



MANDERA COUNTY GOVERNMENT



**MINISTRY OF LANDS, PHYSICAL PLANNING, HOUSING AND
URBAN DEVELOPMENT**

**PREPARATION OF DRAFT VALUATION ROLL FOR ELWAK
MUNICIPALITY**

PROGRESS REPORT

2024

A blue ink signature, likely of the Minister of Lands, Physical Planning, Housing and Urban Development, written in a cursive style.

TABLE OF CONTENTS

1.0 INTRODUCTION.....	3
1.1 Background	3
1.2 Purpose of the Valuation Roll	3
1.3 Justification	3
1.4 Scope	4
2.0 LEGAL FRAMEWORK.....	4
2.1 Constitution of Kenya, 2010	5
2.2 Rating Act CAP 267.....	5
2.3 Valuation for Rating Act CAP 266	5
3.0 PROCEDURE FOR PREPARATION OF THE VALUATION ROLL.....	5
3.1 Stage 1: Public Notice	5
3.2 Stage 2: Presentation of Concept Report.....	5
3.4 Stage 3: Public Participation	6
3.4.1 Objectives of the meeting and need for public participation.....	6
3.4.2 Presentation	7
3.4.3 Plenary Question and Answer Session	7
4.2 Secondary and Primary Data collection	9
4.2.1 Secondary data.....	9
4.2.2 Primary Data.....	10
5.0 WAY FORWARD	11
6.0 ANNEXES	12
Annex 1: Notice for preparation of Draft Valuation Roll	12
Annex 2: Public Participation Notice.....	12
Annex 3: Participants List.....	13
Annex 4: List of local elders enlisted in data collection	14



1.0 INTRODUCTION

This report provides detailed account of activities which have been undertaken in the preparation of the Draft Valuation Roll for Elwak Municipality. It explains the background of the project area, public participation, findings challenges encountered and activities of the next phase. The report is not in itself the Draft Valuation Roll but illuminates the activities undertaken during the process of preparation of the roll.

1.1 Background

The County Government of Mandera is one of the 47 counties in Kenya created under Article 176 of the Constitution of Kenya. It is located in the north eastern part of the country and it is bound by the Republic of Somali to the east and Ethiopia to the north. Geographically, it covers an area of approximately 25,991km². The County is currently having two municipalities namely Elwak and Mandera. Elwak Municipality is the administrative headquarter for Mandera South Sub-county.

Prior to devolution, Elwak Municipality was under the defunct County Council of Mandera. Administratively, Elwak Municipality has two wards namely Elwak North and Elwak South.

1.2 Purpose of the Valuation Roll

The Draft Valuation Roll for Elwak Municipality is a policy document that is prepared to guide in determining fair rates for rateable properties within its jurisdiction.

1.3 Justification

The preparation of the Draft Valuation Roll is a legal requirement as stipulated in the Valuation for Rating Act Cap 266. Section 3 of the Act states that 'every local authority shall from time to time, but at least once in every ten years or such longer period as the Minister may approve, cause a valuation to be made of every ratable property within the area of the local authority in respect of which a rate on the value of land is, or is to be imposed, and the values to be entered in a valuation roll'.

