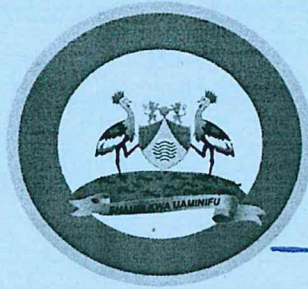


GOVERNMENT OF NAIROBI CITY COUNTY



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15/10/2024.
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THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY

(THIRD SESSION)

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15 Oct 2024

NCCA/TJ/PL/2023(55)

15TH OCTOBER 2024

PAPER LAID

SUBJECT: REPORT OF A COMMITTEE

Pursuant to Standing Orders 196, I beg to lay the following Paper on the Table of this Assembly, today Tuesday 15th October 2024:

- i) **THE REPORT OF THE SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON WORKSHOP HELD FROM 12TH TO 15TH SEPTEMBER 2024 AT LAKE NAIVASHA RESORT, NAKURU COUNTY.**

(Chairperson of the Sectoral Committee on Environment and Natural Resources)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press

NAIROBI CITY COUNTY ASSEMBLY



THIRD ASSEMBLY – THIRD SESSION

THE SECTORAL COMMITTEE
ON
ENVIRONMENT AND NATURAL RESOURCES
REPORT
ON THE

THE WORKSHOP FOR THE COMMITTEE HELD BETWEEN 12TH TO 15TH
SEPTEMBER, 2024 AT LAKE NAIVASHA RESORT, NAKURU COUNTY

Clerk's Chambers,
CITY HALL,
NAIROBI.

OCTOBER 2024



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REPORT OF THE COMMITTEE ON THE PROGRESS OF THE ASSEMBLY





1.0 PREFACE

The Committee's mandate pursuant to the provision of Standing Order 209 –Third Schedule is, amongst others, to investigate, inquire into and report on all matters relating to; ***“Implementation of specific national government policies on natural resources, environmental conservation, including soil and water conservation and forestry and control of air population, noise population, other public nuisances and refuse removal, refuse dumps and solid waste disposal.”***

The Committee exercises its oversight mandate over the Environment and Natural Resources Sub-Sector in the County Executive.

1.1 Background

The Committee undertook a retreat from Thursday 12th to Sunday 15th September, 2024 in Lake Naivasha Resort, Nakuru County to deliberate on;

1. the Revenue & Expenditure report for the full Year for FY 2023-2024;
2. budget implementation reports of the Sector; and
3. the amendments to the Nairobi City County Climate Change Management Bill, 2023.

1.2 Committee Members

The Committee on Environment and Natural Resources comprises of the following Members;

1. **Hon. Silas Matara Ongwae, MCA** – Chairman
2. **Hon. Cyrus Mugo, MCA** – Vice-Chairman
3. Hon. Kennedy Odhiambo, MCA
4. Hon. Paul Kados, MCA
5. Hon. Catherine Apiyo Okoth, MCA
6. Hon. Nyantika Ricardo, MCA
7. Hon. Fatuma Abduwahid Abey, MCA
8. Hon. Nasra Nanda, MCA
9. Hon. Fuad Hussein, MCA
10. Hon. Dan Oria, MCA
11. Hon. Peter Imwatok, MCA
12. Hon. Joel Munuve, MCA
13. Hon. Agnes Wambui, MCA
14. Hon. Susan Makungu, MCA
15. Hon. Allan Maina, MCA
16. Hon. Simon Mugo Maina, MCA





- 17. Hon. Joseph Ndungu Karanja, MCA
- 18. Hon. Agnes Njeri, MCA
- 19. Hon. Jeremiah Themendu, MCA
- 20. Hon. Joy Muthoni Mwangi, MCA
- 21. Hon. Farhiya Aden, MCA
- 22. Hon. Brian Itenya, MCA
- 23. Hon. Joyce Muthoni Kamau, MCA
- 24. Hon. Fiu ni Fiu, MCA

Committee Secretariat

- i. Ms. Hellen Mutie –Senior Clerk Assistant.
- ii. Ms. Mercy Riunga – Senior Clerk Assistant.

