Assessing the Effectiveness of Conservation Policy in Building Resilience of the Built Heritage of Old Town, Mombasa, Kenya

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Abstract

The efficacy of conservation policy in mitigating impacts of urban development on built heritage is an increasing concern, especially the overreliance on conservation plans as indicators for adequacy. This study examines the effectiveness of conservation policy interventions in mitigation of adverse transformation in Old Town, Mombasa. It applies spatial and descriptive techniques to analyze transformation across three clusters namely Mji wa Kale, Kibokoni, and Makadara in order to ascertain whether there is reduced, by type and degree, transformation in the conservation area that could be attributed to the gazetted status. The study premises that qualifying the adequacy of heritage management based on existence of conservation policy only, without scrutinizing actual impact, is inappropriate. The paper recommends need to embrace flexibility that can respond to diverse needs of business, residence, and investment hence provide multiple opportunities and optimization of spaces based on multi-use buildings, active frontages, and fine amenities. Further, there is need to maintain compactness of urban form for viability of associated culture-rich activities, connectivity of public space and social life, attainment of connected mixed use with good proximity, but also for attainment of energy-efficiency and climate resilience. Finally, there is need to create complementary multi-agency urban conservation financing strategy that is popular, attractive, flexible, conditional and coordinated.

Keywords: Built heritage, conservation policy, historical urban landscape, town old Mombasa, resilience, transformation

INTRODUCTION

A central concern in monitoring of conservation programmes is the state of heritage sites and their environment (Stovel 2003; 2008). Ranging from policies to strategies and actions, the effectiveness of heritage conservation interventions hinges on what is targeted for preservation. The effectiveness of interventions tends to vary across contexts and requires proper investigation of intrinsic values and circumstances to isolate the significant factors unique to specific sites. Such factors may not necessarily constitute a management plan. The inclusion of both formal and traditional preservation and management mechanisms in the conservation of cultural landscapes is also gaining momentum as a factor of sustainability. A multi-dimensional, co-evolving, and context-dependent approach to heritage conservation has been underlined as important ingredient of sustainable development (Torggler et al.

2015; Labadi 2019). The Government of Kenya gazetted part of the historic (Old Town) area of Mombasa for conservation on 1st February 1991. This was anchored on legislation, policy/plan , and programme . This paper uses the case of conservation plan and programme for the gazetted area to assess effectiveness of conservation policy and programmes in management of heritage landscape. It assessed the status of urban form and fabric, as well as cultural spaces and their use, in terms of continuity and change hence expose the underlying factors for the observed patterns. It also highlighted the level of subscription and compliance to the conservation plan and its attendant programme during its lifetime by the various parties of interest in Old Town and whether that situation made significant impact in regulating change, especially within the gazetted cluster.

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The advent of modernity has put the existing urban fabric and traditional ways of life in Mombasa Old Town under threat. The uncontrolled pursuit of modernist growth and a global economy, including cultural consumption, has recorded devastating socio-spatial effects. Traditional urban form and ways of living are getting disrupted, and the local community is threatened by loss of their prime space in the economic, social, and cultural sense. The question arises whether the gazettement of the Kibokoni cluster of Old Town for conservation purposes has effectively controlled the nature and level of transformation therein, compared to the other areas outlying the conservation zone. This study isolated transformation analysis as one way to determine the effectiveness of the various controls of the conservation policy. Ultimately, the study sought to establish whether the conservation plan and its attendant programmes secured essential wellness of the heritage town and the commitment of citizens to care for the town.

Old Town, Mombasa, is located along the east coast of Africa on Lat. 3°55' - 4°10' S Long. 39°35' - 39°45' E, measuring about 72 hectares. This is where most of Mombasa's historical-cultural heritage is located. It has a rich social and demographic background composed of indigenous Swahili and local Africans, Arabs, and Asians and, to a lesser extent, Portuguese and British. Pockets of Somali tribe appeared in the town in the late 1990s and have since taken root. The ethnic mix over the centuries contributed to a rich culture largely described as Swahili. The historical landscape of Old Town of Mombasa displays unique character of an ensemble of historical buildings and cultural spaces dating back to the 18th century, reminiscent of African, Arabic and European influences. The current management of the town is under the County Government of Mombasa and, partly, the National Museums as custodian of heritage in Kenya. Structurally, the Old Town is made of three blocks, namely Kibokoni (the gazetted cluster), Makadara, and Mji wa Kale. Mixed use development (commercial-cum-residential) is popular in the Makadara and Kibokoni clusters, while Mji wa Kale is predominantly residential (**Figure 1**).

THEORY

Both UN Agenda 2030 and International Policy for Disaster Risk Reduction (2015–2030) recognize the value of cultural heritage and its transmission in realization of more resilient human settlements (Fabbricatti, Boissenin, & Citoni, 2020). The term 'resilience' herein refers to the ability of heritage to endure change without losing its defining characteristics (ICCROM & ECOMOS, 2023:10). The concept of resilience of urban heritage areas is central due to the need for resistance and adaptation to unforeseen adverse forces of change that put such urban landscape under so much pressure, including tourism and market-driven consumption (Pratima 2023; Summerson 1985). The longevity of such landscapes, to a large extent, strongly depends on the effectiveness of the preventive tools driving their management (UNESCO 2013; 2015b). Cities transformation is viewed as an outcome of both formal and informal decision-making frameworks (Holston 2009; Ochieng 1999). It is more of the ability of heritage towns to manage "dynamic" change that tends to define conservation success than the mere existence of "static" protective instruments such as lists and prohibitions. Thus, it is worth inquiring the extent to which cultural heritage and its conservation can support the building of resilient communities able to prevent, cope with, and recover from disruptions; equally important is the identification and description of the nature of the traditional cultural values and practices that underlie the realization of conservation objectives and sustainable development (UN-HABITAT 2016; Labadi et al., 2021).