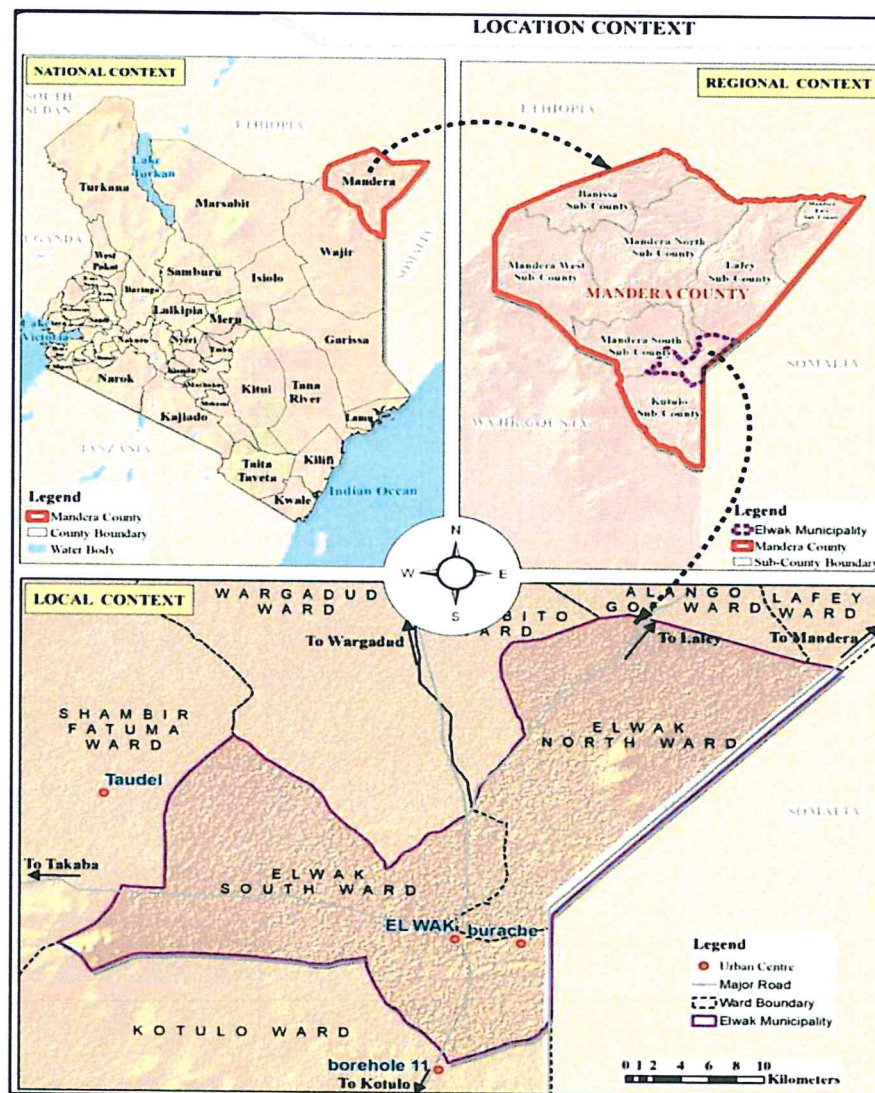
Despite being a legal requirement, Elwak Municipality does not have a valuation roll to inform property tax. As a result, the land rates are determined without adequate policy guidance based on physical, social and economic background. This has not only led to unfair imposition of rates on property owners but also loss of revenue by the County Government. The Elwak Municipality Draft Valuation Roll is therefore a policy tool that will ensure fair property ratings and revenue generation.



The County Government of Mandera procured the services of Shukri Osman Consulting Associates Limited (SOCAL) to prepare the Valuation Roll for Elwak Municipality.

1.4 Scope

The Draft Valuation Roll covers Elwak Municipality with an area of approximately 599.2km². The roll will however focus specifically on rateable properties (land) which are registered and are within the approved development plan for Elwak town (2015-2035). The valuation roll will include both private and public land.



2.0 LEGAL FRAMEWORK

The preparation of Draft Valuation Roll for Elwak Municipality is informed by various frameworks which confer powers to local authorities (counties/municipalities) to raise tax through various channels.

(Signature)

2.1 Constitution of Kenya, 2010

- i. Chapter 12 of the Constitution covers public finance, providing revenue-raising powers for both central and county governments.
- ii. Article 175 (b) states that ‘county governments shall have reliable sources of revenue to enable them to govern and deliver services effectively’.
- iii. Article 209 (3) allows County Governments to impose taxes, including Property Rates.
- iv. Article 210 gives County Governments the authority to legislate and enact laws for imposition of tax.

