## COUNTY GOVERNMENT OF EMBU





## **COUNTY ASSEMBLY OF EMBU**

SECOND ASSEMBLY : FOURTH SESSION

COMMITTEE ON PUBLIC PARTICIPATION

REPORT ON THE PUBLIC PARTICIPATION FORUMS HELD TO CONSIDER BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2019/2020.

SUBMITTED FOR CONSIDERATION AND ADOPTION BY THE **COUNTY ASSEMBLY** 

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Clerk's Office County Assembly of Embu P.O. Box 140-60100

EMBU

THELED ON 03/03/21

FEBRUARY, 2021

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**EMBU** 

FEBRUARY, 2021

## ACRONYMS AND ABBREVIATIONS

B.A.C - Budget and Appropriations Committee

CAE - County Assembly of Embu

C.O.K - Constitution of Kenya, 2010

C.G.A - County Governments Act, 2012

FY - Financial Year

P.P.A - Public Participation Act, 2015

PWD - Persons with Disabilities

S.O - Standing Orders

#### LIST OF ANNEXURES

Annex 1. Advertisement for the Budget Estimates for FY 2019/2020 public forums and submission of Memoranda

Annex 2. Attendance register for members of the public attending public participation forum at Mbeere North Sub County

Annex 3. Attendance register for members of the public attending public participation forum at Sub Manyatta County

Annex 4. Attendance register for members of the public attending public participation forum at Runyenjes Sub County.

Annex 5. Attendance register for members of the public attending public participation forum at Mbeere South Sub County

#### **EXECUTIVE SUMMARY**

The Public Participation Committee was formed pursuant to the Embu County Public Participation Act, 2015 which was enacted by the Assembly on 23<sup>rd</sup> September 2015. Section 20 (1) of the Act provides for the establishment of the Public Participation Committee in the County assembly.

In this specific matter, the Public Participation Committee jointly with the Liaison Committee was involved in preparation of the Public Participation forums on the Budget Estimates for the Financial Year 2019/2020. Pursuant to the provisions of Section 131(2) of the Public Finance Management Act, 2012 the County Assembly of Embu sought the input of members of the Public on the proposed County Government Budget Estimates, as presented to the County Assembly by the County Executive Committee member in charge of finance.

The Members of the County Assembly Public Participation Committee and Liaison Committee were divided into four teams which spearheaded Public Participation in the four Sub Counties whose venues were Manyatta sub county (Nembure Social Hall), Renyenjes sub county, (Runyenjes Social Hall), Mbeere North sub county (Ishiara Chief's Camp) and Mbeere south sub county (Makima Chief's Camp).

The forums were held on **Monday, 10<sup>th</sup> June 2019**. The Members drawn from the two Committees, accompanied by the rest of the members of the County Assembly held the forums in every sub county. The Committee noted that the turnout was encouraging unlike in the previous years and that the copies of the Budget Estimates for FY 2019/2020 were dispatched to members of the public on the public participation day.

This report therefore summarises the issues raised by the members of the public on the organisation and planning of the public forums and the observations made by the committee regarding the same. The Committee has also made recommendations to improve future forums with reference to the provisions of the law regarding Public Participation forums.

## 1.1 MANDATE OF THE COMMITTEE

The Committee derives its mandate from Section 20 (4) and Section 21(1) (a) to (k) of the Embu County Public Participation Act, 2015. The Act under Section 20 (4) provides that the Committee shall coordinate Public Participation in the Assembly.

