

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**TUESDAY, 3<sup>RD</sup> SEPTEMBER, 2024**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**3<sup>rd</sup> Session**

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# COUNTY ASSEMBLY OF BUNGOMA

## THE DAILY HANSARD

**TUESDAY, 3<sup>RD</sup> SEPTEMBER, 2024**

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

### PRAYER

#### COMMUNICATION FROM THE CHAIR WELCOMING BACK MEMBERS FROM RECESS

**Mr. Speaker:** Hon. Members, I welcome you back after our recess trusting that you are now rejuvenated. I would like to extend my sincere appreciation to each of you for your active participation and engagement during our culture of circumcision. This topic is deeply rooted in both our culture and biblical traditions, beginning with our father of faith Abraham and has been an insightful and valuable part of our discourse.

As we reconvene, I wish to inform you that there is a substantial amount of business to be addressed by the House in the coming weeks. We have agreed in the House Business Committee to have more items in the Order Paper for our consideration. Therefore, I encourage all members to actively participate in the upcoming proceedings to ensure that you remain fully informed and involved.

Your contributions are vital to the effective functioning of the house and I look forward to your continued support and dedication and engagement. Let us proceed with renewed focus and commitment.

### PAPERS

#### THE BUNGOMA COUNTY ANNUAL DEVELOPMENT PLAN, FINANCIAL YEAR 2025-2026, AND PUBLIC PARTICIPATION REPORT

**Mr. Speaker:** Leader of the Majority, kindly proceed!

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. I stand to table the Public Participation Report and The Annual Development Plan, Financial Year 2025-2026.

*(Hon. Joseph Nyongesa tables The Bungoma County Annual Development Plan, Financial Year 2025-2026 and Public Participation Report)*

**Mr. Speaker:** Hon. Members, I will accordingly proceed and commit the Bungoma Annual development Plan for Financial Year 2025-2026, and The Public Participation Report to the

Committee of Finance and Economic planning for processing and reporting back to the House accordingly.

**REPORT BY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE FINANCIAL STATEMENTS OF THE COUNTY EXECUTIVE OF BUNGOMA FOR THE PERIOD ENDING 30<sup>TH</sup> JUNE, 2022**

**Mr. Speaker:** I am wondering, Hon. John. I think I have now been able to find you. Proceed!

**Hon. John Kennedy Wanyama:** Thank you, Mr. Speaker. I rise to table a report by the Public Accounts and Investments committee on the Financial Statements of the county executive of Bungoma for the period ending 30<sup>th</sup> June 2022.

*(Hon. Ken Wanyama tables Report by Public Accounts and Investments Committee on the Financial Statements of the County Executive of Bungoma for the Period Ending 30<sup>th</sup> June 2022)*

**Mr. Speaker:** Hon. Members, the report by the Public Accounts and Investments Committee on the Financial Statements of the county executive of Bungoma for the period ending 30<sup>th</sup> June 2022 is now tabled and it formally becomes the property of the house accordingly.

**REPORT BY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE FINANCIAL STATEMENT OF THE BUNGOMA COUNTY REVENUE FUND FOR THE PERIOD ENDING 30<sup>TH</sup> JUNE, 2022**

**Mr. Speaker:** Hon. Ken, proceed?

**Hon. John Kennedy Wanyama:** Thank you, Mr. Speaker. I rise to table a report by the Public Accounts and Investments Committee on the Financial Statements of the Bungoma County Revenue Fund for the period ending 30<sup>th</sup> June 2022.

*(Hon. Ken Wanyama tables Report by Public Accounts and Investments Committee on the Financial Statement of the Bungoma County Revenue Fund for the Period Ending 30<sup>th</sup> June 2022)*

**Mr. Speaker:** Hon. Members, the report by the Public Accounts and Investments committee on the Financial Statements of the Bungoma County Revenue Fund for the period ending 30<sup>th</sup> June 2022 is hereby tabled and it now formally becomes the property of the House accordingly.