2.2 Rating Act CAP 267

It provides the framework for imposing rates on land and buildings in Kenya. Section 4 of the Act can be adopted when the County Government aspires to levy a Site Value Rate in combination with the Improvement Rate. This section also mandates that the provisions of the Valuation for Rating Act apply.

2.3 Valuation for Rating Act CAP 266

This act empowers the Rating Authority to value land for the purpose of Rates and related matters. It is a process-oriented act, directing how the Valuation Roll should be prepared and outlining the necessary procedures.

3.0 PROCEDURE FOR PREPARATION OF THE VALUATION ROLL

This section provides the progress of preliminary activities which have been undertaken in the preparation of the draft valuation roll.

3.1 Stage 1: Public Notice

The notice was issued through Kenya Gazette (Gazette Notice No. 5980) and Daily Nation Newspaper (see annex 1). The purpose was to inform and seek comments from the general public before commencing the preparation of the roll. Since, there were no adverse comments or objections from the public, the consultant preceded to kick-start the process.

3.2 Stage 2: Presentation of Concept Report

The Concept Report was presented to the County Project Team by the Chief Consultant Mr. Shukri Osman on 23rd May, 2024 at the County Executive Committee Member’s Boardroom. The concept provided the legal framework for the preparation of the valuation roll, the procedure for preparation, budget, timeframe and approval process.



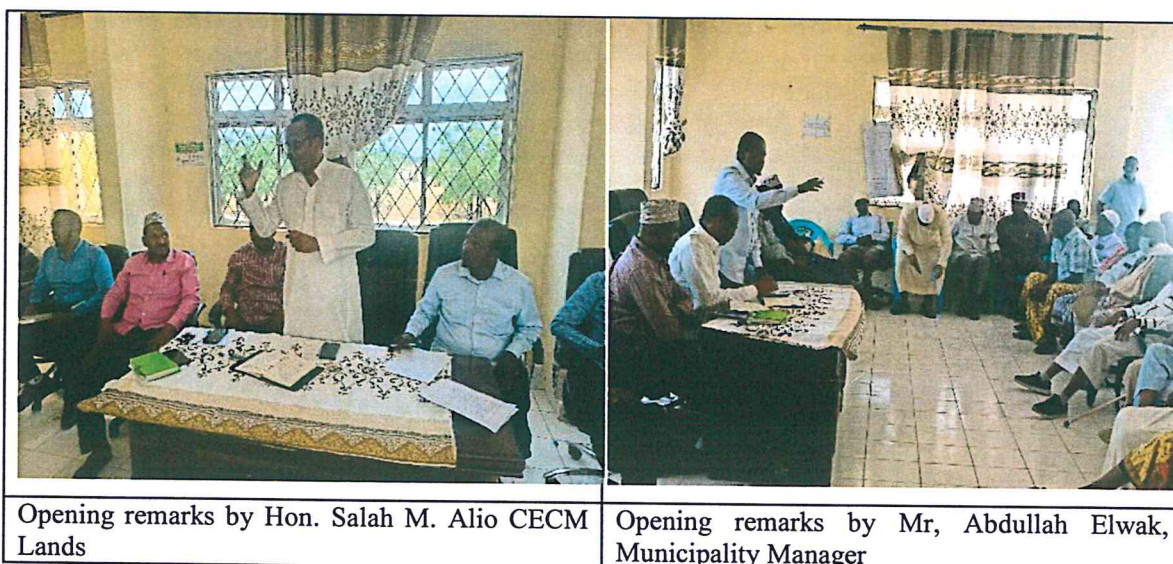
The terms of reference governing the project was also discussed and agreed upon by the consultants and the County Government team from the Ministry of Lands, Physical Planning, Housing and Urban Development.

3.4 Stage 3: Public Participation

Public participation workshop was conducted on 15th July, 2024 at Elwak Municipality Conference Hall from 9:00a.m.