ICCROM, ICOMOS, & IUCN (2023) identified some urban; conservation indicators and tools that might usefully be utilized to gauge the effectiveness of conservation approaches and their instruments. Well-managed historic cities tend to maintain and strengthen their craft traditions; reflect traditional patterns and layouts in their contemporary planning; ensure community participation and their defined heritage values are central to evaluating development options and in decision-making; and maintain a holistic relationship between urban functions, layout, and structures. The two concepts of authenticity and integrity, in particular, are central to the respectful articulation of the urban fabric, layout, and systems. Thus, the measure of resilience should go beyond material or design elements to include such dynamic qualities as tradition and function (Abbricatti, Boissenin, & Citoni 2020).
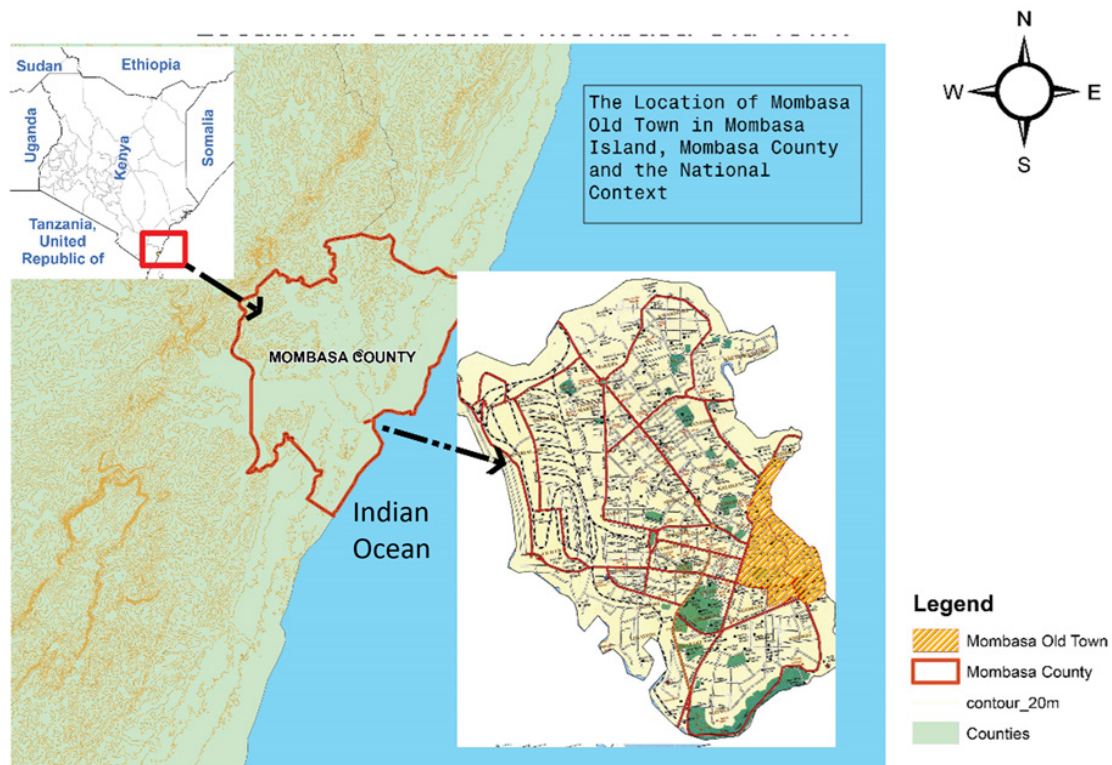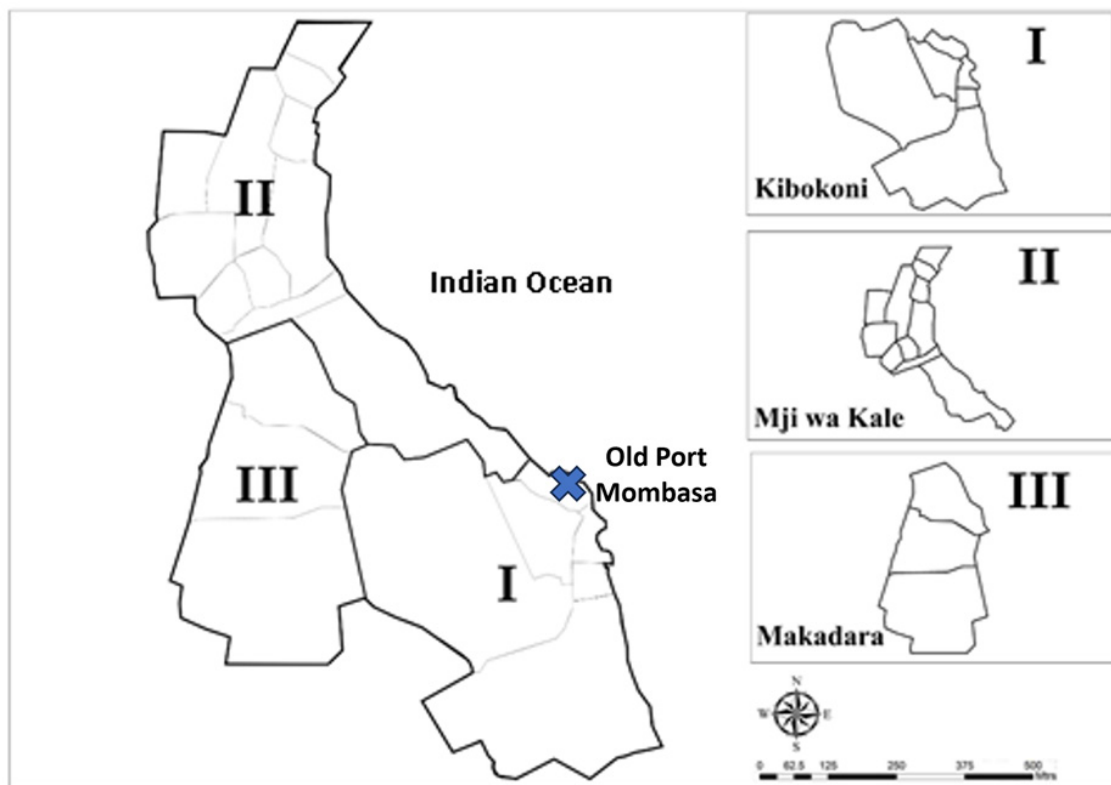
FIGURE 1
Location and context of Mombasa old town
Source: Mombasa integrated strategic urban development plan (2015)

