead>
<tr>
<th>A</th>
<th>Whole sale market</th>
<th>No. of Stalls</th>
<th>Ownership/management</th>
<th>Location ward</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wakulima market</td>
<td>8</td>
<td>CCN</td>
<td>Kamukunji</td>
</tr>
<tr>
<td>B</td>
<td>Hawkers market</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Muthurwa hawkers market</td>
<td></td>
<td>CCN</td>
<td>Kamukunji</td>
</tr>
<tr>
<td>C</td>
<td>Rental market</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Landies road</td>
<td>72</td>
<td>CCN</td>
<td>Kamukuji</td>
</tr>
<tr>
<td></td>
<td>Shauri Moyo</td>
<td>308</td>
<td>CCN</td>
<td>Shaurimoyo</td>
</tr>
<tr>
<td></td>
<td>Jogoo road</td>
<td>450</td>
<td>CCN</td>
<td>Maringo</td>
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<tr>
<td></td>
<td>Umoja 1</td>
<td>320</td>
<td>CCN</td>
<td>Umoja</td>
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<td>Westlands</td>
<td>109</td>
<td>CCN</td>
<td>High ridge</td>
</tr>
<tr>
<td></td>
<td>Westlands Curio</td>
<td>309</td>
<td>CCN</td>
<td>High ridge</td>
</tr>
<tr>
<td></td>
<td>Quarry Road</td>
<td>274</td>
<td>CCN</td>
<td>Pumwani/ Bondeni</td>
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<td>Ngara</td>
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<td>Ngara</td>
</tr>
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<td></td>
<td>Karen</td>
<td>83</td>
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<td>Karen</td>
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<td></td>
<td>Githurai</td>
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<td>Githurai</td>
</tr>
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<td>New Pumwani</td>
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</tr>
<tr>
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<td>Dandora A-F</td>
<td>392</td>
<td>CCN</td>
<td>Dandora</td>
</tr>
<tr>
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<td>Kariokor</td>
<td>206</td>
<td>CCN</td>
<td>Ziwani</td>
</tr>
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<td></td>
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<td>143</td>
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<td>Central</td>
</tr>
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<td>D</td>
<td>Development tenant purchase markets</td>
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</tr>
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<td></td>
<td>Kayole</td>
<td>159</td>
<td>CCN</td>
<td>Kayole</td>
</tr>
<tr>
<td>Location</td>
<td>Code</td>
<td>Type</td>
<td>Area</td>
<td></td>
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<tr>
<td>---------------------------</td>
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<td>-------------------</td>
<td>--------</td>
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<tr>
<td>Kahawa West</td>
<td>335</td>
<td>CCN</td>
<td>Kahawa</td>
<td></td>
</tr>
<tr>
<td>Mathare North</td>
<td>53</td>
<td>CCN</td>
<td>Mathare A</td>
<td></td>
</tr>
<tr>
<td>Umoja ii ( A &amp; B)</td>
<td>72</td>
<td>CCN</td>
<td>Umoja</td>
<td></td>
</tr>
</tbody>
</table>

**E Self-constructed market**

<table>
<thead>
<tr>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>Kibera</td>
<td>678</td>
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<td>Kibera</td>
</tr>
<tr>
<td>Jericho</td>
<td>476</td>
<td>CCN</td>
<td>Hamza Lumumba</td>
</tr>
<tr>
<td>Kariobangi North</td>
<td>696</td>
<td>CCN</td>
<td>Kariobangi North</td>
</tr>
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<td>Kariobangi South</td>
<td>156</td>
<td>CCN</td>
<td>Kariobangi South</td>
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</tbody>
</table>

**F Open air market**

<table>
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<th>Location</th>
<th>Code</th>
<th>Type</th>
<th>Area</th>
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</thead>
<tbody>
<tr>
<td>New Ngara</td>
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<td>Ngara</td>
</tr>
<tr>
<td>Kiamaiko (goats)</td>
<td>none</td>
<td>CCN</td>
<td>Mathare</td>
</tr>
<tr>
<td>Maasai</td>
<td>none</td>
<td>CCN</td>
<td>Central</td>
</tr>
<tr>
<td>Sunken (high court)</td>
<td>none</td>
<td>CCN</td>
<td>Central</td>
</tr>
<tr>
<td>Yaya</td>
<td>none</td>
<td>CCN</td>
<td>Kibera</td>
</tr>
<tr>
<td>City stadium</td>
<td>none</td>
<td>CCN</td>
<td>Kaloleni</td>
</tr>
<tr>
<td>Maziwa</td>
<td>none</td>
<td>CCN</td>
<td>Shaurimoyo</td>
</tr>
<tr>
<td>Jericho</td>
<td>none</td>
<td>CCN</td>
<td>Uhuru</td>
</tr>
<tr>
<td>Kahawa</td>
<td>none</td>
<td>CCN</td>
<td>Kahawa</td>
</tr>
<tr>
<td>Mutindwa</td>
<td>none</td>
<td>CCN</td>
<td>Harambee</td>
</tr>
<tr>
<td>City park</td>
<td>none</td>
<td>CCN</td>
<td>Parklands</td>
</tr>
<tr>
<td>Toi</td>
<td>none</td>
<td>CCN</td>
<td>Kibera</td>
</tr>
<tr>
<td>Kangemi</td>
<td>none</td>
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<td>Kangemi</td>
</tr>
<tr>
<td>Kawangware</td>
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<td>CCN</td>
<td>Kawangware</td>
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<td>Korogocho</td>
</tr>
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<td>CCN</td>
<td>Pumwani</td>
</tr>
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<td>Kayole</td>
</tr>
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<td>Westlands</td>
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<tr>
<td>Dandora terminus</td>
<td>none</td>
<td>CCN</td>
<td>Dandora</td>
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5 Chapter 5: STUDY FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 The concept of informality
The study has shown that informality is defined in the context of a regulatory framework; thus to understand the reference to any form of informality the regulation in question has to be identified. Further the diversity of informality cannot be over emphasized thus for any meaningful understanding of a particular form of informality specificity becomes paramount; the study considered economic activities in public urban space that are informal because they occupy space that has been planned for other purposes and have no tenure to appropriate and produce the space to carry out these activities.

5.1.1 Informality and enforcement
In considering regulation and its enforcement in the context of Ngara West, the regulation being that governing hawking (for requirements for registration as a hawker see table 5-1, in appendix 7.4, the requirements for registering a single business permit classifies hawking under code 200). Other regulations guide hawking activities including among others: public health act, physical planning act etc. (see 2.4), and these regulations can easily be accessed (courtesy of kenyalaw.org). A piece of information is missing, while hawkers are required to state where they will conduct their business, (refer table 5-1 bullet 1) the Council does not indicate where hawking has been permitted. The study found that Ngara West was not officially gazetted as a hawking zone, however hawking as described in the regulations is practised in Ngara West. It was also found that a daily charge was collected, and certain businesses within Ngara West were being evicted from the streets and not for non-compliance with the daily charge but for locating in ‘unacceptable’ areas; for instance on Muranga road near the Globe Cinema round about.