The meeting commenced with opening remarks from the Municipal Manager, the Sub County Administrator, the Assistant County Commissioner and the County Executive Committee Member for Lands, Housing and Urban Development.

They welcomed all the attendees, outlined the importance of the exercise and set the tone for the day's discussions. The County Executive Committee Member for Lands, Housing and Urban Development officially opened the meeting.



3.4.1 Objectives of the meeting and need for public participation

The objectives of the meeting were outlined by the physical planner, which included;

- Informing the public about the valuation roll and its importance.
- Explain the legal basis for the valuation roll preparation.
- Gathering input and feedback from the community.

The importance of public participation was emphasized, highlighting that community involvement is crucial for the success of the valuation roll.

3.4.2 Presentation

A comprehensive power point presentation was delivered to provide detailed information on the following topics;

- What is valuation?
- Legal basis for valuation roll preparation
- Details contained in the valuation roll
- Process of preparation and approval of the draft valuation roll.

3.4.3 Plenary Question and Answer Session

Following the presentation, a plenary session was held to address questions and concerns from the participants. The session was interactive, allowing for a robust exchange of ideas and clarifications.

1. **Mohamed Ahmed Abdulla:** Whether the valuation roll be prepared to completion, since most of the projects initiated in Elwak take long or even stall before completion.

Answer: Initiating the valuation roll preparation involves public participation as the initial stage. Subsequently, data collection and other essential research activities will take place. A proposal for the valuation roll will then be returned to the community for further input. The community's contributions will be considered in the final draft before it is submitted for county assembly approval.

2. **Fatuma Ali:** Raised concerns on the necessity of the project because of the current issues like drainage, causing flood related disasters in the Municipality.

Response: Preparing a valuation roll offers numerous advantages, including assigning correct values to properties and promoting fairness in property rate payments. Meanwhile, other initiatives, like improving drainage systems will be undertaken progressively by the relevant Ministries.



3. **Ibrahim Ali:** When will Elwak Municipality be Surveyed?

Response: Surveying of Elwak Municipality will commence after the Integrated Strategic Urban Development Plan is approved by the County Assembly.



Additionally, a project to place Geodetic Controls is being implemented to ensure precise surveying of the Municipality.

The participants were invited through Daily Nation Newspaper publication (annex 2). There were also letters to heads of organizations such as Civil Society Organizations, Maendeleo ya Wanawake, Kenya Chamber of Commerce, youth and religious organizations among others.

**COUNTY GOVERNMENT OF MANDERA**
MINISTRY OF LANDS, HOUSING PHYSICAL
PLANNING HOUSING AND URBAN
DEVELOPMENT

PUBLIC NOTICE

**PUBLIC PARTICIPATION ON THE PREPARATION OF
THE DRAFT VALUATION ROLL 2024 FOR MANDERA
AND ELWAK MUNICIPALITIES IN MANDERA COUNTY**

NOTICE is hereby given to all residents and stakeholders of Mandera and Elwak Municipalities that pursuant to the provisions of Article 175 (b), 209(3)(a) of the Constitution of Kenya and Valuation for Rating Act (Cap 266) and Rating Act (Cap 267), the County Government of Mandera through the Department of Lands, Physical Planning, Housing and Urban Development intends to carryout public participation in Mandera and Elwak Municipalities pursuant to the provisions of Article 10(2) of the Constitution of Kenya, 2010.

Members of the public, interest groups, non-state actors and stakeholders are invited to participate in the scheduled public forums in the in the respective areas to give their views on the exercise.

DATE	AREA	VENUE	TIME
Monday 08/07/2024	Mandera Municipality	Amara Blue Resort	9.00am
Monday 15/07/2024	Elwak Municipality	Elwak Municipality Hall	9.00am

HON. SALAH MAALIM ALIO
County Executive Committee Member for Lands,
Physical Planning, Housing and Urban Development
Mandera County

Notice of public participation

The participants consented to the preparation of the valuation roll.