**REPORT BY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE BUNGOMA COUNTY DISASTER AND EMERGENCY FUND FOR THE PERIOD ENDING 30<sup>TH</sup> JUNE, 2022**

**Mr. Speaker:** Hon. Ken Wanyama, proceed!

**Hon. Kennedy Wanyama:** Thank you, Mr. Speaker. Once again, I rise to table a report by the Public Accounts and Investments committee on the Bungoma County Disaster and Emergency Fund for the period ended 30<sup>th</sup> June 2022.

*(Hon. Ken Wanyama tables Report by Public Accounts and Investments Committee on the Bungoma County Disaster and Emergency Fund for the Period Ending 30<sup>th</sup> June 2022)*

**Mr. Speaker:** Hon. Members, the report by the Public Accounts and Investments committee on the Bungoma County Disaster and Emergency Fund for the period ending 30<sup>th</sup> June 2022 is hereby tabled and it now becomes the property of the house accordingly.

## NOTICES OF MOTION

Hon. Ken Wanyama issued notices of motion on the following reports

1. Report by the Public Accounts and Investments Committee on the Financial Statements of the county executive of Bungoma for the period ended 30<sup>th</sup> of June 2022.
2. Report by The Public Accounts and Investments committee on the Financial Statements of the Bungoma County Revenue Fund for the period ended 30<sup>th</sup> of June 2022.
3. Report by the Public Accounts and Investments Committee on the Bungoma County Disaster and Emergency Fund for the period ended 30<sup>th</sup> of June 2022.

**Mr. Speaker:** Hon. Members, notices of motions have been duly issued by the committee of Public Accounts and Investment on the reports tabled, the report of the Financial Statements of the county executive of Bungoma period ending 30<sup>th</sup> of June 2022, The report by the committee on Financial Statement of Bungoma County Revenue Fund for the period ending 30<sup>th</sup> of June 2022 and lastly the report by the committee on Bungoma County Disaster and Emergency Fund for the period ending 30<sup>th</sup> of June 2022.

The said reports be shared by the secretariat to all Hon. Members for their deliberation. The same are coming up as motions on our Order Paper in the course of the week or once they are scheduled by the HBC accordingly.

## QUESTIONS AND STATEMENTS

### BUSINESS OF THE WEEK COMMENCING TUESDAY 3<sup>RD</sup> TO THURSDAY 5<sup>TH</sup> SEPTEMBER, 2024

**Mr. Speaker:** Hon. Ipara, you do have the honour of sharing the tentative weekly Order Paper by HBC with Honourable Members. Kindly proceed!

**Hon. Johnston Ipara:** Thank you, Hon. Speaker. Let me also join you to welcome back the Hon. Members to this H house. May peace and grace abound in this honourable house, for this house is a dwelling of his light and love?

**Tuesday 3<sup>rd</sup> September, 2024.**

### **Papers**

1. The Bungoma County which already has been done, the Bungoma County annual development plan, ADP, financial year 2025-2026 and public participation report.
2. Report by the Public Accounts and Investment Committee on the Financial Statement of the county executive of Bungoma for the period ended 30<sup>th</sup> June 2022. It will be done by the chairperson Public Accounts and Investment Committee.
3. Report by the Public Accounts and Investment Committee on the Financial Statement of the Bungoma County Revenue Fund for the period ended 30<sup>th</sup> June 2022. It will be done by the chairperson of the sectorial committee.
4. Report by the Public Accounts and Investment committee on the Bungoma County Disaster and Emergency Fund for the period ended 30<sup>th</sup> June 2022.

### **Notices of motion**

1. That this house adopts the report by the Public Accounts and Investment committee on the Financial Statements of the county executive of Bungoma for the period ended 30<sup>th</sup> June 2022. It will be done by the chairperson public accounts and investment committee.
2. That this house adopts the report by the public accounts and investment committee on the financial statement of the Bungoma County revenue fund for the period ended 30th June 2022. It will be done by the chairperson.
3. That this house adopts the report by the Public Accounts and Investment committee on the Bungoma County Disaster and Emergency Fund for the period ended 30<sup>th</sup> June 2022. It will be done by the chairperson.