Heritage policy has featured in Africa, especially sub-Saharan, for less than 30 years; it is mostly anchored on colonial legislative regimes and universal conservation charters, especially the Venice Charter. The bulk of it has been criticized as being out of touch with, hence non-responsive to, the African story hence resulting to disenfranchisement of African communities who could not use the urban sites for their cultural practices. The administration of Kenya's cultural heritage is anchored on articles 11, 40, and 69 of the Constitution of Kenya (Republic of Kenya, 2010) and informed by the Kenya National Policy on Culture and Heritage (NPCH) (Republic of Kenya 2009). The policy was designed to address the externalities induced at the onset of colonialism that suppressed indigenous elements of culture and heritage and alienated Kenyans from many of their cultural practices (Deisser and Njuguna, 2016). The legal backing for the NPCH is provided vide National Museums and Heritage Act (CAP 216) No. 6 of 2006 (revised 2012), although there is the newer Heritage and Museums Bill (2021) pending before the Senate.

In 1985, the National Museums of Kenya (NMK) in collaboration with the then Municipal Council of Mombasa initiated a conservation planning study for the Old Town, supported by UNDP and technical assistance from UNESCO. The result was a detailed Conservation Plan for the Old Town of Mombasa. This has been demarcated as cluster II in **Figure 2**. At that time the area included approximately 700 buildings and a population of about 4500. In 1990, the Old Town was gazetted as a historical site hence of national importance thus a special area worth development control. This commitment was demonstrated throughout the 1990s using the conservation plan. The general structure of the conservation plan was inventory of buildings accompanied with building regulations to control development in the conservation area.

RESEARCH METHODS

The study combined three approaches in executing the research, namely, analysis of satellite images, physical observation, and interview survey. Satellite images for Old Town for the years 2007, 2010, and 2017 were obtained from Survey of

FIGURE 2
Old town analytical clusters
Source: Field Survey, 2022

Kenya for purposes of transformation study. A desk review was done on the satellite images using 2000 as the base year against which indicative changes were isolated from the subsequent years of study. These indicative changes were then subjected to ground verification by way of physical observation to establish the exact nature of change if any. Semi-structured interviews were then conducted with space users and managers to capture their perspective regarding the observed transformation and whether the management of the town was on the right track in tackling the change forces. The analysis was done at 2 levels, that is the town-wide scale and at cluster level consisting of: Cluster 1 – Eastern (Kibokoni); Cluster 2 – Northern (Mji wa Kale); and Cluster 3 – Western (Makadara). The desk review, ground verification, and semi-structured interviews were complemented with input from key informants on the nature of transformation, especially whether the conservation programme has had a significant influence on the regulation of degree and patterns of transformation in the gazetted conservation area compared to the outlying areas. Discourse

analysis was used to derive the positions put forth by the key informants. The study then compared the findings from the three sources thereby looking out for any consistencies and variations in the nature of transformation (**Figure 2**).

RESULTS

From the satellite images of Mombasa Old Town for 2007, 2010, and 2017, there were 125 various transformations mapped of which 45.6% occurred in the northern cluster (Mji wa Kale); 32% in the western cluster (Makadara); and 22.4% in the eastern cluster (Kibokoni).

From **Figure 3** and **Table 1,** a comparative assessment shows that the degree of transformation in the gazetted area (Kibokoni) is about 50% that of the most transformed area (Mji wa Kale) and about 66% of the moderately transformed area (Makadara). This indicates that there is significant transformation even in the gazetted area. Upon ground-truthing of transformations detected through desk review of satellite images for the
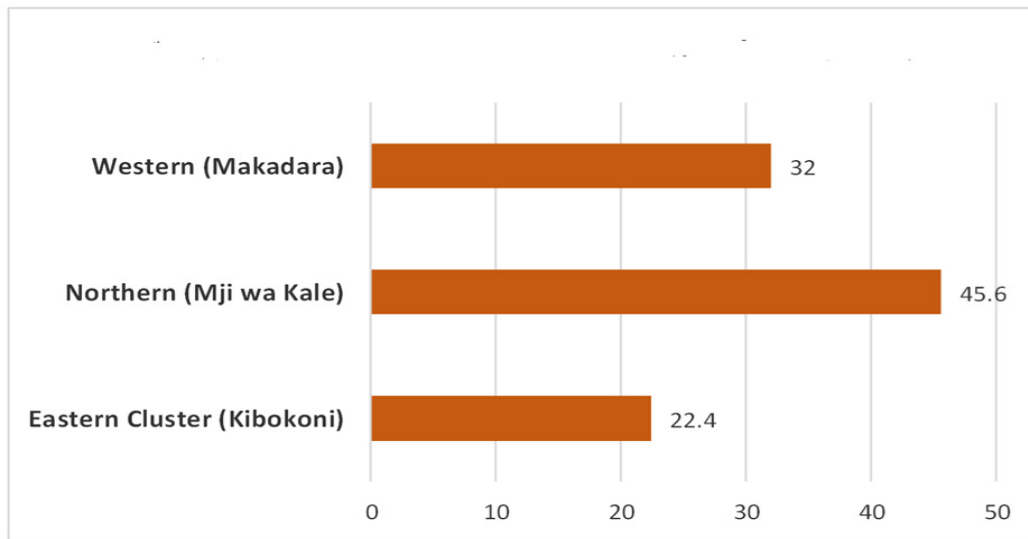
FIGURE 3
Distribution of transformation in Mombasa Old Town (%)
Source: Survey of Kenya and Field Survey, 2022