1.3 Acknowledgement;

Hon. Speaker Sir, Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support extended to the Committee to facilitate its training workshop.

I also thank the Secretariat for their input and valuable contribution and advisory where required during the session.

Finally, much thanks to the Members of the Committee and the Secretariat for their dedication, untiring commitment and valuable contributions during the training workshop.

Mr. Speaker Sir, it is therefore my pleasant duty and privilege, on behalf of the Committee on Environment and Natural Resources to present the Committee’s Report on the workshop held from Thursday 12th to Sunday 15th September, 2024.

Signed 

**Hon. Silas Matara, MCA
(Chairperson)**

Sectoral Committee on Environment & Natural resources

Dated this 25th day of SEPTEMBER.....2024

REPORT OF THE SECRETARY OF THE COUNTY ASSEMBLY ON THE TRAINING WORKSHOP





2.0 INTRODUCTION

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary. For the Committee to have effective oversight role, a training workshop was organized for the Members to deliberate on;

1. the Revenue & Expenditure report for the full Year for FY 2023-2024;
2. budget implementation reports of the Sector; and
3. the amendments to the Nairobi City County Climate Change Management Bill, 2023.

OFFICIAL OPENING BY THE CHAIRPERSON

The Workshop was officially opened by Hon. Silas Matara, Chairperson of the Committee on Environment and Natural Resources. He welcomed and thanked the participants for availing themselves for the workshop. In his remarks, he noted that at the end of the workshop, the Committee would have understood he status of implementation of projects, the Revenue & Expenditure report for the full Year for FY 2023-2024 and adopted the amendments to the Nairobi City County Climate Change Management Bill, 2023.

3.0 PRESENTATIONS

3.1 Brief on the Revenue & Expenditure Report for the Full Year for FY 2023-2024

The presenter Mr. Alphonse Ouma (Senior Fiscal Analyst) took the Committee through the report as follows;

1. The provisions of Section 166 (1) of the Public Finance Management Act 2012 requires that an accounting officer of a County Government entity shall prepare a report for each quarter of the financial year in respect of the entity.
2. The underpinning provisions of the law indicate that the report so prepared should capture:
 - a. Extent of budget implementation by the County Government;
 - b. Information on financial and non-financial performance of the entity; and
 - c. Be in a form determined by the Accounting Standards Board.
3. Not later than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury which is then required to consolidate the reports and submit them to the County Assembly not later than one month after the end of each quarter.



Overview of the Full Year Report for the last Financial Year FY 2023-24

4. The presenter mentioned that The County's approved supplementary budget (11) for FY 2023/24 was Kshs.40.56 billion, comprising Kshs.31.84 billion (78.5 per cent) and Kshs.8.72 billion (21.5 per cent) allocation for recurrent and development budget, respectively. The County Assembly in carrying out its triplet role of legislation, representation and oversight was allocated Kshs.2.68 billion for recurrent expenditure and Kshs.300 million for development initiatives.
5. To finance the budget, the County expected to receive Kshs.20.07 billion (47.4 per cent) as the equitable share of revenue raised nationally, Kshs.570 million (1.3 per cent) as Appropriations-in-Aid (A-I-A), Kshs.606.56 million as conditional grants, a cash balance of Kshs.1.66 billion (3.9 per cent) brought forward from FY 2022/23, and generate Kshs.19.42 billion (45.9 per cent) as own source revenue.
6. In FY 2023/24, the County received Kshs.20.07 billion (100 per cent) as the equitable share of the revenue raised nationally, raised Kshs.12.81 billion as own-source revenue against a revised target of Kshs.18.71billion, and Kshs.434.23 million as grants.

Overview of the Last Twelve Months Revenue Performance for FY 2023-24

7. The last twelve months' revenue report indicated that as the end of the period the County had received Kshs.20.07 billion being 100% of the amounts due to the County Government as equitable share and an amount of Kshs.434 million as conditional grants totaling to Kshs.20.50 billion.
8. The County managed to collect Kshs.12.81billion out of the total projection of Kshs.19.99billion from own source revenue (OSR) indicating a slight improvement in OSR performance of 64% compared to 59% performance in the previous financial year.