Section 21(1) Provides that the Assembly Public Participation Committee shall be responsible for-

- (a) Coordinating and moderating Public Participation activities and programs to ensure they are inclusive of the broad spectrum of the public;
- (b) Co-ordinating and promoting co-operation between all Participants in Public Participation;
- (c) Ensuring that clear and reasonable timelines are established for public input and comment and

that these timelines are communicated to Public;

- (d) Ensuring that the Public Participation device used is appropriate to the nature of a specific Initiatives, issues involved and the target groups affected;
- (e) Establishing a feedback process to the Public including opportunities for the Public to for additional comments or input to the decision taken;
- (f) Developing an evaluation framework to the Public Participation plan;
- (g) Providing advice to the Assembly on managing Public Participation process;
- (h) Preparing reports on Public Participation facilitated by assembly;
- (i) Preparing annual report on Assembly Public Participation processes for consideration by the Assembly
- (J) Developing networks and partnerships with key stakeholders for the purposes of enhancing Public Participation; and
- (k) Carrying out any other function that may be assigned by the Assembly.

#### 1.2 MEMBERSHIP OF THE COMMITTEE

The Committee is made up of the following Members;

Hon. Salesio Njeru Kimaru, MCA
 Chairperson

2. Hon. Benard Nyaga Kandia, MCA - Vice/Chairperson

3. Hon. Duncan Ireri Mbui, MCA - Member

4. Hon. Margaret Lorna Kariuki, MCA - Member

5. Hon. Martin Mwangi Kimani, MCA - Member

6. Hon. John Gichovi Gatumu, MCA - Member

7. Hon. Judy Mbuya Njue, MCA - Member

#### 1.3 PROBLEM STATEMENT

The proposed Embu County Budget Estimates for FY 2019/2020 were tabled in the County Assembly on 28th May, 2019. The Committee got seized of the matter jointly with the Liaison Committee as per the provisions of the Standing Orders of the County Assembly of Embu and in conformity with the provisions of Section 21(h) of the Embu County Public Participation Act, 2015.

The Committee is by law required to make a report to the County Assembly on the Public Participation forums held and facilitated by the County Assembly. The report addresses the concerns raised by the members of the Public regarding the Public Participation forums and prescribe possible solutions to the issues raised.

## 1.4 OBJECTIVES/TERMS OF REFERENCE

- (a) To evaluate how the planning and organization of the Public Participation forums for the Budget Estimates for FY 2019/2020 was executed.
- (b) To scrutinize the views collected from the Public on the issues relating to planning and organization of the public hearing forums.
- (c) To observe and report on the coordination and moderation of Public Participation activities and programs in the four sub counties.
- (d) To make a report to the County Assembly on the Public Participation exercise.

#### 1.5 METHODOLOGY

- 1. Committee meetings
- 2. Actual participation in the Public forums
- 3. Observations
- 4. Interviews with the participants.
- 5. Scrutiny of the Public Participation exit survey questionnaire

#### 1.6 TOOLS OF REFERENCE

The following tools of reference were used in compiling of this report.

- 1. The Constitution of Kenya, 2010.
- 2. The County Government Act, 2012
- 3. The Embu County Public Participation Act, 2015
- 4. Embu County Assembly Standing Orders (Revised Edition, 2017)

#### 1.7 ACKNOWLEDGEMENT

The Committee wishes to acknowledge the support given to it by the office of the Speaker, the office of the Clerk and the general support of all the Members without which the Public Participation on the Budget Estimates for the Financial Year 2019/2020 would not have been successful. The Committee also wishes to appreciate the Members of the Liaison Committee with whom the Committee worked closely to ensure the Public Participation forums in the sub county headquarters were successful.

Special mention to the members of the public from across all the wards who took time to attend the sessions and gave their views, the organised groups who made submissions and the professionals who gave valuable input to the document.

Finally the Committee is grateful to all the staff from the various departments of the County Assembly for their professionalism, input and dedication to duty during the process.

SIGNATURE

.DATE 24 02/2021

HON. SALESIO NJERU KIMARU, MCA

**CHAIRPERSON** 

COMMITTEE ON PUBLIC PARTICIPATION

#### 2.0 COMMITTEE FINDINGS AND OBSERVATIONS

The Committee held meetings to plan on the modalities of conducting the Public Participation exercise. The Embu County Public Participation Act, 2015 envisages a situation where after a Public Participation forum facilitated by the Assembly is held, a report is made and tabled before the Assembly.