TABLE 1
Summary of transformations by cluster, type, and year

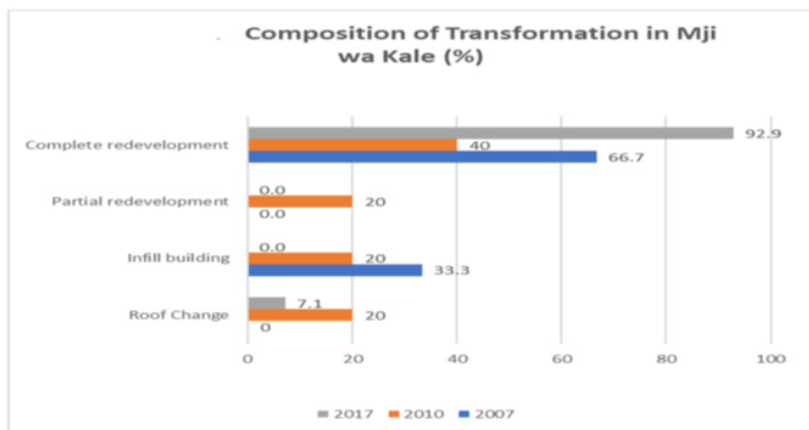| | TRANSFORMATION | PERIOD | | | |
		2007	2010	2017	Total
1.0	**Northern (Mji wa Kale) Cluster**				
1.1	Roof Change	2	1	nil	3
1.2	Infill development	8	2	nil	10
1.3	Partial redevelopment	1	nil	nil	1
1.4	Complete redevelopment	13	11	19	43
	Subtotal	**24**	**14**	**19**	**57**
2.0	**Western (Makadara) Cluster**				
2.1	Roof Change	2	nil	2	4
2.2	Infill building	3	5	1	9
2.3	Partial redevelopment	nil	nil	nil	0
2.4	Complete redevelopment	8	4	15	27
	Subtotal	**13**	**9**	**18**	**40**
3.0	Eastern (Kibokoni) /Conservation Cluster				
3.1	Roof Change	nil	1	1	2
3.2	Infill building	3	1	nil	4
3.3	Partial redevelopment	nil	1	nil	1
3.4	Complete redevelopment	6	2	13	21
	Subtotal	9	5	14	28
	TOTAL	**46**	**28**	**51**	**125**

Source: Field Survey, 2022

three different years, there were four types of transformations that were confirmed whose town-wide average prevalence was as follows: roof change (7%); infill building (18%); partial redevelopment (2%); and complete redevelopment (63%). This characterization of transformation was cascaded to area-specific analysis at cluster level.

Area-Specific Changes (Cluster Level)

Area-specific transformation analysis was undertaken on a socio-spatial approach and was complemented using satellite images that zoomed in at the cluster level for more clarity but also due to the need to appreciate the uniqueness of transformation in each of the clusters.

Cluster 1: Kibokoni Area

Heritage fabric is most prevalent in this area with strongest of ethnic/racial identity, mainly featuring Swahili and some Arab and Somali enclaves. Being a conservation gazetted area, official land use change has been rare; until recently, transformation was mainly in form of adaptive re-use of space and buildings. Fort Jesus building, Ali's curios, and former Jubilee Hall at the intersection of Ndia Kuu and Mbarak Hinawy streets all underwent substitution of uses but retaining their built form. In terms of townscape transformation captured through aerial analysis the majority of transformations in this cluster happened in 2017 compared to the other times of 2007, and 2010. Complete redevelopment appeared for the first time around 2017, contributing to the

FIGURE 4
Composition of transformation in Kibokoni area (%)
Source: Field Survey, 2022

FIGURE 5
Transformation of old town Mombasa conservation area
Source: Field Survey, 2022

highest share of transformation at 13 out of 14 cases (92.8%) counted (**Figure 4** & **Table 1**).

A sketch map showing key townscape features for the Conservation area was derived courtesy of Friends of Fort Jesus. A site inventory on transformation assessment was carried out for 38 selected buildings as indicated on **Figure 5**.

The results showed different building statuses as follows: retained form, fabric, and use (42.1%); retained form and fabric but changed use (28.9%); changed form and fabric but retained user (2.6%); changed form, fabric, and use (7.9%); retained form and fabric but disused and abandoned (15.8%); and demolished awaiting site redevelopment (2.6%) – **Figure 6**. The overall situation shows the status of buildings largely retaining their form, fabric, and user. This was attributed to the fact that these particular buildings profiled fall under the conservation area (**Figure 7**).