The table below compares the internal revenue collections for the current financial year with such collections in the previous years:-

| Financial Year | First Nine Months (billions) | Full Year (billions) |
|----------------|------------------------------|----------------------|
| 2014-15 | 9.2 | 10.0 |
| 2015-16 | 9.62 | 11.7 |
| 2016-17 | 8.72 | 10.9 |
| 2017-18 | 7.6 | 10.1 |
| 2018-19 | 8.2 | 10.2 |
| 2019-20 | 7.1 | 8.5 |



| | | |
|---------|-----|------|
| 2020-21 | 8.2 | 9.9 |
| 2021-22 | 7.7 | 9.2 |
| 2022-23 | 7.3 | 10.4 |
| 2023-24 | 9.6 | 12.8 |

9. Revenue performance for the last twelve months for FY 2023/24 was summarized as below;

| Revenue Stream | Original Budget FY 2023/24 (Kshs.) | Approved Supplementary Budget FY 2023/24 | Realized Revenue for the Last Twelve Months | Balance | % Performance against annual target |
|---|------------------------------------|--|---|-------------------|-------------------------------------|
| National Transfers | | | | | |
| Equitable share | 20,072,059,113 | 20,072,059,113 | 20,072,059,113 | 0 | 100 |
| Sweden-Agric Sector Dev't Support Prog 11 | 6,507,770 | | 6,507,770 | | 100 |
| World Bank -FFLoCA | 11,000,000 | | 0 | 11,000,000 | 0 |
| DANIDA -UHC | 29,048,250 | 0 | 29,048,250 | | 100 |
| Fertilizer Subsidy Prog | 14,721,991 | | 0 | 14,721,991 | 0 |
| Court Fines | 70,740,842 | | 0 | 70,740,842 | 0 |
| Mineral Royalties | | 3,884 | 0 | 3,884 | 0 |
| World Bank-KISIP 11 | | 400,000,000 | 398,671,470 | 1,328,530 | 99.7 |
| RMF | 667,491,356 | 818,197,395 | 818,197,395 | | |
| Total Own Source Revenue | 20,604,081,850 | | 20,506,286,603 | 97,795,24 | 99.5 |

REPORT OF THE ACCOUNTS COMMITTEE ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY



Expenditure Review for the Full Year for the FY 2023-24

10. During the twelve months ending 30th June 2024 the overall expenditures amounted to Ksh.31.78 billion out of which Kshs.28.57 billion was recurrent expenditure whereas the balance of Kshs.3.21billion was development related.
11. The table below provides a summary of expenditure by the Environment, Water, Energy& Natural Resources Sector;

| Approved Supplementary 11 Budget for FY 2023/24 | | | | Actual Expenditure for FY 2023/24 as at 30 th 2024 | | | |
|---|-----------------|-------------------|---------------|---|-------------|---------------|-----------|
| Sector | Recurrent (Ksh) | Development (Ksh) | Total (Ksh) | Recurrent (Ksh) | Development | Total | Absoption |
| Environment, Water, Energy& Natural Resources | 3,572,696,840 | 732,460,000 | 4,305,156,840 | 3,281,344,573 | 65,304,000 | 3,346,648,573 | 77 |

12. By the end of the FY 2023-24 expenditure analysis indicates that the County spent a total of Kshs. 31.74billion out of which Kshs.28.57 billion (90%) was recurrent expenditure whereas the balance of Kshs.3.21billion (10%) was development related.

3.2 AMENDMENTS TO THE NAIROBI CITY COUNTY CLIMATE CHANGE MANAGEMENT BILL, 2023

On deliberations, the Committee adopted the following amendments to the Nairobi City County Climate Change Management Bill, 2023;

LONG TITLE

THAT the **Long Title** of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

SHORT TITLE

THAT the **Short Title** of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

THAT, Clause 10(b) be amended by deleting the word “at least” appearing immediate before the word “half”.