The study found that on Tiwi street the sales platforms were relatively permanent whereas those on Muranga road were found to be temporary (see table 4-1 & fig 5-2). This condition is attributed to the level of enforcement on these streets. When Muranga road was evaluated closely the study noted that as we moved closer to the CBD the materials used for the sales platform become rudimentary; near the New Ngara stage the mobile sales platforms have collapsible timber stands, as we move closer to the CBD past the Globe Cinema round about gunny bag mats laid on the ground for goods display or carton box materials for a base and display surface are used. The sales
platforms reveal a response to enforcement through evictions, quick setup and set down times become a critical consideration and a deeper expression of the unwillingness among the entrepreneurs to invest much in a precarious state of the business. Figure 5-2 captures the selective enforcement gradient and the response in the sales platforms. The sales platforms within the ‘acceptable’ zone were also found to be not homogenously enforced, while some respondents did not indicate the restrictions on the repair (permission being sort to repair and having repairs done with craftsmen recognised by the local CCN ward) and materials to be used for the sales platforms some did; one such disparity is on Tiwi street, Ngara road and Kolobot road, on Kolobot road permission had to sought for setting up or repairing a sales platform, on Ngara road ( where the local authority ward office is located) and Tiwi street repairs were done at the entrepreneurs discretion ( see Figure 5-1) and the permanent extensions/encroachments of the bars and restaurants housed in permanent structures near the Kienjeku - Ngara road junction testify the level of enforcement.

Table 5-1 Requirements to register a hawking business: Source: http://www.nairobi.go.ke (Nairobi county website accessed on 7th Nov 2013)

<table>
<thead>
<tr>
<th>HAWKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>One can apply for a permit to the Town Clerk for authority to conduct hawking, giving particulars of goods and place of hawking.</td>
</tr>
<tr>
<td>A hawker’s assistant permit may be issued to a person employed to assist the permit holder who hawks refreshments and is physically disabled or has loss of limbs.</td>
</tr>
<tr>
<td>The permit is not transferable to another person.</td>
</tr>
<tr>
<td>Any person without a valid permit or hawks in an undesignated area risks having their goods impounded.</td>
</tr>
<tr>
<td>Each person engaging in hawking must have a budge and wears it at conspicuous place.</td>
</tr>
<tr>
<td>Council officers have a right to inspect any goods/articles being hawked. Blocking an officer from performing that duty is an offence</td>
</tr>
</tbody>
</table>

De Soto’s legalist concept contends a harsh regulatory system that lead entrepreneurs to seek alternative means of making a livelihood in the city, findings in Ngara West resonate with De Soto’s postulations. It has been documented that enforcement is not homogenous within Ngara West, a small urban area within the city, Ananya Roy’s postulation on informality being the territorial logic of deregulation resonates with the observed selective enforcement of the same regulations. This observation reveals a
challenge with the civic knowledge available on the regulations and further the lack of clarity in the regulations themselves. The results are that a group is vulnerable because of a knowledge gap and hence operates precariously; the council either has no such map of designated hawking zones or a group within the council (read abstract space) cannot let that map out for reasons that are not the subject of this study. This precarious state is the subject of the structuralists’ school of thought, that subjugation becomes imminent when abstract space creates an event of the city.

5.1.2 The informal-formal binary
The study has also shown that informal and formal urban processes are happening side by side, and interact to an extent that some processes have symbiotic relationships, with the informal activities creating a need for certain formal activities; for instance mobile money transfer services, local banking agents etc. The Informal - formal binary is undermined by the continuum that has been observed in Ngara West; one such continuum is the banking agents observed to be right next to the informal activities, the entrepreneurs are potential clients to these banks and mobile phone money transfer services. Some of the goods on offer within Ngara West are sourced beyond national borders, indicating the rudimentary sales platform observed in Ngara West is a product outlet for a multi- national company notwithstanding the distant link.
Figure 5-2 observed disparity in sales platform type, permanence and material use as response to selective enforcement. Dark red denotes harsher enforcement. Source: developed by author.
Findings indicate that no one concept of the dominant schools of thought recorded in the literature review exhaustively captures the situation in Ngara West, each nuances a particular characteristic within the myriad of expressions observed. The findings thus indicate urban space in Ngara West is indeed not a product of a regulatory system but a dynamic field of interactions for economic, social, cultural and political processes.

5.2 Informality and the right to the city

The study also explored the right to the city and its meaning with the realities of informality; this was explored with the production and consumption of space. The study found that the right to appropriate and participate in the evolution of the city should not be limited, that all inhabitants within urban space have the right to participate in what the city (their city) should be. Thus the notion of participation in the urbanisation process becomes a case in point. The study took note that one groups pursuit to the right to the city should not mean that another group suffers in the process. The endeavour thus of urban space practitioners (representation space) is to facilitate the enjoyment of this right to the city by all who inhabit it; hence the proposition: all inhabitants in a city can enjoy their right to the city without prejudicing others right to enjoy the same.

5.2.1 Legitimacy in appropriating streets in Ngara West

The study revealed that the streets/ road reserves in Ngara West have found new informal use other than merely connecting places and providing carriage for services. This particular urbanisation process has happened with no intervention from planners (a situation of planning without planners). The result is a vibrant urban space that however has its challenges. Informal economic activities have colonised the streets establishing legitimacy through filling a void left out by formal processes; by meeting the local needs
for goods and services and through ad hoc informal political interventions\textsuperscript{25}, the informal practitioners found an opportunity to operate in Ngara West. The nature of these opportunities have informed their appropriation of this public urban space and influenced the production and consumption of space; the study has shown how the conception of a sales platform is a product of the uncertainties embedded in the informal urbanisation process.

The study has shown that rather than regulation being a guide that is sought for clarity, enforcement left most firms in a grey zone while others were excluded; while some pay the daily charge, a statutory fees by the CCN revenue department, other statutory fees are either unknown to the practitioners or avoided all the same (see 2.15). While payment was acknowledged by both the practitioners and the city council officials no formal receipt was recorded in the field for payment of daily charge. Despite the payment of daily charge being demanded by council officials’ tenure is never assured, echoing Young’s marginalisation concept\textsuperscript{26}. It is the author’s contention that the council’s position of viewing the enterprises only as a revenue source only exacerbates the situation, from the vendors’ perspective the daily charge earns them a legitimate right to trade in the street and access to related services such as waste management. The council can therefore not wash its hands off the conflicts that arise from the traders’ existence in the street. On the other hand the entrepreneurs should be aware of other street users’ needs as well as the residents’ needs and rights. This raises the question whether intervention by the council changes the informal status of these activities and further whether a more efficient system that fosters earning a means of livelihood will be realised after the council’s interventions.

5.2.2 Imminent eviction

While the informal structures are invading the streets, the formal processes represented in the high-rise commercial spaces are beginning to dominate the previously residential dominated skyline. New uses for private residential units have evolved such as student hostels which have altered the type of residential units that previously existed in the area. The changing land uses present a threat to the informal economic activities, eviction seems imminent, further reiterating the uncertainties embedded in informal processes.

