



JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY
SCHOOL OF SPATIAL PLANNING
UNIVERSITY EXAMINATION FOR THE DEGREE OF BACHELOR OF ARTS IN
SPATIAL PLANNING
SEMESTER 2016/2017 ACADEMIC YEAR

CENTRE: MAIN CAMPUS

COURSE CODE: PSP 3414

COURSE TITLE: PLANNING AND ENVIRONMENTAL LAW

EXAM VENUE:

STREAM: SPATIAL PLANNING

DATE:

EXAM SESSION:

TIME: 2 HOURS

Instructions:

- 1. Answer question 1 (compulsory) and ANY other 2 questions.**
- 2. Candidates are advised not to write on the question paper.**
- 3. Candidates must hand in their answer booklets to the invigilator while in the examination room.**

1. There are various definitions of Law but none has been generally accepted to be the most accurate or complete definition of law. Discuss. (5 marks)

ii) Discuss constitution of Kenya 2010 as a source of environmental law and other laws in Kenya. (15 marks)

iii) Onyango Hasbeen posted to work and live in Marsabit where housing, water and accessing health facilities is difficult in the sense that they are inadequate. He now needs your advice if the constitution of Kenya 2010 and any other relevant law(s) provide safeguards to its citizens for any breach by the state. Discuss (10 marks)

2. Mr. Akiro intends to construct a three star hotel in his 2 Ha. Land within Kisumu County. He is not conversant with making a development plan application. He has now approached you as a planner to explain to him the following: -

i. What is a development plan and its importance under the Physical Planning Act of 1996 (5 marks)

ii. The Procedure for making a development plan application under the Physical Planning Act Cap 286 (15 marks)

3. Analyse the right and scope of reasonable use by the riparian owner (20 marks)

4. You have been invited by ACK Mothers Union in Kiambu County, who intend to undertake harvesting of sand and extraction of stones from a field they have just bought. They have been advised by a student of Environmental Law that an Environmental Impact Assessment is necessary. They now want you to take them through EIA and its relevance to their Course. Discuss (20 marks)

5. Discuss ANY TWO of the following:-

a. Compulsory acquisition of Land (2 marks)

b. Development of Land (2 marks)

c. Legislation as a source of law (2 marks)

d. Institutions under the Environmental Management and Coordination Act (EMCA) (2 marks)