

REPUBLIC OF KENYA



COUNTY ASSEMBLY OF BUNGOMA
SECOND ASSEMBLY – FOURTH SESSION

TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES
COMMITTEE REPORT

ON THE BUNGOMA COUNTY GOVERNMENT QUARTERLY REPORT AND
FINANCIAL STATEMENTS FOR THE PERIOD ENDED DECEMBER 31ST, 2019
IN RESPECT TO THE DEPARTMENT OF TOURISM, ENVIRONMENT, WATER
AND NATURAL RESOURCES

MARCH, 2020

The Office of the Clerk
County Assembly Buildings
BUNGOMA - Kenya

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CHAPTER ONE

1.0 PREAMBLE

Mr. Speaker sir, it is my pleasure and pleasant duty to present the Bungoma County Government Quarterly report and financial statements for the period ended Decemeber, 31st 2019. This document was tabled in the County Assembly of Bungoma on 18th February, 2020and stood committed to the each of the Sectoral Committee for their interrogation, input and recommendation through a report to this honorable house.

1.1 The Mandate of the committee

Mr. Speaker Sir, The sector Committee on Tourism, Environment, Water and Natural Resources was constituted pursuant to the provisions of Standing Order No. 196 of the County Assembly of Bungoma and executes its mandate in accordance with Standing order 196(5) which provides as follows:

- a) Investigate, inquire and report all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
- b) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study , assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) to vet and report on all appointments where the constitution or any law requires the County Assembly to approve , except those under Standing order 185(Committee on Appointments); and
- g) make reports and recommendations to the County Assembly as often as possible, including recommendations of proposed legislation

1.2 Committee Membership

Mr. Speaker Sir, the Committee on Tourism, Environment, Water and Natural Resources as currently constituted comprises of the following Members:-

1. Hon. David Barasa	Chairperson
2.Hon. Grace Sundukwa	Vice Chairperson
3.Hon. James Mukhongo	Member
4.Hon. Joseph Nyongesa	Member
5. Hon.Vitalis Wangila	Member
6.Hon.Wamusai Simiyu	Member
7. Hon.Caviny Lukosi	Member
8. Hon. Humphrey Sifuna	Member
9. Hon. Joan Kirong'	Member
10. Hon.Elly Tindi	Member
11.Hon.Sudi Busolo	Member
12.Hon. Frankline Simotwo	Member
13.Hon. Bethwell Mwambu	Member
14.Hon. Violet Makhanu	Member
15.Hon.Paul Wamalwa	Member

1.3 Guiding principles in the Examination of the Bungoma County Government Quarterly Report and Financial statements

In the execution of its mandate, the Committee is guided by core constitutional and statutory principles on Public Finance Management, as well as established customs, traditions, practices and usages. These principles include the following:

1. Constitutional Principles on Public Finance.

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that *"...shall guide all aspects of public finance in the Republic..."* These principles include, *inter alia*, that: **201(a)** *There shall be openness and accountability, including public participation in financial matters;* **201(d)** *Public money shall be used in a prudent and responsible way;* and **201(e)** *Financial management shall be responsible, and fiscal reporting shall be clear.*

2. Direct Personal Liability

Article 226(5) of the Constitution of Kenya, 2010 is emphatic that *"If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not"*.

3. Obligations of Accounting Officers

The Public Finance Management Act, 2012 section 149 **(1)** and **(2 a, f and q)** states as follows;

1. *An accounting officer is accountable to the County Assembly for ensuring that resources of the entity for which the officer is designated are used in a way that is;*
 - *Lawful and authorized*
 - *Effective, efficient, economical and transparent*
2. *In carrying out a responsibility imposed by subsection (1), an accounting officer shall, in respect of the entity concerned;*
 - (a) *ensure that all expenditure made by the entity complies with subsection (1)*
 - (f) *bring a matter to the attention of the Executive Committee member responsible for the entity if, in the accounting officer's opinion a decision or policy or proposed decision or policy of the entity may result in resources being used in a way that is contrary to subsection (1)*
 - (q) *provide information on any fraud, losses, or any violations of subsection (1) and provide explanations for the actions taken to prevent similar conduct in future*

The Public Finance Management Act,2012 section 166 states as follows;

1. *An accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity.*
2. *In preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—*
 - (a) *contains information on the financial and nonfinancial performance of the entity; and*
 - (b) *is 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.*

4. *Not later than one month after the end of each quarter, the County Treasury shall—*
 - (a) consolidate the quarterly reports and submit them to the county assembly;*
 - (b) deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and*
 - (c) publish and publicize them*

1.4 Vision and Mission statement of the sector

ENVIRONMENTAL PROTECTION, WATER AND NATURAL RESOURCES

Sector Vision and Mission

Sector Vision is “To Ensure Sustainable development in a secure environment.”