Cluster 2: Northern (Mji wa Kale) Area

This area has seen the most drastic transformation in terms of physical redevelopment and social gentrification of the Swahili, especially by the influx of Somalis. The traditional Swahili houses (made of 1 to 2 floors) have been supplanted by ultra-modern apartment blocks that go as high as 12 floors, in some cases served by lifts. These new building typologies have also introduced ground-floor vehicle parking by lifting the other functions off the ground. There were also a few mansions observed on the sea-front parcels. Most of the new comers are of Somali and Bohra origin. In terms of building design, little is borrowed from the traditional buildings save for door thresholds (barazas), screening, and sun-shading of doors and windows. Both traditional road network and residential as primary use have been retained to a large extent. According to the aerial analysis for Mji wa Kale, all the transformation captured for year 2017 were in form of complete redevelopment (100%). It shows that right from 2007, this type of transformation has been growing steadily, that is 54.2%, 78.6%, and 100% for 2007, 2010, and 2017, respectively. On ground verification, it was clear that Mji wa Kale is shifting towards apartment model through comprehensive redevelopment. **Figure 8** presents the transformation by type and year of manifestation.

Cluster 3: Western (Makadara) Area

This has seen both refurbishment of buildings and densification done through site redevelopment. Asian-Arabic typologies are the predominant in this area, which is just a continuation of what was. Ethnic/racial identity is strong mainly featuring Asian and a few Arabic enclaves. Treasury Square in particular features mainly adaptive re-use save for underutilized sites that are then redeveloped. The most affected locations are those on the upper side closer to Digo road corridor. A peculiar transformation in this cluster features around the Mackinnon market area whereby the transformation mainly features internal refurbishment of buildings, including establishment of internal streets/bazaars. There is also significant spill-over of retail activities along the inner streets where pavements are used as trading sites for vendors. There are also tented/shaded streets that serve largely as textile bazaars. The aerial analysis done on Makadara indicates that 2017 featured the most changes compared to 2007, and 2010, with complete redevelopment being the highest type (83.3%). This is contrary to 2010 where infill building had the highest score at 55.6% compared to 44.4% accruing to total redevelopment. **Figure 9** depicts the combined transformation differentiated by type and year.

From the following comparative aerial analysis – **Figure 10** and **Table 1** – it is evident that the fewest transformation points occur in gazetted Kibokoni cluster. It further shows that the transformation within this conservation area tends to gravitate towards north and west, which border the non-gazetted clusters of Mji wa Kale and Makadara, respectively. This infers that the degree of control is less in the conservation zones adjacent to non-gazetted clusters.