4.0 RECONNAISSANCE AND DATA COLLECTION

4.1 Reconnaissance

The team led by Mohamed Samow (Principal Physical planner), conducted reconnaissance survey on 16th July, 2024 to enable the valuation team familiarise themselves with the villages and to meet the local elders assigned to guide the field team. Mapping and zoning of the villages were done during the reconnaissance to enable the team undertake data collection in a structured manner.



Data collection committee meeting (elders and county technical team) after reconnaissance

4.2 Secondary and Primary Data collection

Secondary and primary data collection started concurrently on exercise began on 17th -28th July, 2024

4.2.1 Secondary data

Secondary data was collected from the existing land records in Elwak. The land administrator and registry clerks were tasked to extract all the available data from the land registers. The data was categorised according to the villages.

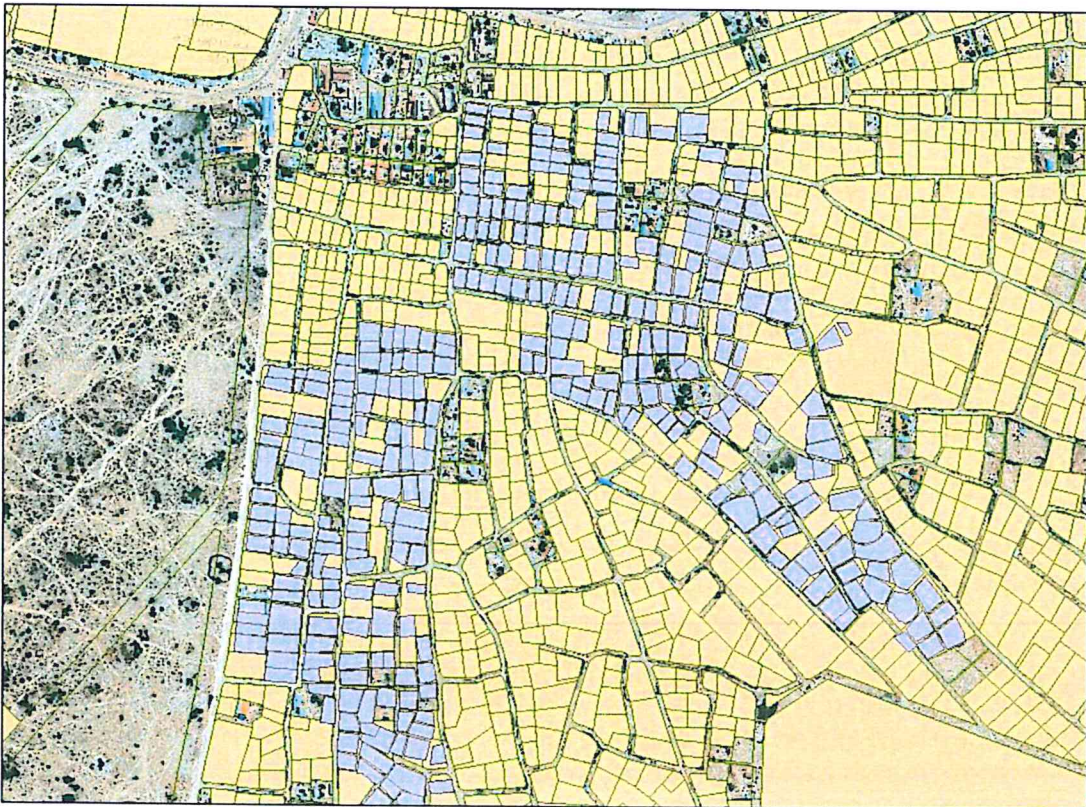
Other sources of secondary data obtained included Elwak Integrated Strategic Urban Development Plan (2015-2035). The plan informed the team on geographic scope, zoning and various land uses and sizes.