NEW CLAUSES

THAT the Bill be amended by inserting the following New Clauses immediately after Clause 11 of the as follows;

11A There is established a planning committee to be known as the County Climate Change Planning Committee that shall be appointed by the County Executive Committee Member for the time being responsible for matters of Environment and Climate Change.

11B The committee shall comprise of—

- a) Chief Officer for the time being responsible for matters of Environment and Climate Change who shall be the Chairperson;
- b) Chief Officer for the time being responsible for matters of the County Treasury who shall be the vice chairperson;
- c) County Director Water;
- d) County Director Agriculture;
- e) County Director Energy;
- f) County Director Health;
- g) County Director Environment;
- h) County Director Natural Resources and Forestry;
- i) County Director Climate Change who shall be the Secretary; and
- j) County Director Planning.

11C (1) The County Climate Change Planning Committee shall: -

- a) Identify county wide climate change needs and vulnerabilities;
- b) Undertake internal and external resource mobilization;
- c) Review, prioritize and sequence projects relevant to Climate Change mitigation based on the set criteria;
- d) Receive, consider and recommend funding proposals and projects and forward to the County Climate Change Steering Committee for approval;
- e) Prepare and submit an annual report on climate change response activities in the County;
- f) Formulate and implement County monitoring, evaluation and reporting framework for climate change response;
- g) sensitization and trainings at ward level and;
- h) Perform any other functions assigned to it by the County Steering Committee.





(2) The County Planning Committee shall be the technical and advisory arm of the County Steering Committee.

11D There is hereby established a secretariat for the county Climate Change Steering and Planning Committees which shall be the Department responsible for County Climate Change.

11E (1) The meetings of the County Climate Change Planning Committee shall be conducted as follows: -

- a) The County Climate Change Planning Committee shall meet at least twice in a quarter in each financial year;
- b) The County Climate Change Planning Committee may choose to rotate the location of its regular meetings to different wards in the County for purposes of engaging directly with communities and familiarizing itself with their climate change-related challenges;
- c) The quorum for meetings of the County Climate Change Planning Committee shall be half of the membership; and
- d) In the absence of the chairperson, the members in attendance shall elect one of them to chair the meeting.

(2) The County Climate Change Planning Committee may invite to its meetings any technical staff of the national or County government which it considers will contribute to its deliberations, and the attendance and participation of such person shall be recorded in the minutes of the County Climate Change Planning Committee.

Establishment of the Sub-County Climate Change Planning Sub-Committees

11F There is established a Sub-committee that shall be known as the Sub-County Climate Change Planning Sub-Committees appointed by the county executive member for the time being responsible for matters of Environment and Climate Change.

Composition of the Sub-County Climate Change Planning Sub-Committees

11G (1) Composition of Sub-County Climate Change Planning Sub-Committee shall be as follows:

- a) Sub-County Administrator who shall be the Chairperson.
- b) Ward administrators
- c) One youth representative from registered youth groups in each Ward under the Sub-County
- d) One-woman representative from registered women groups in each Ward under the Sub-County
- e) A representative of the Community based Organizations actively operating in the Wards on climate change actions





- f) A representative of people with disability (PWDs) from registered persons with disabilities groups in each Ward under the Sub-County
- g) A representative of the Sector of Environment in the Sub-County who will be the Secretary of the Sub-Committee.

(2) In making these appointments to the Sub-County Climate Change Planning Sub-Committees, consideration has to be made to the two-thirds gender rule and the provisions of Article 27 of the Constitution 2010

Tenure of the Sub-County Climate Change Planning Sub-Committees

11H A Sub-County Climate Change Planning Sub-Committee member under Section 18 (c),(d),(e),(f),(g) will serve for a period of three years renewable once subject to satisfactory performance and provided he or she has attended at least half of the meetings.