From **Table 1**, overall, complete redevelopment constituted the bulk of the transformations across all the clusters for the three years of analysis constituting a town-wide average of 21.6%, 13.6%, and 64.8% for 2007, 2010, and 2017, respectively. Of the three years, it is 2010 that presented the least transformation in all the three clusters analyzed. This study hypothetically linked this to the economic slump that followed the 2007 post-election violence that hit Kenya across all its major sectors, with real estate being one of the most adversely affected. A 10-year interval transformation mapping further
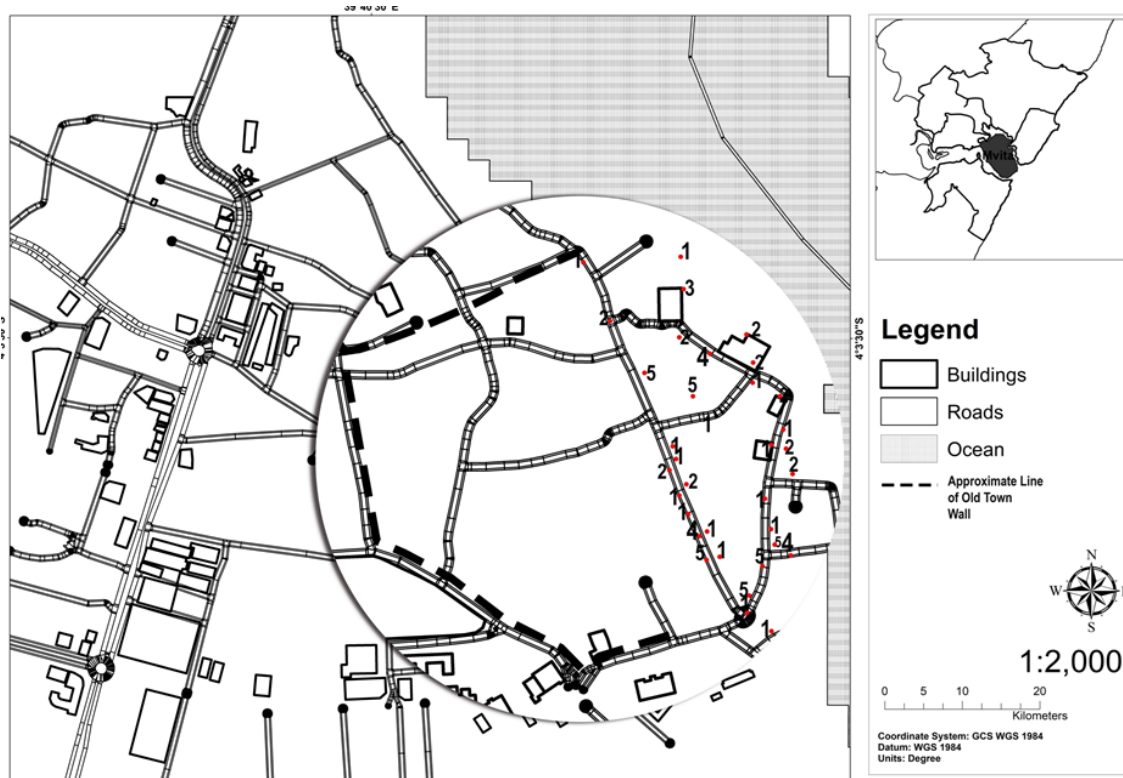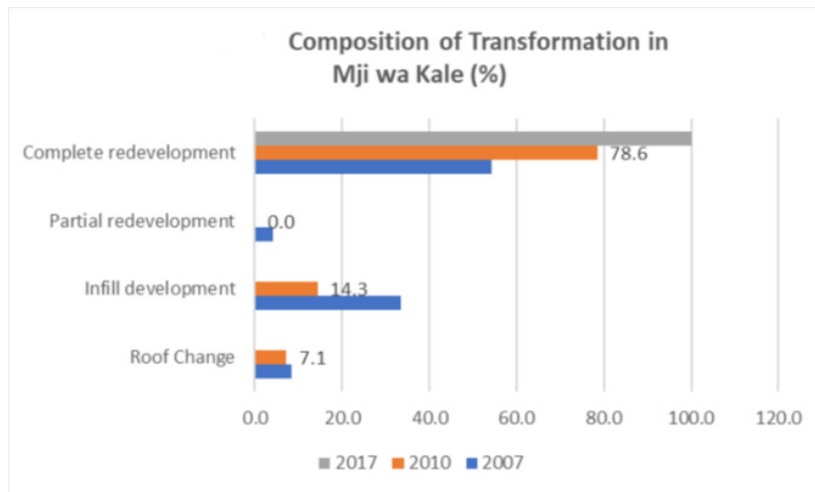
FIGURE 6
Transformation of historical buildings in conservation core area
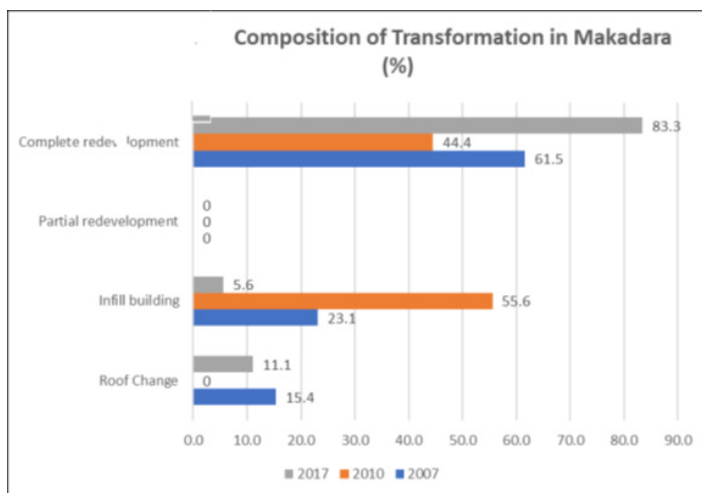**Source:** Field Survey, 2022
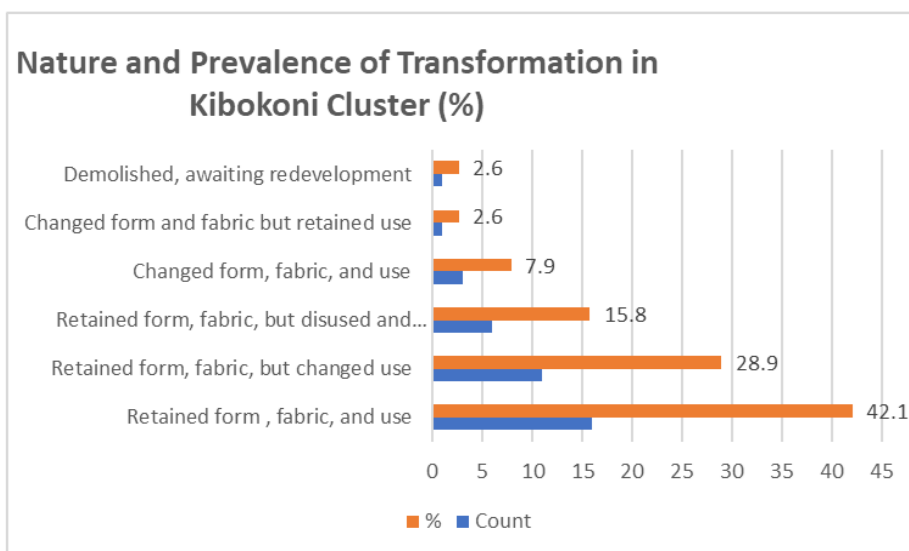
FIGURE 7
Nature and prevalence of transformation in Kibokoni cluster
Source: Field Survey, 2022

FIGURE 8
Composition of transformation in Mji wa Kale (%)
Source: Field Survey, 2022

FIGURE 9
Composition of transformation in Makadara (%)
Source: Field Survey, 2022

showed that 43 out of 57 in Mji wa Kale, were complete redevelopment compared to 27 out of 40 in Makadara; and 21out of 28 in Kibokoni (the conservation cluster), translating to 75%, 67%, and 75% respectively. It infers that although the number of observable building transformations is lowest in the conservation area, the proportion of complete redevelopment is as high as in the most transformed cluster. i.e Mji wa Kale.