\textsuperscript{25} Political assertions made in public rallies were not followed up by the legal processes such as gazettement.

\textsuperscript{26} See marginal informality, an alternative view in 2.1.3 the search for a definition of informality
5.2.3  **Sales platforms**

The study has shown that the sales platform in which these informal economic activities are carried out have been conceived of as a transient structures whose function is to accommodate the trade for the period that the activities will be tolerated in the streets (see fig 5.4 and 5.5 for typical mobile and stationary sales platform construction elements). Rudimentary materials, highly mobile sales platforms are perhaps an expression of the effect of abstract space, which hangs over these entrepreneurs such that their appropriation of space has been limited by the same. The success of the influence of abstract space may be attributable to the historical relationship between the entrepreneurs and the council, this stalemate however hinders the full enjoyment of the right to urban space since it results in conflicts that have to be responded to at least at urban design or planning level; but the activities have been deemed illegal since they occupy space that has not been pre-planned for them. It is also paramount to consider that these economic activities are an only source of livelihood for a large number of inhabitants and a major source of employment, the right to a livelihood is uncertain.

5.2.4  **Unity in the struggle for the right to the city**

The study has shown that there is scarcely any communication between the inhabitants with respect to use of public space save for interaction between individuals occasioned by an immediate conflict issue. In Ngara West it was shown that the residents’ response to issues was on individual basis which shortly fizzled out. The informal enterprises had a collective front which it was however found to be unclear whether the same body was a unanimous body that is a representative voice when decisions are made; while some entrepreneurs referred to their chairman others did not indicate the knowledge of the said representative body. David Harvey viewed the right to the city as a framework to unify the struggles of urban social movements (Harvey, Right to the City; New left review 53, 2008). Findings in Ngara West point to individual responses to arising issues; others inhabitants it was found scarcely participate on resolving the issue. While it is the residents’ prerogative to organise and engage in conversation, it is the council’s duty, at least at local level, to ensure that the inhabitants have a forum where they can discuss matters arising in their city. Public communication boards will go a long way in communicating issues to the public unifying the conversation on what is cutting in their city. This notion echoes the concept of Local Agenda 21, promoted by the Earth Summit in Rio and by International Council for Local Environmental Initiatives (ICLEI) – Local Governments for Sustainability, which is based on the premise that local
governments are better placed than distant central or regional authorities to broker and harmonize the new partnerships among various stakeholders.

**TYPICAL CONSTRUCTION ELEMENTS OF A MOBILE SALES PLATFORM**

The base of the mobile sales platform typically consisted of a timber contraption that can be opened or closed for storage. On this are laid timber batten and a carton box undertay to hold the goods on display. The images show an open and collapsed timber contraption.

The goods are displayed on a gunny bag sheet; notice the corners that are well articulated to facilitate quick set-down times (a quick sweep to salvage the goods) in the event of a council operation. Take note also of the improvised seat; a stone covered with cloth for comfort.

A vendor assembling his sales platform for the days business along Muranga road.

The umbrella roof cover though not typical but an iteration of an advanced sales platform also serves as part of the display surface with goods being hang on to it.

*Figure 5-4: typical construction elements of a mobile sales platform Source: Author*
TYPICAL CONSTRUCTION ELEMENTS OF A STATIONERY SALES PLATFORM

Roof cover typically consisted of nylon sheets that are secured at the edges to avoid puncturing the cover surface. They are laid on carton box underlay or raffia mats (jamvi) these help avoid sagging when it rains so the water flows down slope.

The frame work typically consisted of gum poles of sizes from 100mm for the main frame and much smaller members for support.

The display surface largely depended on the goods being offered, while some merchandise can be hang, some has to be contained so as not to spill over.

The floor similar to the display surface largely depended on the goods being offered as well as the existing street surface on which the sales platform is erected.

The display surface for a shoe vendor on Kolobot road, created similar to the roof: gum pole frame, carton box underlay the nylon sheet (or nylon gunny bag sheets) on which the products are laid out.

Figure 5-5 typical construction elements of a stationary sales platform, Source: Author
While the entrepreneurs’ had some semblance of organisation, it is not enough to merely have a chairman who can converse with the ward manager from the council. To resolve the issue of worksites entrepreneurs must organise themselves and internally regulate themselves so that they can engage more constructively with local government to influence local conditions in their favour.

Communication between inhabitants is the first ingredient for any successful co-existence; dialogue between the different stake holders must be facilitated by the local government, the city council of Nairobi in this case, who is assumed to be a neutral intervener. For this to happen all groups must organise themselves so that they have representation in forums for which different issues can be engaged, nuanced and resolved. Further the need to participate in the debate at city and even national level so that they can influence policy was evaluated. While most of these institutions are in place, for instance the Micro and Small enterprise Authority, Nairobi Hawkers Association etc., it is unfortunate though that findings echo A.L Mabogunje’s postulation that many African cities are like houses built from the roof down, despite institutions conceived to mitigate the situation at national level being in place, the scaffolding that links the enterprises to these institutions are just not there, the institutions thus remain suspended over societies they should serve (Mabogunje, 1995). Local representative bodies need links to these institutions so that vision 2030 begins at the local scale. The need for further research on these links and how access can be facilitated cannot be over emphasized.

5.3 Production and consumption of urban space in Ngara West

Spatial practices derive their efficacy in social life only through the structure of social relations within which they come into play (Harvey, 1990), this section highlights the observations in Ngara West. The space in question was the streets/road reserves in Ngara west that included; Muranga Road, Ngara Road, Kienjeku Road, Kolobot Road, Tiwi Street, Mushembi Road and Shilingi Road. All had informal economic activities expressed in different levels of mobility and permanency. The following sections discuss the highlights of space production and consumption observed in Ngara West.
5.3.1 Material and spatial practices

The study had shown that the interrelationships between vendors, patrons, residents (both domestic and business) across the social strata, and the ward level local authority representation runs in a continuum. Inter connections between spaces, in terms of sourcing inputs for business (see fig 4-43), domestic residence of patrons etc., move beyond Ngara West and even city boundaries. Processes of production and processes of reproduction intertwine as some inhabitants work where others live and vice versa.

Informal activities in Ngara West have in particular influenced spatial practices within the streets in Ngara West, the study has shown that these activities attract many people who come to access the goods and services on offer. Ngara West was previously a route, the study findings show it as a destination for inhabitants who reside elsewhere. With the streets full the speeds of movement slow down enabling more interactions between inhabitants of different backgrounds. The dominance of motor vehicles on the street is challenged as pedestrian move onto the vehicular carriage. Clearly this new urban experience is enjoyed by the numbers it attracts; these numbers flow throughout the week as observations show.