The Public Participation forums to consider the Budget Estimates for the Financial Year 2019/2020 were held in the four sub counties and sub committees spearheading the forums were drawn from the two lead committees namely, Liaison Committee and Public Participation Committee.

Other Members of the County Assembly were also divided into four groups which accompanied the lead Committees in this exercise.

#### 2.1 PLANNING FOR THE PUBLIC PARTICIPATION FORUMS.

The Liaison Committee and the Public Participation Committee resolved to work together to ensure that the exercise was top notch, and that there would be a smooth flow of events. An advertisement was made in the Star Newspaper on 31st May, 2019 calling for opinions and memoranda on the Budget Estimates to be submitted to the Clerk of the County Assembly not later than 10th June, 2019. (*Annex 1*)

Besides the notice in the newspaper, there were social media advertisements as follows;

- 1. On the official "Facebook page" of the county assembly
- A link to the County Assembly website from where one could download a copy of the Estimates
- 3. On the official "twitter account" of the Assembly
- 4. Messages sent to various groups under the "WhatsApp" platform
- 5. Emails to the respective accounts in the County Assembly database.

The elected Members were also given copies of the Estimates to distribute to citizens and organized groups from their respective wards.

Prior to the actual date of the Public Participation forums, the County Assembly had facilitated production of over 2,000 copies of the Budget Estimates for FY 2019/2020 for the County Executive and 2,000 copies of the Budget Estimates of the County Assembly.

The ward managers had also been tasked with collection of copies of the advertisements and placing them at strategic points to ensure that highest number of

people were informed. The copies of the Budget Estimates were taken to the venues during the day of the Public Participation.

The venues had been secured through the County Assembly Ward Liaison Office in consultation with area Members of County Assembly. These venues were as per the table below;

SUB COUNTY	VENUE	DATE	TIME
Manyatta	Nembure Social Hall	10th June, 2019	9.00 AM -4.00 PM
Runyenjes	Runyenjes Social Hall	10th June, 2019	9.00 AM -4.00 PM
Mbeere North	Ishiara Chief's Camp	10th June, 2019	9.00 AM -4.00 PM
Mbeere South	Makima Chief's Camp	10th June, 2019	9.00 AM -4.00 PM

Table 1. Schedule of public participation

#### 2.2 OBSERVATIONS AND VIEWS GATHERED

The following observations were made in specific venues where Public Participation forums were conducted:

### 1. Manyatta Sub County - Nembure Social Hall

- i. The venue was ideal for the proposed exercise.
- ii. Copies of the budget estimates were availed on arrival at the venue.
- iii. Participants complained that the advertisement made in the newspapers for such forums were not effective as many people in the rural areas do not have access to newspapers.
- iv. The citizens in attendance were sixty five (65) (Annex 2).
- v. There were forty two (42) respondents to the exit survey questionnaire. Their responses were captured as follows;

(a)	Gend	er:	
	(i)	Male	(22)
	(ii)	Female	(20)
(b)	Age b	pracket:	
	(i)	18-25yrs	(6)
	(ii)	26-40yrs	(20)
	(iii)	41-59yrs	(6) (20) (9)
	(iv)	60+	(7)
(c)	Level	of Education:	` '
Sec. 3.17	(i)	Primary	(16)
	(ii)	Secondary	(13)
	(iii)	'A' Level	(1)
	(iv)	College	(8)

	(v)	Others	(4)	
(d)	Occu	pation/Profession:		
	(i)	Business person	(7)	
	(ii)	Farmer	(11)	
	(iii)	Professional	(12)	
	(iv)	Others	(12)	
(e)	Ward	S		
	(i) Ga	turi South	(19)	
	(ii) K	irimari	(2)	
	(iii) K	ithimu	(7)	
	(iv) N	Ibeti North	(11)	
	(v) R	iguru/Ngandori	(2)	
	(vi) N	Iginda	(1)	
(f)	Have	you ever attended a public hear	ring on Budget Estimates	before this event?
	Yes	•	(23)	
	No		(19)	
(g)	Have	you previously seen the Estima	ites presented today?	
	Yes		(11)	
	No		(31)	
(h)	Do y	ou feel that your views were ade	equately represented in the	Estimates?
	Yes		(18)	
	No		(24)	