Sector Mission is “To promote sustainable utilization and management of environment and natural resources for socio- economic development.”

1.5 Strategic Goals/ Objectives of the Sector

The overall strategic goal of the Sector is to ensure sustainable development in a clean and secure environment. The specific objectives include:

- i. To enhance sustainable management of Tourism, environment, water and natural resources;
- ii. To ensure access to water and natural resources benefits for socio-economic development;
- iii. To enhance capacity building for Tourism, environment, water and natural resources management;
- iv. To enhance research on Tourism, environment, water and natural resources for sustainable development.

- v. To protect and reclaim the environment in order to establish a durable and sustainable system of development and resilience to climate change

1.6 Sub-Sectors and their Mandates and the linkage of the department to other sectors

Directorate of Environment

The sub-sector's mandate includes; County Environmental Policy and Management; Protection and Conservation of the Natural Environment; Implementation of Climate Change Policy; Pollution Control; Mt. Elgon Environmental Management Programme; Restoration of County Riparian sections; County Meteorological services

Directorate of Natural Resources

The sub-sector's mandate is among others; Forestry Development Policy Management; Conservation and Protection of National Wildlife; Development of Forests, Re-forestation and Agro-forestry; Restoration of Strategic Water Towers; Kenya Forestry Services; Wildlife Conservation and Protection Policy; Conservation and Protection of National Wildlife Heritage; Collaboration with Wildlife Clubs of Kenya; and Marine Parks.

Directorate of Water Services

The sub-sector's mandate includes, Water Resources Management Policy, Water and Sewerage Services Management Policy, Waste Water Treatment and Disposal Policy, Water Catchment Area Conservation, Control and Protection, Water Quality and Pollution Control, Sanitation Management and Management of Public Water Schemes and Community Water Project.

Linkages of Tourism, Environment, Water and Natural Resources to other sectors

Tourism is an economic asset to all sectors of the county since it promotes consumption of goods and services across all sectors. Sustainable utilization of forestry, environmental and natural resources enhances healthy populations through

food items, fresh air, green spaces and raw materials for construction industry, thus creating job opportunities.

Water is a necessity for healthy life as well as an input into the production process across all sectors in the County; hence investments to secure our water resources should be enhanced.

With a clean environment Bungoma citizens will have healthy lives and be able to work hard and improve their economic wellbeing this in turn translates to more revenue collection by the County Government.

1.7 Acknowledgment

Mr. Speaker Sir, I take this opportunity to thank all the members of the committee for dedicating their time to examine the Bungoma County Government Quarterly report and financial statements of the Tourism, Environment, Water and Natural resources department for the period ended December 31st, 2019. The committee would also like to appreciate the members of staff who worked with us to ensure this report is completed in time. Lastly, the committee is grateful to the Hon. Speaker, and the office of the Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate. It is therefore my pleasant duty and privilege, on behalf of the Hon. Members of the Tourism, Environment, Water and Natural resources committee, to table this report and recommend it to the Assembly for consideration and adoption.

SignedDate.....

(Hon. David Barasa, MCA)

Chairperson,

Sectoral Committee on Tourism, Environment, Water and Natural resources

CHAPTER TWO

2.0 KEY HIGHLIGHTS ON THE BUNGOMA COUNTY GOVERNMENT QUARTERLY REPORTS AND FINANCIAL STATEMENTS FOR THE PERIOD ENDED DECEMBER 31ST, 2019

2.1 County Resource Envelope for Fy 2019/2020

Mr. Speaker sir,

The total budget for the County in the financial year 2019/20 is Kshs. **11,921,532,500**. The Department of Tourism and Environment was allocated and approved budget of **Ksh 213,716,261** including a recurrent of **Ksh 191,716,261** and the development of **Ksh 22,000,000**.

While the department of Water and Natural Resources was allocated a budget of **Ksh 375,860,087** including a recurrent of **Ksh 39,515,764** and the development of **Ksh 336,344,323** in the Fy 2019/2020.