As the masses of patrons went to Ngara West to access the available goods and services, the residents every day is interrupted; cues to this interruption are signified with warning and signs on the gate including, do not park in front of this gate. The curious observation is that despite the findings on respondents concern for insecurity the common signs that warn of dogs and guards were conspicuously missing. As informal activities affect the spatial practices they themselves are in turn shaped by the resulting context; the study observed that location of entrepreneurs within Ngara West was strategic; for instance those that located on Kolobot road targeted pedestrian patrons who included inhabitants moving to Kengen consequently the street is dominated with inorganic category of goods (leather products such as shoes and clothes).
5.3.2 Representational space
Response by urban space practitioners to informal economic activities in Ngara west could not be clearly established in the ongoing projects since they were not within the informal activity dominated zones, the one closest had only excavation going on at the time of fieldwork. Findings elsewhere of already inhabited recent buildings however show a strategic reaction that may keep the informal entrepreneurs’ away; by defining the edge between public and private in a vague way (property boundary); this makes vague the limits of pedestrian edge where the entrepreneurs occupy. In profiling Shillingi Road a large portion of the road was noted to have no vendors, some of the characteristics observed included having no boundary wall (see figure 5-5) or having shrubbery in front of the boundary wall. The private-public edge to some extent determined whether vendors located in front of a lot.

5.3.3 Spaces of representation
The study recognised the presence of representation of informal practitioners at national levels; Kenya Association of Street Vendors and Informal Traders (KENASVIT) with presence on the internet but their resonance on ground in Ngara West in particular is yet to be felt. Local networks that become portals for advocating for similar agendas to local governments, and further at national scale and give weight to the cause for legitimacy of informal activities and their place in the city were missing in Ngara West. At policy level the passing of the Micro and Small enterprise bill of 2012 and establishment of the Micro and Small enterprise Authority as well as a Micro and Small enterprise fund painted a hopeful picture in spaces of representation. More critically the link between these institutions and entrepreneurs in Ngara West and elsewhere is something to look forward to replacing the unfortunate historical events of the council’s misgivings for informal economic activities that have previous dominated spaces of representation.

5.4 The conflicts observed
Waste management: The overall goal of urban solid waste management is to collect, treat and dispose of solid wastes generated by all urban population groups in an environmentally and socially satisfactory manner using the most economical means
available. The then Local governments\textsuperscript{27} were authorized to have responsibility for providing solid waste management services, and local government laws give them exclusive ownership over waste once it has been placed outside a home or establishment for collection. It is undeniable that market activities drive up quantities of waste generated, it is how the same is managed at source before collection that is the bone of contention. The council is also generally responsible for ensuring cleanliness in public spaces.

In Ngara West, it has been shown that some streets were relatively cleaner than others not because of different response from the council but the response of the inhabitants, Shilingi and Kolobot road for instance had the informal entrepreneurs taking personal responsibility for the space around their sales platforms. The relatively unclean street, Muranga road was an orphaned street in that neither the informal entrepreneurs nor the residents participated in the street cleanliness. It is thus logical to conclude that, the onus for the cleanliness of the street first lies with the immediate inhabitant, in Ngara West it is the informal entrepreneur; the immediate user and source, so to speak, of waste within the street space. Storing of all waste products appropriately, and ensuring cleanliness around their sales platforms. The council's responsibility is collecting this well stored waste and disposing it off appropriately.

While most entrepreneurs felt that the council is responsible for waste management, it is the author’s contention that the entrepreneur is first responsible for any waste around their sales platform, given their presence within the street this is an extension of their responsibility. It is about time when inhabitants began participating in improving their city and not ask what the council has done but what they can do to ease service delivery by the local authority; the need for a self-help program, a do it yourself philosophy to participate in positively impacting the city being inhabited cannot be over emphasized.

As far as urban design is concerned the provision of designate waste receptacles for managing the waste before collection, will not be sufficient in resolving the waste management notwithstanding that no waste receptacle, street furniture, was observed in Ngara West. The entrepreneurs’ as well as other inhabitants’ attitudes in taking responsibility for their immediate environment is a critical aspect in this respect. The mobile enterprises in zone four were noted to be notorious in being nonchalant about the space in which they operate and perhaps a different approach for their accommodation

\textsuperscript{27} County governments took over local government administration following the general elections held in March 4\textsuperscript{th} 2013
needs to be sought, for instant compulsory closing hours after which the space is cleaned up by the same entrepreneurs. To better understand the dynamics of this problem perhaps a relook at attitude vis-à-vis availability of waste management infrastructure to establish a critical point.

**Insecurity:** It was shown that residents, business residents in particular, felt that the presence of informal enterprises created insecurity. The study cannot conclusively debate the issue as it is beyond the scope of this study. Further research is necessary to ascertain these claims and also demystify between the real and perceived insecurity issues, which will go a long way in not only encouraging co-existence between inhabitants but also guiding interventions and future proposals with regard to the issue. As to whether urban design is sufficient in resolving the same, the eyes on the street in Jane Jacobs’ the Death and Life of great American cities (Jacobs 1961), Oscar Newman’s defensible space, spatial design to encourage mutual responsibility (Newman 1970), among others have addressed insecurity, whether or not other interventions are necessary cannot be over ruled. The difference between new developments and existing intervention is noteworthy. In considering collective action, the entrepreneurs have a duty to themselves too; collectively they must curb some of the socially unacceptable ‘coping strategies’ that tend to discredit them, such as crime, and other sharp practices, and confine themselves to genuine activities for livelihoods which are only technically ‘illegal’ in the sense of not conforming with official regulations and bureaucratic norms that are often arbitrary and inequitable.

**Storm water drainage:** Storm water drainage issues have been shown to be exacerbated by the presence of the enterprises in the street. The sales platforms having no floor, so to speak, encourage storing of merchandise within the stall area, coupled with the collection of dirt within the sales platform under these circumstances. The sales platforms have located on the pedestrian carriageway and over flow on to the vehicular carriage, ideally where the storm waste collects and drains via the fall off. A possible solution is that the sales platforms must have raised floors which will not only define a space and hence create some level of responsibility, but will also allow smooth flow of surface run off and not interfere with the drainage of the road. Below ground covered storm water channels may be considered to avoid littering in to the drains.

Urban design in the authors’ opinion can be instrumental in this respect. The love for the city and responsibility over the space which one occupies is a personal effort though.

**Traffic congestion:** It has been shown that informal activities have upset the traffic arrangements that were conceptualised by the urban planners. The dominance of the
vehicular mode of the street it has been argued has disparaged other uses of the street such as socializing, relaxing etc. the need for reconfiguring to have available opportunities for vibrant streets can be realised through urban design. Further inquiries on traffic flows at different times of the day will inform further the relationship of locating the new activities. Were the council to develop sales platforms, or modules that encourage development of the sales platform over time, some order at least in terms of the space to be occupied by the platform, the space for pedestrian passage and that for vehicles is attainable. It is also strategic for the council to define the extent of the worksites as this will not only control sprawl of the activities but will also resolve traffic congestion issues.