#### 2. Runyenjes Sub County - Runyenjes Social Hall

- i. The Assembly team arrived ten minutes to 9 am
- ii. Members of the Public arrived a little late
- iii. The venue was ideal for the proposed exercise but the hall was poorly lit
- iv. Members of the public gave valuable opinions on the Budget Estimates FY 2019/2020.
- v. Copies of the documents under review were enough.
- vi. Participants complained that they were not given adequate time to peruse through the Budget Estimates.
- vii. The citizens in attendance were fifty six (56) (*Annex 3*).
- viii. There were thirty six (36) respondents to the exit survey questionnaire. Their responses were captured as follows;

(a)	Gend	er;	
	(i)	Male	(22)
	(ii)	Female	(14)
(b)	Age b	oracket:	10 10
Addic	(i)	18-25yrs	(4)
	(ii)	26-40yrs	(14)
	(iii)	41-59yrs	(16)
	(iv)	60+	(2)
(c)	Level	of Education:	aff 179
	(i)	Primary	(8)
	(ii)	Secondary	(21)
	(iii)	'A' Level	(1)
	(iv)	College	(0)
	(v)	Others	(6)
(d)	Occu	pation/Profession:	3. 5

	(i)	Business person	(4)
	(ii)	Farmers	(26)
	(iii)	Professional	(1)
	(v)	Others	(5)
(e)	Ward		
	(i)	Runyenjes Central	(12)
	(ii)	Kyeni North	(10)
	(iii)	Gaturi North	(6)
	(iv)	Kagaari North	(8)
(f)	Have		earing on Budget Estimates before this event?
	Yes		(20)
	No		(16)
(g)	Have	you previously seen the Esti	
	Yes		(5)
	No		(31)
(h)	Do yo	ou feel that your views were	adequately represented in this Budget?
	Yes	,	(27)
	No		(9)

## 3. Mbeere South Sub-County - Makima Chiefs Camp

- i. The Assembly team arrived ten minutes past nine o'clock.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Budget Estimates were availed on arrival at the venue.
- iv. The citizens in attendance were one hundred and thirty four (134) (Annex 4).
- v. There were eighteen (18) respondents to the exit survey questionnaire. Their responses were captured as follows;

(a)	Gend	ler;		
	(i)	Male	(16)	
	(ii)	Female	(2)	
(b)		pracket:		
19,1	(i)	18-25yrs	(1)	
	(ii)	26-40yrs	(5)	
	(iii)	41-59yrs	(9)	
	(iv)	60+	(3)	
(c)		of Education:		
	(i)	Primary	(3)	
	(ii)	Secondary	(8)	
	(iii)	"A" level	(1)	
	(iv)	College	(3)	
	(v)	Others	(3)	
(d)	Occu	pation/Profession:		
	(i)	Business person	(1)	
	(ii)	Farmer	(8)	
	(iii)	Professional	(4)	
	(iv)	Others	(5)	
(e)	Ward			
	(i)	Makima	(8)	
	(ii)	Mavuria	(3)	
	(iii)	Mbeti South	(7)	
	(iv)	Kiambere	(0)	
(f)	Have event	you ever attended a Public	hearing on a Budget Estimates before this	
	Yes		(10)	
	No		(8)	
			``	

- (g) Have you previously seen the Estimates presented today?

  Yes
  (2)
  No
  (16)

  Do you feel that your views were adequately represented in the Estimates?