2.2 Actual revenue received in the 2nd quarter of the FY 2019/2020

Mr. Speaker sir,

In the 2nd quarter, the county received a total of **Ksh 1,906,555,477**

The amount was broken down as follows:

- a) Exchequer releases Kshs. 1,600,857,000
- b) Proceeds from Domestic and foreign grants Ksh 65,401,928
- c) Transfers from other Government Entities Ksh 63,113,039
- d) County Own generated Receipts Kshs. 177,183,510
- e) Returned CRF issues Ksh -

2.3 Exchequer releases for the department of Tourism and Environment in the 2nd quarter Fy 2019/2020 (October –December 2019)

Mr. Speaker sir,

In the period under review the department received a total exchequer release for recurrent of a total of Ksh **79,958,027.4** while there was no release for development expenditure. The breakdown is attached on the report for both operation and maintenance expenses together with personnel expenditure (**Annex 2**).

2.4 Exchequer releases for the department of water and Natural Resources in the 2nd quarter Fy 2019/2020 (October –December 2019)

Mr. Speaker sir,

In the period under review the department received a total exchequer release for recurrent of a total of Ksh **11,692,469.10** while there was no release for development expenditure. The breakdown is attached on the report for both operation and maintenance expenses together with personnel expenditure (**Annex II**).

2.5 Analysis of Outstanding Imprest in the department

Mr. Speaker sir,

Outstanding imprests that remained unsurrendered at the end of second quarter fy 2019/2020 for the department of Tourism and water amounted to **Kshs 1,646,000**.

During interrogation of the same reports, it was confirmed by the accounting officer in charge of the departments that all the outstanding imprests held by the officer were surrendered. The list of all surrendered imprests is attached in this report (**Annex III and Annex IV**).

CHAPTER THREE

3.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1 Committee observations

Mr. Speaker sir, the committee made the following observations.

1. The department of Tourism and Environment together with the department of Water and Natural Resources did not did not implement any development project in the period under review.
2. County treasury did not indicate how much each department received as revenue to implement their programmes in the second quarter.
3. The executed programmes were not broken down into activities to disclose the detailed information on the actual budget implementation of the department in the second quarter.
4. The committee observed that the accounting officer adhered to Regulation 93(5) and (6) of the Public Finance Management Regulations 2015 which provides that the safari imprests should be accounted for within 7 days failure to which the same should be recovered from the imprests holder's salary.

3.2 Committee recommendations

Mr. Speaker sir, the following were the recommendations that were made by the committee:

1. The department of Tourism and Environment together with the department of Water and natural Resources should be timely preparing and submitting the Budget implementation reports on quarterly basis for in depth oversight by the committee.
2. The County Treasury should be breaking down the total revenue received by each department for ease of interrogation and general oversight.
3. The County Chief Officer of Tourism, Environment, Water and Natural resources to submit a detailed report on the national conditional grants as allocated in County Allocation of Revenue Acts for the years 2017 and 2018.
4. The department should be preparing and submitting the Budget Implementation reports on quarterly basis for purposes of sector committee interrogation and in-depth oversight.
5. The department of Tourism and Environment together with the department of Water and Natural resources should be forwarding detailed report on pending bills in every quarter for purposes of oversight.
6. The County Chief Officer should always adhere and comply with the provisions of Regulation 93(5) and (6) of the Public Finance Management Regulations 2015, in respect to management of imprests in his department.

ANNEXTURES

Annex I : Adoption schedule

ANNEX II :2nd Quarter Operation and Maintenance expenses and Personnel

**Expenditure for the Department of Tourism and Environment fy
2019/2020**

ANNEX III : 2nd Quarter Operation and Maintenance expenses and Personnel

**Expenditure for the Department of Water and Natural Resources fy
2019/2020**

ANNEX IV :2nd Quarter imprest list for the department of Tourism and Environment fy

2019/2020

**ANNEX V : 2nd Quarter imprest list for the department of Water and Natural
Resources**

Fy 2019/2020

Annex VI : Bungoma County Government Quarterly report and financial statements

for the period ended December 31st, 2019 Fy 2019/2020

Adoption schedule

Name	Title	Sign
1. Hon. David Barasa	Chairperson	.....
2.Hon. Grace Sundukwa	Vice Chairperson	.....
3.Hon. James Mukhongo	Member	.....
4.Hon.Joseph Nyongesa	Member	.....
5. Hon.Wamusai Simiyu	Member	.....
6.Hon.Sudi Busolo	Member	.....
7. Hon.Caviny Lukosi	Member	.....
8. Hon. Humphrey Sifuna	Member	.....
9. Hon. Joan Kirong'	Member	.....
10.Hon.Vitalis Wangila	Member	.....
11.Hon.Elly Tindi	Member	.....
12.Hon. Frankline Simotwo	Member	.....
13.Hon. Bethwell Mwambu	Member	.....
14.Hon. Violet Makhanu	Member	.....
15.Hon.Paul Wamalwa	Member	.....