**Noise pollution:**
Noise in urban agglomerations is now seen as a factor that greatly impairs quality of life, similar to air or water pollution, Ngara West it has been shown suffers the same. Given that major sources of noise pollution tend to be road traffic, the idea that informal enterprises are the cause really does not tally, if anything the presence of informal enterprises has significantly reduced the speed at which vehicles move on the road. The accommodation of informal enterprises through urban design it can be argued will mitigate noise pollution in the area by the reduction of vehicular speeds. Other source of noise such as the traders’ callouts to patrons to consider their products can be muted by the choice of materials proposed for the sales platforms.

5.5 **Conclusion**
It has been shown that in Ngara West, inhabitants can and are willing to harmoniously co-exist within urban space even with the realities of the informal enterprises with intervention of urban planning and design. Despite the critical role that urban design will play in realising worksites, developing action plans and fostering harmony between the inhabitants, the critical need for further programs other than urban planning and design to foster co-existence within the context of the observed conflict issues cannot be overruled, especially behaviour change in public space. The pattern that best fits the intervention to be taken is urban planning and design among other programs such as social interventions that foster community/residential welfare associations. Urban planning and design [built form] can influence the successful integration of inhabitants; urban planners and designers can integrate infrastructure design to support social integration or formulation of a strategic plan that incorporates diversity as a core value. The focus should include ideas that cut across all theme areas which contribute to
vibrant and inclusive urban spaces in our cities. This may include planning in transportation and public spaces (parks, streets, and malls), zoning by-laws, neighbourhood renewal projects, participatory budgeting and strategic planning, and local environmental initiatives.

5.6 Mitigation measures/ recommendations
The study also explored the realities of accommodating informal economic activities in public urban space, to explore the viability of reorganising the functions of the street and facilitating co-existence between the new activities; in this context the study argues for the right to the city and operationalization of the concept through urban planning and design in mitigating the issues around informal economic activities. The more critical question with reference to the way forward would be in responding to informality; what parameters of regulation should be held constant to accommodate this urban process? Should altering the regulations be considered at all? Can solutions be found within the existing regulatory framework? While government and planners should retain long-term control to guarantee public safety and environmental health, local conditions dictate that planning should become more flexible, more advisory and promotional, and seek to mediate conflicting interests and values, rather than adhere to the traditional preoccupation with zoning, regulations, and controls to preserve the sanctity of public and private property.

**Improve access to urban space:** The provision of worksites is the one elusive issue that, as it has been shown in chapter 2, sets back formalization processes for many enterprises. Other conflict issues around informal activities in urban space spring from this major issue. To put it in a better perspective, the journey from informal to formal enterprise is by and large set back by the inequitable access to urban space from which all other statutory ‘stumbling block’ requirements arise. Perhaps the notion of informal should be replaced by incubating enterprises and recognition and facilitation for evolution over time be developed at policy level. The spatial-temporal diversity of informal activities demands that interventions be extended to particular activities at specific times in given locations and not others; in the case of Ngara west for instance zones 2 and 4, with the latter being highly mobile and operates at specific times of the day. The street being a case in point in Ngara West as a defacto worksite, also raises questions as to what an effective space for retail market activities should be; the need to access impulse customers overwhelms most needs when considering location of informal enterprises.
The publishing of the Sessional Paper No 1 of 1986 on “Economic Management for Renewed Growth” shows government recognition of the these activities referred to as informal, in highlighting the potentials of the sector it was hoped would change its image, from an employer of last resort to a spring of technological innovation and aggressive entrepreneurship. This early recognition has not delivered the potential that these activities hold, the deregulation unit that in 1992 was mandated to facilitate the creation of an enabling environment for promoting the informal sector did not come through. It is the author’s opinion that the first step to an enabling environment is access to a worksite, an issue highlighted in the 1999 national micro and small enterprise baseline survey by the government of Kenya. In finding recognition of informal economic activities in this case, operating space is the spring board to realising the potential of these enterprises. That informality offered an opportunity to access work space, echoes Anyamba’s postulation that informality is an urban spatial process (Anyamba 2006). The study has however shown that this mode of production of urban space creates conflicts among its inhabitants.

**Co-existence**: The study findings have also confirmed that urban spaces, in particular public urban spaces can be equally enjoyed by all inhabitants, however, arising conflicting uses call for interventions by urban designers and planners. The realities of informal economic activities in public urban space point to a need to relook at the arising conflict issues with a view to reconciling the needs that each inhabitant has. The major conflict issues that were highlighted in Ngara West across all inhabitants were: waste management, traffic congestion, and insecurity. Urban design has been recorded to respond to the last two; the eyes on the street in Jane Jacobs’ the Death and Life of great American cities, Oscar Newman’s defensible space, spatial design to encourage mutual responsibility, among others have addressed insecurity, Susan Handy’s Methodologies for exploring the link between urban form and travel behaviour explores alternative approaches for the same among others. Waste management on the other hand is best solved by behavioural change as is testimony in the first the three R’s that are the foundation of sustainable waste management practices; Reduce, Reuse and Recycle.

“The current circumstances in most third world cities demand that design mediates between various actors in the urban process i.e. public sector, private sector and individuals. The complexity of contemporary society, particularly in a context of informality requires the services of a professional who can prioritise and articulate the competing needs of settlement requirements”. (Anyamba 2006)
Reconsidering retail market space: When considering the formal spaces designated for exchange of goods and services at retail scale (formal CCN run retail markets) we find they are conceived as an enclosed spaces that are contained with centralised/controlled access and egress, this it has been postulated is easier to administrate; an enclosed market typology. The study has shown that this model has failed in terms of containing the retail activities; economic activities always sprawled on the perimeter and even further out of the facility but the phenomenon it was shown could not be attributed to congestion on the inside. Stalls within the market were abandoned for the “informal” space outside the centralized space. This may perhaps be a cue to reconsidering the forms for future market spaces, administration for the same needs consideration, and further provision of amenities such as sanitation facilities for the same; these issues will facilitate mainstreaming informal economic processes which mainly happen in open street and are not necessarily centralised.

Inclusive participation: For meaningful interventions with regard to the right to the city the participation of all inhabitants must be considered; the anticipation of which players make what decision and at what stages must be developed to guide stake holder participation. Several scales may be considered; urban (connections to the rest of the city), neighbourhood, blocks, streets and lots or sales platforms for this particular intervention. Each scale represents an opportunity for participation for instance, at the stall/ sales platform level, personalisation can be considered as proposed in responsive environments, (Bently , et al. 1985) where the inhabitants of the space will feel part and parcel of the design process and hence own the space thus take responsibility for the space. It is the authors preposition that this is an opportunity to have all inhabitants participate in the urbanisation process in Ngara West; the sales platforms are one such area where personalisation can be achieved, this sense of responsibility for the space around the sales platform is bound to inspire behavioural change and thus improve waste management processes. The sales platforms, however, set the pace for appropriation and consumption of urban space hence it is the author’s opinion that the council for purposes of control of numbers and sprawl take charge and develop a sales platform (modern kiosk) that can function in Ngara west but allow for customization inside for personalisation.