The study sought to know whether there exist factors that might compromise the resilience and longevity of Swahili heritage in the context of modern development. Majority 67% of respondents cited destruction of heritage by forces of modernization as the greatest threat; this situation was reinforced by accompanying factors that included immigration (14%); culture change (8%); environmental degradation (6%); and unemployment (4%). The study sought to establish from respondents how the uniqueness of Old Town can be safeguarded despite the contemporary development pressure. A small majority (53%) cited policy recommendations on conservation and development control as the most effective mechanism for retaining uniqueness.

Left: Kibokoni cluster;   Middle: Mji wa Kale cluster;   Right: Makadara cluster

FIGURE 10
Comparative aerial analysis of cumulative transformation points for the three clusters (2007- 2017)
Source: Field Survey, 2022

Another 23% felt that the cultural aspects were deeply rooted, hence can neither be controlled by bureaucratic tools nor eroded by pro-modern development. To support this, a key informant cited the close intertwining of traditional economic spaces such as traditional shops and social spaces as well as spaces of temporary occupations in the form of pavement bazaars and transient meeting spaces as perpetual indelible heritage that can endure regulation and modernization. Such widely subscribed recognition of these spaces and their attached practices reinforces their chances of continuity and, consequently, assures their preservation in tangible and intangible form. Notably, only 18% of respondents indicated willingness, as residents, to make extra effort to safeguard the uniqueness of the Old Town, seeing that as largely the responsibility of the Government.

The authentic traditional sector in Mombasa Old Town has dwindled in the face of modernization; only 36.9% of respondents confirmed that they still maintain direct linkages with the traditional sector, while 21.1% indicated that they sold traditional Swahili merchandise. Only 5.3% of the business operators confirmed that they serve predominantly Swahili clientele. Nearly all the craftsmen who were skilled in the traditional techniques of

Swahili stone building and wood carving are largely gone. The distinctive traditional skills such as the creation of vidaka , which used to be passed down for generations has almost disappeared. The town planning and conservation authorities (County Government and National Museums, respectively) are under pressure from developers eager to intensify development in terms of high-rise mixed-use (commercial-cum-residential) in areas where building heights hardly exceed three floors. Against this backdrop, the conservation programme in Old Town is facing discredit from a section of the local community who argue that the conservation policy limits them from realizing full potential of their prime location as compared to other locations in proximity. An official of the Conservation Office notes:

"Many people who have acquired some of the buildings in gazetted locations within the Old Town conservation area prefer to completely demolish them and start from scratch…..Some people are ignorant and just want to have their way and put up palatial homes in places where historical century-old buildings stood"

This study exposed deep-seated community disillusionment. Asked whether to conserve or modify historical buildings, the responses were

split almost on 50-50; those opposed to what they called "museum approach" preferred key modifications including addition of more floors, undertaking of plasterworks, and provision of incentives for enhanced utilization of historical buildings. The fact that, legally, the listing of a site does not necessarily take over ownership puts the conservation authorities on collision path with the property owners. On policy options, the respondents recommended reconstruction of the area (46.7%); conservation (10.3%); and community empowerment (3.4%).

The biggest challenge for the heritage conservation agency emerges as that of development control whose mandate lies elsewhere with the County Government of Mombasa, which is yet to approve and officially adopt conservation guidelines and regulations. Recent plans prepared by the County Government neither provide express conservation prescriptions nor buffer zones for the heritage area, instead the latter prescribing plot ratios of between 200% and 500% in the adjacent clusters of Makadara and Mji wa Kale. The National Construction Authority (NCA), on the other hand, is meant to undertake inspections for quality controls, which includes suspension of unsafe construction. However, residents of Old Town expressed their concern at what they termed as selective interventions or laxed enforcement by the Authority, where they either look away from glaring contraventions or fail to enforce their notices until emergencies arise. Such lack of consensus in approach by various actors often stall the conservation and renewal processes leaving the town in unattended state. The National Museums also faces huge challenges in technical staffing, especially in the built environment. This situation is worsened by the institutional tensions between the National Museums and other agencies but also by operational conflicts within itself.

DISCUSSION

The analysis revealed that the northern cluster (Mji wa Kale/Mzizima/Bondeni area) is the most transformed while the gazetted eastern cluster (Kibokoni) depicts the least. The latter can be associated with the area's gazetted conservation status. The rampant transformation of the adjacent areas may be seen as a necessary evil; the less controlled outlying areas tend to directly absorb the needs of business, residence, and industry

thereby cushioning the heritage-rich areas from devastation. Looking at the new property uptake and corresponding occupancy levels in the less controlled clusters of Old Town, it is evident that the transformation is demand-driven and has almost exhausted the brown areas, thus increasing the pressure on the conservation area. As long as this situation prevails, investors will view conservation as inhibiting investment in the city thus slowing down the property sector but also straining real estate developers.

There is evidence of subscription to modernity in Old Town, including within the gazetted area. For that historical-cultural landscape to remain without burdening the owners, the properties need to be primed for enhanced income generation that would reduce the mismatch against that of the adjacent free market properties. This dynamic defines a contested front between conservation and development that is litmus test to the resilience of the conservation policy and programmes. The evidence of sites right at the heart of the conservation area, such as those fronting the Government Square/Port Area, being pulled down for total redevelopment suggests that the conservation controls have ceded significant ground to modernization as opposed to when the focus of improvement was based on more sympathetic approaches such as rehabilitation, restoration, and change of user while conserving the urban form, building typology, building materials, and construction techniques. In some pockets of the conservation area, there has occurred significant and tangible transformation such that Swahili identity is only evident in the use of space, such as the utilization of barazas (sitting areas) in front of buildings for social intercourse among residents but also the use of pavements for display of merchandise by vendors, rather than in the physical outlook of the space.