  Yes
  (7)
  No
  (11)
- 4. Mbeere North Sub- County Ishiara Chief's Camp
- i. The Assembly team arrived on time.
- ii. The venue was ideal for the proposed exercise.
- iii. Copies of the Budget Estimates were availed on arrival at the venue.
- iv. Drinking water provided to the participants was enough.
- v. Participants complained that they were not given adequate time to peruse through the documents.
- vi. The citizens in attendance were forty nine (49) (Annex 5).
- vii. There were twenty nine (29) respondents to the exit survey questionnaire. Their responses were captured as follows;

(a)	Gend	er:			
	(i)	Male	(24)		
	(ii)	Female	(5)		
(b)		oracket:	.,		
	(i)	18-25yrs	(5)		
	(ii)	26-40yrs	(6)		
	(iii)	41-59yrs	(14)		
	(iv)	60+	(4)		
(c)		of Education:			
	(i)	Primary	(6)		
	(ii)	Secondary	(13)		
	(iii)	"A" level	(1)		
	(iv)	College	(7)		
	(v)	Others	(2)		
(d)	Occupation/Profession:				
( )	( <u>i</u> )	Business person	(4)		
	(ii)	Farmer	(12)		
	(iv)	Professional	(5)		
	(v)	Others	(8)		
(e)	Ward	:	, ,		
	(i)	Evurore	(21)		
	(ii)	Nthawa	(7)		
	(iii)	Muminji	(1)		
(f)	Have	you ever attended a Public l	hearing on Budget Estimates before this event?		
( )	Yes	State and control to deprice person with his direction and control and the control and control an	(18)		
	No		(11)		
(g)	Have	you previously seen the Est	imates presented today?		
107	Yes		(6)		
	No		(23)		
(h)	Do y	ou feel that your views were	adequately represented in the Estimates?		
` '	Yes	The second secon	(15)		
8	No		(14)		

#### 2.2 DATA ANALYSIS TABLE

The Committee noted the following observations and made the indicated comments;

NO	ITEM	NUMBER
1	Total number of people in attendance for the entire exercise	304
2	Total number of respondents	125
3	The number of male respondents	84
4	The number of female respondents	41
5	Number of respondents who had attended a previous Public Participation exercise	71
6	Number of respondents who had not attended any previous Public Participation	54
7	Number of respondents who had previously seen the Estimates	24
8	Number of respondents who had not seen the Estimates	101
9	Number of the respondents who indicated that their views were represented in the Estimates	67
10	Number of respondents who indicated that their views were not represented	58

Table 2. Analysis of the exit survey Questionnaires.

- i. That, Most of the respondents were between the ages of 41 and 59
- That, Most of the respondents were persons who had attained certificates at "O" level/Secondary.
- iii. That, the highest group of the respondents were farmers.
- iv. That, the highest group of respondents were from the Wards where the forums were held.

#### 2.3 OTHER COMMITTEE OBSERVATIONS

The committee made the following observations based on the views and other general findings gathered from the Public.

#### 1) Venues

- i. That, the venues served the need for the Public Participation forums.
- ii. That, there were no cases of insecurity across the venues.
- iii. That, in those wards which are vast, it was observed that one venue was insufficient.

# 2) Involvement of the Committee on Public Participation in the planning of public forums

- i. That, the Committee on Public Participation was fully involved in the planning for the Public Participation for the Budget Estimates 2019/2020.
- 3) Adequacy of notice to the members of the public
- i. That, the complaint by the residents that the notice time given was not adequate was not genuine. The notice in the advertisement was given on 31st May, 2020

while the event was slated for 10<sup>th</sup> June, 2020. It's clear that there was a 10 days notice. This time is considered sufficient for the notice.

## 4 Adherence of the county assembly to the Public Participation Act, 2015.

- That, the County Assembly adhered to the provisions of the Embu County Public Participation Act, 2015.
- ii. That, no clear timelines were given by the Act on the time frame for notice.

#### 5) Submission of written memoranda

i. That no memoranda were received.