Efficient movement through the streets: In resolving traffic congestion, a possible way forward is reconsidering the traffic network as one way streets for vehicular movement and bazaar like streets with the modern kiosks sales platforms lining the edge; this will also ensure security of tenure for the entrepreneurs when the kiosks are
owned by the council and are leased to the entrepreneurs. To ensure that congestion is avoided main arterial roads with high traffic levels will be cleared to enhance efficiency, for instance Ngara road whereas low traffic roads may be considered for the intervention for instance Tiwi Street and Shilingi road. This is an alternative approach to the modern kiosk intervention in terms of the major consideration being that there had to be space on the road reserve in the first place, which meant that interventions are only feasible on large road reserves which are likely to have high, fast moving traffic. The intervention also proposes encouraging pedestrianisation of streets to encourage non-motorised means of transport which is a sustainable approach. The need for public parking spaces will be critical as no public parking lots were sited; current roadside parallel parking only serves to worsen the congestion problem. Given the proximity of Ngara west to the CBD, the area is plausible for a park and walk facility with the market as experience space where people can walk through as they head to the CBD. A possible location for the silo is the area next to New Ngara stage; it is strategically accessible due to its location on Muranga road, vehicles from Parklands, Westlands areas through Ngara road and those from Thika road.
Figure 5.8: possible spatial interventions to respond to conflict issues
Figure 5-9 Proposed street module to accommodate informal enterprises and encourage public street use
Figure 5-10 Proposed street module to accommodate informal enterprises and encourage public street use
Figure 5.11 Proposed street module to accommodate informal enterprises and encourage public street use.
Figure 5-12 Proposed street module to accommodate informal enterprises and encourage public street use
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7.1 Informal entrepreneur questionnaire

THE UNIVERSITY OF NAIROBI, DEPARTMENT OF ARCHITECTURE
CONFLICTS IN PUBLIC URBAN SPACE USE CREATED BY INFORMAL ECONOMIC
ACTIVITIES: THE CASE OF NGARA WEST
QUESTIONNAIRE FOR DATA COLLECTION FOR PURPOSES OF PROJECT
REPORT ONLY

INFORMAL ENTREPRENEUR QUESTIONNAIRE

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1. Are you the owner of the business [yes] [No]
2. Fill as appropriate

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3. How long have you operated this particular business?

4. What other businesses have you had/ what was your occupation before landing this business?

5. As a source of household income this business is (do you have other sources of income other than this business?)
   a. The main source of income among others
   b. One among other sources of income
   c. The only source of income

6. How were you introduced to the activity
By a relative who was in a similar business

By a friend who was in a similar business

Through inheritance

By own initiative, through trial and error

As an employee then started own activity

By training as an apprentice and then starting own activity

Through other means (specify)

7. What informed your choice of this business?

As the main source of income

It’s the only job I can do given my qualifications

To supplement household income

Could afford to capital to start the business

To keep busy

It is easy to get raw materials/ inputs for business

To be self-employed / get an independent source of income

It’s the only job I can do given my qualifications

8. Do you own the space/ sales platform you conduct business in: (Yes/No)

No (I am an employee)

No (the space has been rented (how much))

Yes

9. What statutory licences and/or registration does your business have?

<table>
<thead>
<tr>
<th>Licence</th>
<th>Current Situation</th>
<th>Previous Situation For This Or Other Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business registration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nairobi City council licences</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other body</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10. What was the most significant challenge in locating this business (finding space for your business)?

11. Where did you first operate such a business?

a. Why operate this business in Ngara West?
12. Why locate at this place in Ngara West (refer to zone map)? (Micro scale: shilingi rd, limuru road, ngara rd, kolobot rd, near junction, outside a major shop etc.)

13. For mobile sale platforms/stalls do you have a designate spot or is it on a first come, first served basis?
   a. Do you always get your spot each day you get back? [Yes/No]
   b. On days that you are not around (perhaps sick, gone upcountry, or to renew stock) what happens to your spot?

14. Where do you source your stock?

15. How is it transported to your stall?

16. Where in Nairobi do you live?

17. How do you get to work?

18. How many days a week do you operate your business?

19. What are your hours of operation/Are there any reasons why you choose this mode of operation?

20. What informed the choice of sales platform/stall?

21. Why do you use these materials for your sales platform?

<table>
<thead>
<tr>
<th>Stall size (L&amp;W)</th>
<th>Business type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stall location</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part</th>
<th>Material</th>
<th>Reasons Given</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walls</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
22. Who build your sales platform/stalls?

23. How long ago was it built?

24. Who repairs and maintains the sales platform/stall?

25. Do you think your sales platform/stall affects your sales?
   a. If so how? Have customers mentioned to you about your stall type and their preference for anything more or less?

26. Where do you store your stock when you close (especially for mobile stalls)?

27. How secure do you think your stock is when you are not around?

28. Do you have any intentions of changing your sales platform to a more permanent solution?

29. What limits the options you have in advancing this sales platform/stall?

| a. Security of tenure (you do not own this space) | b. The authorities will have none of it/ it will be brought down any time |
| c. There is not enough profit to reinvest in the business | d. It really does not matter what kind of structure I have so long as the business runs |
| e. It is a temporary arrangement, no serious future plans for it | f. It will appear that I am making profits that I am really not and create unnecessary insecurity |
| g. Other (specify) |  |
30. Do you invest some of your profit on the business premises/ stall/ sales platform? (how much in the last 6 months)

31. What happens when it rains?

32. What service do you have access to if not what are the options you have innovated

<table>
<thead>
<tr>
<th>Service</th>
<th>Availability (yes/no)</th>
<th>Innovative solution developed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water(piped water)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electricity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer (access to sanitation facilities)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solid Waste management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Security</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surface (storm water) drainage</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

33. Who in your opinion should be responsible for the waste generated in this market?

| We the informal business operators |                        |
| The city council                  |                        |
| I do not know                     |                        |

34. Do you think your business affects others street users [yes or no]?
   a. How do you think it affects other users especially your immediate neighbours?

| Fellow entrepreneurs |                        |
| Pedestrians          |                        |
Vehicular means of transport

Residents (business)

Residents (domestic)

35. What in your opinion should be CCNs role as far as your business is concerned?

36. Do you think CCN has played a role in your business in any way?

37. Where do you think most of you customers come from and how do they get to your stall (walking, via public means, by private car)?

