Planning Committee and Public Participation Evidence Schedule

Educational sample 333 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MOMBASA

CONSTITUTIONAL PETITION NO [reference]

[RESIDENT PETITIONERS] v [COUNTY RESPONDENTS]

EVIDENCE OR COMPUTATION SCHEDULE

1. This schedule groups the evidence by alleged institutional omission: committee establishment, public planning framework, stakeholder information and individual development decisions. Each entry identifies its author, date, custodian, relevance, authenticating witness and actual bundle page.

2. For committee establishment include official appointment notices, committee membership and operational information, enquiries and responses. Mark unknown or disputed dates expressly. A historic judicial finding does not prove that a committee remains absent at the date of a later application.

3. For public participation include invitations, attendance, accessible materials, submissions received and the response to those submissions. The strategic urban plan, legislation and administrative approvals are separate documents. Do not label a policy automatically as enacted county legislation.

4. For individual project impacts identify the permit, affected site and alleged requirement, with the relevant expert explanation of photographs, maps and infrastructure evidence. General photographs without a demonstrated connection to a particular constitutional harm are marked insufficient.

5. The source orders used 180, 90 and 45 days from delivery for different obligations. Enter the certified delivery date, each operative requirement, actual subsequent records and any variation. This evidential schedule is not a contempt application or proof that a historical deadline remains enforceable unchanged.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

Fifteen residents challenged county development regulation, high-rise impacts and the absence of the statutory planning liaison committee. Photographs and a map did not sufficiently prove the particular approval, privacy, water, sewer and road violations alleged.

The petition partly succeeded. The Court ordered a development framework within 180 days, a liaison committee within 90 days and public sensitisation on the 2015–2035 strategic urban plan within 45 days. The construction authority was struck out as improperly joined and each party bore its costs.

The Court relied on Articles 10, 42, 47, 48, 50, 69 and 70. The judgment cites PLUPA sections 72–73, but the Act places county committee establishment, composition and functions in sections 76–78; that source numbering is not copied into the specimens. Individual development-approval challenges require the appropriate statutory remedy and precise evidence. The decision does not cancel all permits or establish present non-compliance with its historical deadlines.

[2025] KEELC 824 (KLR) - 21 February 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/vaitha-14-others-v-county-government-of-mombasa-3-others-2025-keelc-824-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/vaitha-14-others-v-county-government-of-mombasa-3-others-2025-keelc-824-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.