Functions of the Sub-County Climate Change Planning Sub-Committees

11I The Sub-County Climate Change Planning Sub-Committees shall;

- a) Coordinate and mobilize communities and other stakeholders in the Sub-County to design and implement climate change response activities;
- b) Facilitate research and knowledge management at the Sub-County level on climate change, its impacts and strategies for responding thereto;
- c) Facilitate public education, awareness creation, and capacity building at the Sub-County level on climate change, its impacts and strategies for responding there to;
- d) coordinate, facilitate and manage community consultations on priority climate change response activities at the Sub-County level;
- e) participate in county planning and budgeting processes with a view to ensuring the mainstreaming of climate change and prioritization of climate change response in county development plans;
- f) facilitate public participation in climate change governance, implementation of agreed climate change response activities and monitoring of those activities at the Sub-County level;
- g) coordinate and facilitate provision of technical support to communities in the Sub-County in developing proposals on climate change response projects for funding by the County Climate Change Fund;
- h) oversee implementation of climate change response projects at the Sub-County level funded by the County Climate Change Fund and report to the County Climate Change Planning Committee; and
- i) perform any other functions that may be assigned to it by the County Climate Change Planning Committee.

Qualifications for Appointment to the Sub-County Climate Change Planning Sub-Committee



11J (1) For appointment to the Sub-Committees a member: -

- a) Shall have basic knowledge of climate change;
- b) Shall have a minimum basic education; preferably KCSE Certificate;
- c) Shall be committed persons willing to serve the community; and
- d) A resident of the given Sub-County.

(2) Members nominated from the Community under Section 18(c),(d),(e),(f),(g) shall be through a competitive process.

Remuneration of the Sub-Committees

11K Members of the Sub-County Climate Change Planning Sub-Committees shall be paid a sitting allowance or such remuneration at such rate as per the Salaries and Remuneration Commission (SRC) recommendations.

Meetings of the Sub-County Climate Change Planning Sub-Committee

11M Meetings of the Sub-County Climate Change Sub-Committee shall be conducted as follows;

- a) The Sub-County climate change planning sub-committee shall meet at least twice in each quarter;
- b) The inaugural meeting of the Sub-County climate change planning sub-committee, the committee shall elect a Vice-Chairperson from Sub-County climate change planning sub-committee under Section 18 (c),(d),(e),(f),(g) who shall chair meetings in the absence of the Chairperson;
- c) Save for the inaugural and emergency meetings, which shall be held at the Sub-County headquarters, regular meetings of the Sub-County Climate Change Planning Sub-Committee shall be convened and held in the different locations of the Sub-County on a rotational basis;
- d) The quorum for meetings of the Sub-County Climate Change Planning Sub-Committee shall be half of the members;
- e) A resolution of the Sub-County Climate Change Planning Sub-Committee shall require an affirmative vote of more than one half of the membership present at a meeting, excluding the chairperson's vote which shall be a casting vote.
- f) In the absence of the chairperson, the vice chairperson shall preside over a meeting, and in the absence of both the chairperson and the vice-chairperson, the members in attendance shall elect one of them to chair the meeting; and
- g) Regular meetings of the Sub-County Climate Change Planning Sub-Committee shall be scheduled in such a manner as to ensure that resolutions thereof are available in time for the next regular meeting of the County Climate Change Planning Committee.





4.0 WAY FORWARD

The following was resolved as the action points;

- i) Regular engagements with the Sector County Executive Committee Member & Chief Officers to enable Members understand challenges of the Sector and extent of implementation of existing Acts.;
- ii) The Committee to insist to be furnished with quarterly reports as part of oversight and monitoring performance of the Sector;
- iii) The Committee to map out all relevant stakeholders and engage them for purposes of capacity building of the Committee and promoting the sub-sector's activities in the County; and
- iv) The Committee to advocate for passing of the Nairobi City County Climate Change management Bill, 2023. This will set stage for establishment of County Climate Change Funds (CCCF) thus implementation of the FLLOCA Program.

NB; The CCCF will be capitalized from various sources, such as county development budgets, national climate funds or in-country bilateral and multilateral development partners; and

- v) The Sector do forward the Nairobi City County Climate Change Policy for consideration by the Assembly.

OFFICE OF THE CLERK, NAIROBI CITY COUNTY ASSEMBLY