4.2.2 Primary Data

It was established that **all** the existing records of properties in Elwak lack important details such as acreages and zoning which are critical in determination of property values. The preparation of valuation roll is therefore void without such details. The consultant was therefore driven by this critical gap to undertake digitization of all developed properties in Elwak Municipality. Consequently the technical team undertook the exercise by picking the coordinates of all the plots which were then entered, digitized and analysed using the ArcGIS software.

The details provided through the digitization process included;

- i. Size of the plot (Hectares)
- ii. Details of property owner (name, ID and phone number)
- iii. Locality/village
- iv. Type of use (commercial, residential, industrial etc)
- v. Digital Map of the properties



Excerpt of digital map

5.0 WAY FORWARD

The preparation of the Draft Valuation Roll for Elwak Municipality is about 30% complete.

The next stages will involve:

- i. Inspection of properties by the valuers
- ii. Preparation of draft valuation roll
- iii. Presentation of the draft to the County Government and the general public
- iv. Review and amendments (where necessary)
- v. Publication of Notice of Completion (Kenya Gazette and one new newspaper of national circulation)
- vi. Submission to County Assembly for approval



6.0 ANNEXES

Annex 1: Notice for preparation of Draft Valuation Roll

THE VALUATION FOR RATING ACT
(Cap. 266)
THE RATING ACT
(Cap. 267)
MANDERA COUNTY GOVERNMENT
PREPARATION OF THE DRAFT VALUATION ROLL, 2024

Preparation of the Draft Valuation Roll 2024

IN EXERCISE of the powers conferred by Section 3 of the Valuation for Rating Act Cap 266 of the Laws of Kenya, the County Government of Mandera hereby gives notice that the above-mentioned draft valuation Roll is under preparation and will cover all ratable areas within Mandera and Elwak Municipalities.

Form of Rating

IN EXERCISE of the Powers Conferred by section 4(1)(c) of the Rating Act cap 267 of the Laws of Kenya, the County Government of Mandera adopts SITE VALUE RATE for the purpose of levying rates.

Time for Valuation

IN EXERCISE of the powers conferred by section 2 of the Valuation for Rating Act Cap 266 of the laws of Kenya, the County Government of Mandera adopts the "Time for Valuation" for the purpose of preparation of the draft valuation roll 2024 as the 31st December 2023.

Appointment of Valuer

IN EXERCISE of the Powers conferred by Section 7 of the Rating Act Cap 267 of the Laws of Kenya the County Government of Mandera appoints Valuer SHUKRI OSMAN ISAACK (B.A. Land Econ, MISK, RV) of P.O. BOX 17501-00100 NAIROBI-KENYA as the Valuer to prepare the Draft Valuation Roll 2024.

Dated the 15th May, 2024.

HON. SALAH MAALIM ALIO,
CECM Lands, Physical Planning, Housing, Urban Development,
Circular Economy, Solid Waste Management and Sanitation,

GAZETTE NOTICE No. 5980

THE VALUATION FOR RATING ACT
(Cap. 266)
THE RATING ACT
(Cap. 267)
COUNTY GOVERNMENT OF MANDERA
PREPARATION OF THE DRAFT VALUATION ROLL, 2024

1. Preparation of the Draft Valuation Roll 2024

IN EXERCISE of the powers conferred by section 3 of the Valuation for Rating Act (Cap. 266) of the laws of Kenya, the County Government of Mandera gives notice for the above-mentioned draft valuation Roll is under preparation and will cover all ratable areas within Mandera and Elwak Municipalities.

2. Form of Rating

IN EXERCISE of the powers Conferred by section 4 (1) (c) of the Rating Act (Cap. 267) of the laws of Kenya, the County Government of Mandera adopts Site Value Rate for the purpose of levying rates.