The study unearthed several structural and functional deficiencies with the management of the heritage in Old Town. The glaring challenge lies in transforming the traditional culture, coupled with capital improvement, branding, and marketing, to be able to compete in the modern economy for both the software and the attendant hardware. However, the lack of resources means inability to restore and maintain historical buildings as required by conservation policy. Most attempts at economically-driven adjustments often tend to

contravene guidelines of the Conservation Plan. While tools of mainstream conservation policy such as urban planning and development control play a significant role as producers of space, the traditional identity discourses and social processes still affect the contemporary production of urban space in Old Town. The traditional systems serve as a firewall, in whose absence the bureaucratic tools appear more exposed and susceptible to modern forces of change. Collective memory remains a strong ingredient of heritage discourse through various media/materials, both tangible and intangible and keeps the history of the town alive to its inhabitants, something that formal conservation tools and materials cannot achieve on their own. Despite the fact that Swahili urbanism is based on such a rich mixture of values and logics, they are largely informal and lacking the modern-associated precision in techniques and standardization. Necessary re-interpretation and value addition is likely to improve the resilience of the historical landscape.

There emerges a loose institutional framework with little cross-reference and co-ordination between the traditional and modern, obviously being the disjuncture between the bureaucratic ones as is the case between the National Museums and the County Government of Mombasa. This lack of synergy has adversely affected the implementation of programmes such as the conservation and, by extension, the resilience of the heritage landscape. Failure by the then Municipal Council of Mombasa to adopt the conservation guidelines and standards took away so much of the legitimacy and effectiveness the conservation plan was meant to have (Abungu, G. 1998; Sudi, W. M. 2000). The situation is made worse by the seemingly conflicting development agenda between the National Museum and County Government, where the former is pro-conservation and the latter is sympathetic to market forces.

The study noted conflicting vision narratives across the government, community, non-state agencies, and that of private property owners/investors. Public-private partnership has not fully tapped in the pro-heritage development framework due to lack of such clarity in the policy framework as well as divergent motives of parties. Devoid of a robust legal framework to invoke, the Museum lacks the absolute power to prevent the slow but consistent destruction of the historic character of Old Town. Failure of the conservation plan to define its specific life time, neither to provide comprehensive framework for its review since its adoption, raises issues of validity in terms of relevance to address the modern urban challenges and pressures facing the Old Town. Without co-ordinated regulatory back-up from the county-driven development control policy, the National Museums is unable to prevent conservation contraventions in the Old Town. All the above deficiencies and inconsistencies only serve to erode the resilience of the cultural landscape of Mombasa Old Town.

CONCLUSION

The effectiveness of the conservation policy in building resilience of the cultural landscape of Old Town is declining largely due to new challenges posed my modern development against a static and poorly resourced conservation framework. Evidently, the modern instruments assembled by the public sector towards the protection of urban heritage have not fully tackled the contemporary economic and socio-political forces confronting Old Town. The mere existence of formal management instruments such as conservation plans does not qualitatively assure the effectiveness of related measures. The use of formal administrative instruments, such as a plan, may work best where the jurisdiction is under singular management authority. The case of Old Town is such that management responsibilities are spread across the County Government and National Museums; the need points towards a blend of co-ordinated mechanisms to align action with perceptions and mutual objectives but also to negotiate areas of difference. For heritage values of Old Town to remain, there is need to understand the significant factors underlying decision-making and their transformational indicators. This paper discredits the overreliance on formal conservation management controls as pointers of effectiveness. The conservation plan and its attendant programme as existing does not secure essential wellness of the heritage town: motivation and commitment of citizens to care for the heritage is lacklustre, and the systems that support and sustain urban life are on the brink of deletion. Therefore, if conservation is to be seen as progressive, it has to redefine its identity and purpose in line with aspirations of the society and it must be part of the dynamics of development.

Over and above the formal legislation and/or planning control mechanisms at the various levels of governance, an effective conservation framework should onboard traditional protection values and the political economy of space and the ability to leverage in this ecosystem.

RECOMMENDATIONS

Looking forward, the existing situation could benefit from a couple of interventions. The renewal of space should embrace flexibility that can respond to diverse needs of business, residence, and investment hence provide multiple opportunities and optimization of spaces based on multi-use buildings, active frontages, and fine amenities. There is need to maintain compactness of urban form for viability of associated culture-rich activities, connectivity of public space and social life, attainment of connected mixed use with good proximity, but also for attainment of energy-efficiency and climate resilience. The threats of globalization can be addressed by making the town more competitive based on its potentially useful historical-cultural landscape in terms of history, uses, practices, and spaces. This can only be possible if there is a holistic and integrated approach to conservation – from policy to action plans and implementation agencies. Institutional streamlining should align priorities, approaches, and control methods in form of an over-arching framework that is able to co-ordinate the activities of relevant agencies within their defined mandate. This should be complemented with a sound multi-agency urban conservation financing strategy that is popular, attractive, flexible, conditional, and co-ordinated. There is need for incentives for purposes of conservation, including better provision of public services and tax/statutory reliefs. Capacity should also be built for the immediate space/property owners or custodians where responsibility for the conservation of any particular object or site rests. Support and encouragement to such owners should be a priority of both governments and wider multi-agency partnerships. The private sector should also play a positive role in terms of fund-raising through conditional corporate sponsorship or ploughing back of income from the use and/or display of cultural property. The two Governments need to recognize and support the role of intergovernmental relations and that of multinational bodies such as UNESCO to give such conservation initiatives the required visibility.

Citizens should lobby with parliamentarians and Members of County Assemblies to initiate debate in their respective houses to press for enrichment of better institutional frameworks for heritage conservation management, including environmental regulations.

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