### **Questions and Statements**

Statement number 21 of 2024; a member of the House Business Committee, pursuant to the provisions of the standing order 47(2)(a) will inform the County Assembly of the weekly business coming before the house from today, Tuesday 3<sup>rd</sup> to Thursday 5<sup>th</sup> September 2024.

### **Motion**

A report by the sectorial committee on Tourism, Environment, Water, and Natural Resources on the Bungoma County Annual Performance Assessment Report for the financial locally led climate action program. It will be done by the chair sectorial committee on Tourism, Environment, Water and Natural Resources.

**Wednesday 4<sup>th</sup> September 2024 at 9:30 a.m.**

### **Papers**

1. Report by the sectorial committee on public administration at ICT on the consideration of Bungoma County access to information bill 2024. It will be done by the chairperson.
2. Report by the sectorial committee on public administration and ICT on consideration of Bungoma County public participation and civic education bill 2024. It will be done by the chairperson.
3. Report by the sectorial committee on Lands, Urban, Fiscal Planning, and Housing on the Bungoma County valuation and rating bill 2024. It will be done by the chairperson of the sectorial committee.
4. Report by the Powers and Privileges committee on the integrity framework for the Bungoma County Assembly. It will be done by the chairperson sectorial committee.

### **Notices of motion**

1. That this house adopts the report by the sectorial committee on Public Administration and ICT on consideration of Bungoma County Access to Information Bill 2024. It will be done by the chairperson.
2. That this House adopts the report by the sectorial committee on Public Administration and ICT on consideration of the Bungoma County Public Participation and Civic Education Bill 2024. It will be done by the chairperson.
3. That this House adopts the report by the sectorial committee on Lands, Urban, Fiscal Planning, and Housing on the Bungoma County Valuation and Rating Bill 2024. It will be done by the chairperson.
4. That this house adopts the report by the Powers and Privileges committee on the integrity framework for Bungoma County Assembly. It will be done by the chairperson.

### **Questions and statements**

1. Hon. Ken Wanyama, MCA, will ask a question for reply before the house.

### **Motion**

1. A report by Public Accounts and Investment committee on the Financial Statements of

**Wednesday, 4<sup>th</sup> September, 2024 at 2:30 p. m.**

### **Papers**

1. A report by the Committee on Public Administration and ICT on a half-year financial statement for the period ended 31<sup>st</sup> December 2023 in respect to the County Secretary, Governor, Deputy Governor, and Public Service.

2. A report by the joint Committee on Public Administration and ICT and the Labour Relations, Members Services, and facilities on the consideration of the Bungoma County Internship Policy 2023.

### **Notices of motion**

1. That this House adopts the report by the sectorial committee on Public Administration and ICT on the Half-Year Financial Statement for the period ended 31<sup>st</sup> December 2023 in respect to the County Secretary, Governor, Deputy Governor, and Public Service. It will be done by the chairperson.
2. That this house adopts the report by the joint committee on public administration and ICT and labour relations, members, services, and facilities on the consideration of Bungoma County Internship Policy 2023. It will be done by the chairperson.

### **Motion**

1. Report by the sectorial committee on Public Administration and ICT on the consideration of the Bungoma County Access to Information Bill 2024. It will be done by the chairperson

**Thursday 5<sup>th</sup> September, 2024 at 2:30 p.m.**

### **Papers**

1. Fourth Quarter Financial Statement for the Youth and Women Fund.
2. Fourth Quarter Financial Statement for Disability Empowerment Fund.
3. Fourth Quarter Financial Statement for the Education Support Scheme.
4. Fourth Quarter Financial Statement for Climate Change Fund.
5. Fourth Quarter Financial Statement for Disaster Management and Emergency Fund.
6. Fourth Quarter Financial Statement for Trade Development Loan Fund.

### **Statements and Questions**

1. Business of the Week Commencing Tuesday 10<sup>th</sup> to Thursday 12<sup>th</sup> September 2024
2. Response from Chairpersons Sectoral Committees, Roads, Transport, Infrastructure and Public works and Lands, Urban, Fiscal Planning and Housing on a statement raised by Honourable Kenneth Wanyama.