38. What are some of the challenges you face in carrying out this business?

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Harassment by CCN officials</td>
</tr>
<tr>
<td>b.</td>
<td>Demolitions/ evictions</td>
</tr>
<tr>
<td>c.</td>
<td>Harassment from other vendors</td>
</tr>
<tr>
<td>d.</td>
<td>Weather related challenges</td>
</tr>
<tr>
<td>e.</td>
<td>Business registration/ licencing</td>
</tr>
<tr>
<td>f.</td>
<td>Lack of profits</td>
</tr>
<tr>
<td>g.</td>
<td>Other specify</td>
</tr>
</tbody>
</table>
7.2 Resident’s questionnaire

THE UNIVERSITY OF NAIROBI, DEPARTMENT OF ARCHITECTURE
CONFLICTS IN PUBLIC URBAN SPACE USE CREATED BY INFORMAL ECONOMIC
ACTIVITIES: THE CASE OF NGARA WEST
QUESTIONNAIRE FOR DATA COLLECTION FOR PURPOSES OF PROJECT
REPORT ONLY

RESIDENTS’ QUESTIONNAIRE

<table>
<thead>
<tr>
<th>Questionnaire Number</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area/Zone (micro scale- refer to map)</td>
<td>Time</td>
</tr>
</tbody>
</table>

1. Residence type

<table>
<thead>
<tr>
<th>Residence type</th>
<th>density</th>
<th>Occupational arrangement</th>
<th>Residence period</th>
<th>Occupational hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>Single unit (low density)</td>
<td>owner</td>
<td></td>
<td>Day hours</td>
</tr>
<tr>
<td></td>
<td>Attached, semi-detached, row housing (medium density)</td>
<td>rental</td>
<td></td>
<td>Night hours</td>
</tr>
<tr>
<td>Domestic</td>
<td>Multi dweller/ high rise blocks</td>
<td>owner</td>
<td></td>
<td>Whole day</td>
</tr>
<tr>
<td></td>
<td>Mixed use developments</td>
<td>rental</td>
<td></td>
<td>Weekends only vs. week days only</td>
</tr>
</tbody>
</table>

2. How long have you resided in Ngara West?

3. What are some of the changes that you have witnessed in your stay here?

4. What is your preferred mode of movement?

<table>
<thead>
<tr>
<th>Pedestrian</th>
<th>Bicycle</th>
<th>Motorcycle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public vehicular transport</td>
<td>Private vehicular transport</td>
<td>Other</td>
</tr>
</tbody>
</table>

5. Other than movement through what other uses do you have for streets?
6. What problems affect you most due to the presence of the informal economic activities in the streets [where possible note 3 most effective]

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Dust</td>
<td>b. air pollution</td>
</tr>
<tr>
<td>c. Noise pollution</td>
<td>d. Transport (vehicular, pedestrian movement in the streets)</td>
</tr>
<tr>
<td>e. Insecurity</td>
<td>f. Degradation of the general aesthetic value of the neighbourhood</td>
</tr>
<tr>
<td>g. Garbage and associated problems [smells, unsightly, etc.]</td>
<td>h. Other (specify)</td>
</tr>
<tr>
<td>i. Obstruction from access to own property</td>
<td>j. air pollution</td>
</tr>
</tbody>
</table>

7. How do the above issues affect:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Gentlemen</td>
<td></td>
</tr>
<tr>
<td>b. Women</td>
<td></td>
</tr>
<tr>
<td>c. Children</td>
<td></td>
</tr>
</tbody>
</table>

8. In your opinion are the streets more vibrant and active with this activities and do you feel that a higher use value is attained by these having these activities?

9. What is your take on the stall types that have come up in the streets?

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Do you think they can be improved?</td>
<td></td>
</tr>
<tr>
<td>b. How would you improve them?</td>
<td></td>
</tr>
</tbody>
</table>

10. Which side about your premises are the informal economic activities?

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>Rear</td>
<td>Right</td>
<td>Left</td>
</tr>
<tr>
<td>Some meters from my house/gate</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11. What steps have you taken to resolve these issues?

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Directly engaged the entrepreneurs</td>
<td>b. Talked to the CCN</td>
</tr>
<tr>
<td>c. Engaged the representatives of the entrepreneurs</td>
<td>d. Retrofit own premises to keep off the nuisance (Built higher wall fences)</td>
</tr>
<tr>
<td>e. other</td>
<td></td>
</tr>
</tbody>
</table>
12. What would you suggest is the best way forward?

| a. Relocate this activity | b. Adopt retrofit solutions on your building (dust proof windows, high wall fences etc.) |
| c. Relocate your residence | d. Redesign market for the good of all residing here |
| e. Improve garbage collection | f. Let the market be as it is |
| g. other |

13. What in your opinion is the role of the public in environmental management especially in areas with informal economic activities?

a. Would you mobilise or participate in a public environmental management advocacy campaign for your neighbourhood?

14. What do you think is the council's responsibility toward these issues?

15. What your attitude towards the upcoming new developments (high rise office blocks, hotels, etc.)?
7.3 Patron’s (customer’s) questionnaire

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REPORT ONLY

PATRON’S (CUSTOMER’S) QUESTIONNAIRE

<table>
<thead>
<tr>
<th>Questionnaire Number</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area/Zone (micro scale- refer to map)</td>
<td>Time</td>
</tr>
<tr>
<td>Vendor type visited</td>
<td>Street</td>
</tr>
</tbody>
</table>

1. Why do you prefer you get your goods/services from Ngara west market?
   a. Good competitive price
   b. Conveniendly Near home
   c. Good quality
   d. Conveniently On my way home
   e. Goods can be accessed in small quantities
   f. Other

2. How do you get to the market?
   a. On my way home from work
   b. Purposely drive from home/work to shop here
   c. As I go to the bus stage
   d. Just happened to pass by on my way elsewhere (neither home nor work)
   e. Purposely walk from home/work to shop here
   f. Other

3. What do you mainly buy at the market
   a. Organic goods (vegetables, fruits, cereals/ grains, tubers)
   b. Inorganic goods (woven clothes, leather products, bags, plastic products)
   c. Others (personal services; shoe shining, eatery).

4. Do you think informal economic enterprises cause conflicts within their context?
   a. Could you point out any 3 that you feel would significantly affect you?

5. What is your take on the following conflicts that may arise due to the presence of informal economic activities?
   a. Waste management problems
   b. Noise pollution
   c. Traffic problems (both pedestrian and vehicular) including displacement of either users from their designated spaces
   d. Insecurity
   e. Air pollution
   f. Visual aesthetic degradation
6. What in your opinion are possible solutions?

7. Who in your opinion should be responsible for the issues you have raised?
   a. What roles should each play

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>i.  Sellers</td>
<td></td>
</tr>
<tr>
<td>ii. The buyers</td>
<td></td>
</tr>
<tr>
<td>iii. CCN</td>
<td></td>
</tr>
</tbody>
</table>

8. Given that you are a patron at this market, what is your take on how streets as public urban spaces have been used around this market?
   a. Do you think they add value to how these streets are used?
7.4 City Council of Nairobi Single business Permit.
7.5 Sample CCN market stall allotment document, stating conditions for the same
Source: City Council of Nairobi, Market administration department

28. The Council shall not be responsible for the safety of the goods removed from the stall after
expiry of the term of any of the conditions of tenancy nor shall it be responsible for
the safety of the tenant's goods during the existence of the tenancy.

29. The Council may confiscate any tenant's goods which in its opinion infringe any of the
conditions of the tenancy.

30. The tenant shall not misuse or permit water and electricity to be wasted by his agents,
employees, invitees or licensees and at the termination of his tenancy, he will be charged for any
extra bills arising therefrom.