3. Time for Valuation

IN EXERCISE of the powers conferred by section 2 of the Valuation for Rating Act (Cap. 266) of the laws of Kenya, the County Government of Mandera adopts the "Time for Valuation" for the purpose of preparation of the Draft Valuation Roll, 2024 as the 31st December, 2023.

4. Appointment of Valuer

IN EXERCISE of the Powers conferred by section 7 of the Rating Act (Cap. 267) of the laws of Kenya, the County Government of Mandera appoints Valuer Shukri Osman Isaack (B. A. Land Econ, MISK, RV) of P.O. Box 17501-00100, Nairobi, Kenya as the Valuer to prepare the Draft Valuation Roll, 2024.

Dated the 7th May, 2024.

SALAH MAALIM ALIO,
CECM Lands, Physical Planning, Housing, Urban Development,
Circular Economy, Solid Waste Management and Sanitation,
MR/6166528

Daily Nation Newspaper

Kenya Gazette

Annex 2: Public Participation Notice

COUNTY GOVERNMENT OF MANDERA
MINISTRY OF LANDS, HOUSING PHYSICAL
PLANNING HOUSING AND URBAN
DEVELOPMENT

PUBLIC NOTICE

PUBLIC PARTICIPATION ON THE PREPARATION OF THE DRAFT VALUATION ROLL 2024 FOR MANDERA AND ELWAK MUNICIPALITIES IN MANDERA COUNTY

NOTICE is hereby given to all residents and stakeholders of Mandera and Elwak Municipalities that pursuant to the provisions of Article 175 (b), 209(3)(a) of the Constitution of Kenya and Valuation for Rating Act (Cap 266) and Rating Act (Cap 267), the County Government of Mandera through the Department of Lands, Physical Planning, Housing and Urban Development intends to carryout public participation in Mandera and Elwak Municipalities pursuant to the provisions of Article 10(2) of the Constitution of Kenya, 2010.

Members of the public, interest groups, non-state actors and stakeholders are invited to participate in the scheduled public forums in the in the respective areas to give their views on the exercise.

DATE	AREA	VENUE	TIME
Monday 08/07/2024	Mandera Municipality	Amara Blue Resort	9.00am
Monday 15/07/2024	Elwak Municipality	Municipality Hall	9.00am

HON. SALAH MAALIM ALIO
County Executive Committee Member for Lands,
Physical Planning, Housing and Urban Development
Mandera County

Annex 3: Participants List

ATTENANCE SHEET FOR PUBLIC PARTICIPATION OF DRAF VALUATION ROLL 2024

DATE: 15/7/2024

S/NO	NAMES	ID NO	TEL NO.	SIGNATURE
1	IBRAHIM ALI GULO	5759050	0720936784	
2	ABDULATI HASSAN DIKA	0209227	0722963996	
3	ADAN MOHAMED ALI	213769	0728844482	
4	TARUB HASSAN ABDI			
5	ABDIRASHID MOHID HASSAN	22340183	0723420453	
6	ADIRIS IBRAHIM MOHID	8760296	0796062495	
7	FATUN MAJID ALI	9562588	0790305792	
8	ISMAIL ABDULLAH ADAN	0206944	0722985382	
9	MOHAMMED IBRAHIM TARUB	9220422	0720547368	
10	ABDIKADIR HASSAN HUSA	96832599	0726364394	
11	AMIN ALI OMAR	94957057	0721142367	
12	MUHAMMAD ABU ABDULLAH ALI	93499510	0723835451	
13	ABDIFATTAH MOHID HASSAN	85885592	0722112950	
14	HALIMA IBRAHIM BAKI	22642836	0728555873	
15	FATUMA MOHID MOHAMMED	9220256	0725796961	
16	BEROU SHEIKH ALI	21673236	0720767025	
17	HALIMA MOHID BEROU	37966560	0722450398	
18	FATUMA SHEIKH ABDIRASHID	20160406	0724070346	
19	FATUMA ADAN ALI	5759066	0720097866	