## **Motion**

1. Report by Public Accounts and Investment Committee on the Financial Statement of the Bungoma County Revenue Fund for the period ended 30<sup>th</sup> June 2022. It will be done by the chairperson, Public Accounts and Investment Committee.

That is the end of the weekly program for this week. I table.

**Mr. Speaker:** Thank you, Honourable Ipara for sharing the tentative program of the house for the whole week. What has come out is that the committee of Public Accounts and Investment will be having motions until you clear all of them because in the near future, the Senate will be sitting in Busia County and some of the report that we are doing now should be appearing there alongside the Governor. So, they must all be cleared before the end of this month. Chief whips of the various Coalitions make sure the members are available for those things to be approved accordingly.

## **MOTION**

### **REPORT BY THE SECTORIAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON THE BUNGOMA COUNTY ANNUAL PERFORMANCE ASSESSMENT REPORT FOR FINANCING LOCALLY LED CLIMATE ACTION PROGRAM**

**Mr. Speaker:** Hon. Vitalis, you have the honour of moving the motion on behalf of the committee. Kindly proceed!

**Hon. Vitalis Wangila:** Thank you, Mr. Speaker. On behalf of the Committee on Tourism, Environment, Water and Natural Resources, I am on my feet to move a report on the Bungoma County Annual Performance Assessment Report for financing locally led climate action program.

#### **Preamble**

Hon. Speaker, I do present the report by the committee on Tourism, Environment, Water and Natural Resources on Bungoma County Annual Performance Assessment Report for financing locally led climate action program. The document was tabled in this County Assembly of Bungoma on 12<sup>th</sup> March 2024 and stood committed to the committee for their interrogation, input and commendation through a report to this Honourable House. The committee critically analysed the report and had an engagement with the department on 8<sup>th</sup> April 2024, which shed some light to areas of committee concern.

#### **Mandate of the Committee**

The Committee on Tourism, Water, Environment and Natural Resources is a select committee established pursuant to the provision of Standing Order number 217 of the County Assembly of Bungoma and executes its mandate in accordance with Standing Order 217/5 read together with the second schedule of the same Standing Orders.

The function of a Sectoral Committee shall be to;

- a) Investigate, inquire and report all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
- b) Study the program 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 analyse 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.”

### **Committee Membership**

The Committee on Tourism, Water, Environment and Natural Resources as currently constituted comprises the following Members:-

1. Hon. Edwin	Opwora	Chairperson
2. Hon. Martin	Chemorion	Vice Chairperson
3. Hon. Joseph	Juma	Member
4. Hon. Anthony	Luseneka	Member
5. Hon. James	Mukhongo	Member
6. Hon. Meshack	Simiyu	Member
7. Hon. Aggrey	Mulongo	Member
8. Hon. Miliah	Masungo	Member
9. Hon. Sudi	Busolo	Member
10. Hon. Vitalis	Wangila	Member
11. Hon. Benjamin	Otsiula	Member
12. Hon. Orize	Kundu	Member
13. Hon. Bernard	Kikechi	Member
14. Hon. George	Kwemoi	Member
15. Hon. Ndasaba	Dorcas	Member

### **Legal framework for the financing locally led climate action ( FLLoCA) program**

The Kenyan economy is highly dependent on its natural resource base. This makes our country highly vulnerable to the impacts of climate change. If left unattended, this will impede the Vision 2030 goal of creating a globally competitive and prosperous nation with a high quality of life.

The Constitution of Kenya 2010 provides a strong foundation for environmental conservation and sustainable development, as outlined in Article 42, which guarantees every person the right to a clean and healthy environment. Article 69 mandates the state to ensure sustainable

exploitation, utilization, management, and conservation of the environment and natural resources.

The Climate Change Act (2016) provides a comprehensive framework for climate change governance and response in Kenya by establishing the National Climate Change Council, which oversees the implementation of climate actions, and the Climate Change Fund, which provides financial resources to support climate change initiatives, including locally led actions.

The Bungoma County Climate Fund Act, 2022, is the major county law that drives climate action. It establishes the county climate change fund, which can be capitalized from various sources such as county development budgets, the national climate fund, or in-country bilateral and multilateral development partners.