#### 6) Attendance

- i. That, there was low turnout for women in the Public Participation forums.
- ii. That, Mbeere south had the highest number of attendants (134), followed by Manyatta (65), Runyenjes (56) and finally Mbeere North (49).
- iii. That, there was prevalent expectation of payment for attending the Public Participation forums. The Committee however explained to the participants that public participation was their Constitutional right

#### 7) Distribution of copies

i. That, copies of the Budget Estimates were supplied to the Public on the day of the Public Participation.

This was observed as a challenge since the documents were bulky and there was short time frame for the citizens to interrogate and give their input.

## 8) Timing

i. That, the time allocated for each sub county was sufficient to go through the entire document.

## 9) Filling of exit survey questionnaires

i. That, out of three hundred and four (304) people who attended the forums, only one hundred and twenty five (125) filled the exit survey questionnaire.

## 10) Persons with Disabilities (PWDs)

i. That, the exit survey questionnaire did not have a provision for Persons with Disabilities (PWDs) such as braille copies and sign language interpreters.

## 11) Feedback to the public.

i. That, no feedback is given to the public concerning their opinions.

#### 3.0 RECOMMENDATIONS

The Committee recommends the following:

- THAT, the County Assembly should consider having Public Participation forums at the ward levels to ensure that more citizens participate in future Budget making process.
- 2. THAT, the County Assembly should ensure that copies of documents are availed at least seven (7) days prior to the date of Public forums to allow time for adequate interrogation by the members of the Public. These documents can be circulated through the social media, County Assembly of Embu website and the stakeholder's individual emails as contained in the databank.
- 3. THAT, the County Assembly should ensure that feedback is provided to those who give their opinion(s) on the Budget Estimates especially through Memoranda.
- 4. THAT, the county assembly should ensure provision of enough space for public participation to curb the challenge of congestion especially in the event of unforeseen eventualities like Corona Virus Disease (Covid 19).
- **5. THAT,** the County Assembly should consider having a braille version of the Public documents for the blind and sign language interpreters for the deaf.

#### 4.0 CONCLUSION

The recommendations in this report were agreed upon by the Members of the Committee without any dissenting opinion and consequently appended their respective signatures to the report as a confirmation of the same. The Committee urges the County Assembly to adopt this report with the recommendations therein.

			122	
1.	Hon. Benard Nyaga Kandia	-	Vice/Chairperson	
2.	Hon. Margaret Lorna Kariuki	7.E	Member	
3.	Hon. Duncan Ireri Mbui	-	Member	MILLION S
4.	Hon. Martin Mwangi Kimani	-	Member	
5.	Hon. John Gichovi Gatumu	=	Member	
6.	Hon. Judy Mbuya Njue		Member	Tr

SIGNED DATE 24/02/2021

HON. SALESIO NJERU KIMARU

**CHAIRPERSON** 

COMMITTEE ON PUBLIC PARTICIPATION

Arrest May 11 2005

### COUNTIES EASTERN/MORTHEASTERN

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#### REPUBLIC OF KENYA



## **COUNTY ASSEMBLY OF EMBU**

SECOND ASSEMBLY SECOND SESSION

In the Matter of consideration by the County Assembly-Embu County Government Budget Estimates for FY 2019/2020

#### PUBLIC HEARINGS / SUBMISSION OF MEMORANDA

In line with Section 131(2) of the Public Finance Management Act, 2012, the Earth Co. government Budget Estimates for Financial time 2019 (2010) here force from County Assembly Lishon Committee

The Curson Committee new center interiored manufact of the position to extract any representations that they may have on the budget killmates for his arcial free Jidhi. 2025 The representations may be made orbity or by submissions of written entertracids as the

I Written Memoranda may be tonuarous to the Clerk of the County Assembly. P.O. Box 140-60100, Embu, hand delivered to the Office of the Clark, Enterty Assembly Offices Opposite Faith House or smalled to countries ambiguite indusgrand com to be increased on or before Monday 19th June . 1916.

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