20	FATUMA ADAN ALI	0196883	0740598080	
21	IBRAHIM ABDULLAH IBRAHIM	29734861	07235573939	
22	MOHAMMED HASSAN ISSAC	7874058	0720781038	
23	MOHAMMED MAJID	5524870	0728061761	
24	ABDILATIF MOHAMMED HASSAN	35302544	0702051900	
25	ABAS IBRAHIM SHEIKH	96085260	0725577423	
26	MOHAMMED HASSAN OMAR	22479411	0722590337	
27	HASSANU RABU MAJID	32240585	072500278	
28	ALI ISMAIL MOHAMMED	39386577	0725254251	
29	ADAN IBRAHIM DIBA	2262035	0723265796	
30	ADAN BASHIR ADAN	13000620	0720340180	
31	HASSAN MOHID NUR ALI	12427446	0725372717	
32	SADIA MOHAMMED MAJID	36881853	072009525	
33	MUHAMMAD ABULKADIR HASSAN	25775228	0722963758	
34	ISAC NUR MAJID	5673329	0726060978	
35	IBRAHIM ALI ALI	29350770	0720293559	
36	MUSSE A OMAR	11551419	0722329789	
37	ISMAIL MOHID MOHID	2113122	072628263	
38	ISMAIL SHEIKH ADAN	0014968	0723456971	
39	AZE MOHID GULOW	12427563	0710502655	
40	AMIN OMAR ALI	12427519	0744302576	
41	RABU IBRAHIM HASSAN	30158198	0726582816	
42	MUSA ISSAC OMAR	22619598	0720686145	


43	ISSAC HASSAN ABDI	35308841	0758516182	
44	IBRAHIM ADAN ISSAC	36547456	0726672862	
45	ABDI HASSAN ABDULLAH		072407336	
46	ISSAC HASSAN ADAN	2471052	0727481812	
47	ABDIRASHID MAJID MOHAMMED	024306603	0723175267	
48	HASSAN M. FATTAH	13330670	0720922254	
49	ALINUR ADAN MOHAMMED	11193705	0723590941	
50	Mohamed S. Ibrahim	32947791	0729791482	
51	Rashid M. Ahmed	11192561	0720586276	
52	USMAN ALI SHUBRA	9572308	0720603509	

MUSSE ISSAC OMAR

IBRAHIM EDIN HASSAN 21365391 0725027727

Annex 4: List of local elders enlisted in data collection

REPUBLIC OF KENYA



OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT

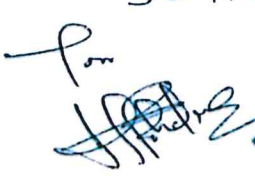
Telegraphic address "CHIEF"
Telephone (0725372717)

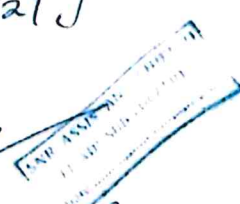
CHIEF'S OFFICE
ELWAK TOWN LOCATION
P.O. Box 24 - 70301
ELWAK.

DATE 18-07-24

I have nominated the following elders from my location to assist the ministry of lands on data collection

1. JAMAL MOHAMED DISS - 0727 208912	} Town ship
2. FATUMA HASSAN HUSSEIN - 0722 786302	
3. ADAM HASSAN IBRAHIM - 0723 287349	} BULLA
4. ABDIKER DIKA MOHAMED - 0720 287993	
5. Amour IBRAHIM ADIKIO - 0726 901008	} Salt / later Power
6. FATUMA HILLOW MATHAS - 0711 304630	
7. ISSAK MOHAMED BABERO - 07010 44118	} Qoro Sostan
8. IBRAHIM ADIN HASSAN - 0725027727	


HASSAN - M. AKHAB



Report Compiled by:
Maurice O. Amimo
Deputy Director Physical Planning/Team leader