31. The tenancy of the stall may be terminated by either of the parties giving to the other not
less than one calendar month's notice in writing ending on the last day of any month,
provided that the Council may forthwith re-enter or take possession of the stall in the event
of default of any portion of the rent or any charge or fee being in arrears for fourteen days
whether formally demanded or not or in the event of the tenant becoming bankrupt or
taking steps into liquidation or being wound up or in default in the payment of any debt
conform to all three conditions or the By-Laws, rules and regulations made from time to
time by the Council, or the Government in regard to the market or the stall.

32. The Council may terminate this tenancy by giving to the tenant one month's notice prior to
the end of one calendar month for contravening any of the conditions of tenancy contained
therein or for the purpose of renovation, demolition or development of the stall.

33. Any notice or consent under this tenancy shall be in writing and shall be deemed to be
sufficiently given to the tenant if delivered to him or to his agents at the stall or if sent to
him by registered post at his last known address or be posted on the front door of the
stall. Any notice to the Council shall be deemed to be sufficiently served if sent by
registered post to the Town Clerk or Director of Social Services and Housing, whose
address is Post Office Box 30075, Nairobi.

34. In this tenancy card, words importing the masculine gender also include the feminine.

7.6 Sample modern kiosk allotment document, stating conditions for the same (side A) Source: City Council of Nairobi, Market administration department
7.7 Sample modern kiosk allotment document, stating conditions for the same (side B) Source: City Council of Nairobi, Market administration department
7.8 Sample proposed Ngara open air market allotment document, stating conditions for the same (side A) Source: City Council of Nairobi, Market administration department
7.9 Sample proposed Ngara open air market allotment document, stating conditions for the same
Source: City Council of Nairobi, Market administration department

<table>
<thead>
<tr>
<th>MARKET</th>
<th>STALL No</th>
<th>NAME</th>
<th>IDENTITY No</th>
<th>RENTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>Subject</td>
<td>Remarks</td>
<td>PHOTO</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date of Tenancy w.e.f. Tenant will: from _to_.

File Ref.
7.10 Sample market pitch allotment document, stating conditions for the same, Source: City Council of Nairobi, Market administration department

TR.33/2298/JNK/RK/011

18TH APRIL 2011

ALLOTEE’S NAME (ID/NO. )

RE : ALLOCATION OF PITCH NO. 50 - KAHAWA WEST MARKET

We are pleased to inform you that the City Council of Nairobi vide Minute 37 of Social Services & Housing Committee Meeting held on 14th September 2004 allocated the above captioned pitch No. 50 at Kahawa West Market for development into a Market stall under site and service scheme subject to the following conditions:

a) Payment of a non-refundable acceptance fee of Kshs. 5,000/=.

b) Payment of monthly administrative charges of Kshs.600/= in advance on or before the 1st day of the month beginning from 1st August 2011. These charges are subject to review from time to time.

c) Construction of individual stall in accordance with the approved plans and with specified materials to the satisfaction of the Council in the space provided within a period of three months with effect from 18th July 2011.

d) Abide with the Council By-Laws that governs and controls activities within its Markets.

e) Payment of land rates annually as provided for by the Council’s Chief Valuer, charges that are subject to review from time to time.

f) Acquisition of business permits while carrying business in the stall as per the Council’s fees and charges in force at any given period.

g) The market site remains the property of the Council and any default there off on remittance of the monthly charges; the site/stall will be repossessed without any claim to the Council whatsoever.

h) The stall will be used for grocery business (no beer should be sold in the stall).

If this offer is agreeable to you, please sign the attached acceptance form and return it to the office of the Senior Markets Superintendent, City Council of Nairobi not later than 31st July 2011. It is important that you attach copies of receipts issued to you on payment of the non-refundable deposit and monthly administrative charges.

J. N. KARIUKI
DIRECTOR
SOCIAL SERVICES & HOUSING
J. N. KARIUKI
FOR: TOWN CLERK
C.C. City Treasurer
Senior Superintendent (Markets)
### 8.1 Time Schedule

#### Thesis Defence and Comments

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing thesis</td>
<td></td>
</tr>
<tr>
<td>Writing thesis</td>
<td></td>
</tr>
<tr>
<td>Revisions</td>
<td></td>
</tr>
<tr>
<td>Final approval</td>
<td></td>
</tr>
<tr>
<td>defence date</td>
<td></td>
</tr>
</tbody>
</table>

#### General Elections

<table>
<thead>
<tr>
<th>Election</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Election</td>
<td></td>
</tr>
<tr>
<td>Municipal Election</td>
<td></td>
</tr>
<tr>
<td>Federal Election</td>
<td></td>
</tr>
</tbody>
</table>

#### Actual Time Schedule for Thesis

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing thesis</td>
<td></td>
</tr>
<tr>
<td>Writing thesis</td>
<td></td>
</tr>
<tr>
<td>Revisions</td>
<td></td>
</tr>
<tr>
<td>Final approval</td>
<td></td>
</tr>
<tr>
<td>defence date</td>
<td></td>
</tr>
</tbody>
</table>

#### Proposed Time Schedule for Thesis

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparing thesis</td>
<td></td>
</tr>
<tr>
<td>Writing thesis</td>
<td></td>
</tr>
<tr>
<td>Revisions</td>
<td></td>
</tr>
<tr>
<td>Final approval</td>
<td></td>
</tr>
<tr>
<td>defence date</td>
<td></td>
</tr>
</tbody>
</table>
### 8.2 Estimated project budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost (ksh)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Personnel</strong></td>
<td></td>
</tr>
<tr>
<td>Payments for resource persons (research assistants) Period -3 months</td>
<td>30,000</td>
</tr>
<tr>
<td><strong>Equipment</strong></td>
<td></td>
</tr>
<tr>
<td>Hire/purchase of camera</td>
<td>10,000</td>
</tr>
<tr>
<td>Purchase of Research Tools &amp; Materials</td>
<td>20,000</td>
</tr>
<tr>
<td>Purchase of Literature Material (books, journals, Maps)</td>
<td>40,000</td>
</tr>
<tr>
<td>Purchase of Stationery and other writing material</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>Travel</strong></td>
<td></td>
</tr>
<tr>
<td>Transport &amp; Lunch to various sites for interviews Period 3 months</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>Other Costs</strong></td>
<td></td>
</tr>
<tr>
<td>Scanning</td>
<td>5,000</td>
</tr>
<tr>
<td>Printing and binding costs</td>
<td>40,000</td>
</tr>
<tr>
<td>Library Membership at various external Libraries</td>
<td>5,000</td>
</tr>
<tr>
<td>Communication and internet services access (safaricom data bundles)</td>
<td>30,000</td>
</tr>
<tr>
<td>Miscellaneous Costs</td>
<td>10,000</td>
</tr>
<tr>
<td><strong>Total Direct Costs</strong></td>
<td><strong>250,000</strong></td>
</tr>
</tbody>
</table>