It is upon this framework that the Financing Locally Led Climate Action (FLLoCA) program is legally realized, with the major aim of strengthening local resilience to the impact of climate change by building counties' capacity to plan and implement local climate actions and strengthening national capacity for coordination, monitoring, and reporting.

### **Acknowledgment**

May I take this opportunity to thank your Office and that of the Clerk for giving the Committee logistical support that made this exercise a success. I also appreciate the Hon. Members and the secretariat of the Committee for critically examining the Bungoma County Annual performance Assessment report for financing Locally-Led Climate Change Action (FLLoCA) Program.

Further, this Committee extends its gratitude to the county Executive committee member and the Chief Officer for the Department of Tourism, Water, Environment and Natural Resources for honouring the invitation to appear before the Committee for the interrogation and offering explanations and supporting documents as requested by the Committee.

It is therefore my privilege, on behalf of this Committee to table the Report for consideration by this Honourable House.

The report is signed by Hon. Edwin Opwora Chairperson, Tourism, Environment, Water and Natural Committee

## **KEY HIGHLIGHTS ON THE BUNGOMA COUNTY ANNUAL PERFORMANCE ASSESSMENT REPORT FOR FINANCING LOCALLY-LED CLIMATE ACTION (FLLOCA) PROGRAM**

### **Introduction**

Financing locally led climate action (FLLOCA) is a government program co-founded by the World Bank and other bilateral partners including the government of Sweden, Denmark, Netherlands, and Germany. The program is being implemented by the Ministry National

Treasury and Economic Planning in collaboration with the Ministry of Environment, Climate Change and Forestry, Council of Governors, County Governments and other line ministries. The program became effective on 1St February 2022 and is expected to run for five (5) years until 30th June 2027.

The office of the Auditor General was engaged by the Ministry of National Treasury and Economic planning to undertake annual performance assessment report of the financing locally led climate action for Bungoma County with the following objectives.

- a) To establish a performance score for county climate resilience investment grant (CCRI) for the County of Bungoma
- b) To determine the disbursement the County will receive in County Climate resilience, CCRI grant.

## **DEVELOPMENT OBJECTIVES**

The development objective of the program is to deliver locally led climate resilience actions and strengthen county and national governments capacity to manage climate risks.

The program focuses on:

- a) Capitalizing the national and county climate change funds
- b) Building county level capacity for planning, budgeting, reporting and implementation of local climate actions in partnership with communities
- c) Strengthening of national level capacity for coordination, monitoring and reporting.

## **TERMS OF ENGAGEMENT FOR THE ANNUAL PERFORMANCE ASSESSMENT**

The terms of engagement with the office of the Auditor General include the following;

- a) To undertake phase 1 of the annual performance assessment to confirm whether counties complied with the minimum access conditions (MAC) and minimum performance conditions (MPC) outlined in the grants manual.
- b) To undertake phase 2 of the annual performance assessment to determine the extent to which counties had achieved the defined performance measures as outlined in the grants manual.
- c) To produce a county specific report as well as a summary report of all the counties after completion of phase 2 of the assessment

## **METHODOLOGY OF THE ASSESSMENT**

Phase I of the assessment was undertaken in June 2023 and the report issued to the National treasury and Economic planning. The results of the assessment formed a basis for access for the County Climate institutional support (CCIS) Grant by county governments.

Phase II of the assessment was undertaken between 28<sup>th</sup> August and 15<sup>th</sup> September, 2023. The assessment involved review of the program Grants manual and other documents provided by the National Treasury and Economic Planning and Bungoma County Government. The teams also conducted interviews with County Climate Change Unit (CCCU) staff and three ward climate change committees in Kaptama ward, Township ward and Kimaeti ward.

The county was assessed and awarded performance points based on a scoring guide and scorecard performance measures matrix as provided by the grants manual.

## **RESULTS OF THE ANNUAL PERFORMANCE ASSESSMENT**

- 1. Capitalizing the county climate change;** counties were expected to establish a county climate fund and allocate at least 1.5% of their total development budget to the fund. Counties were to be awarded ten(10) points if CCCF budget was 3% or more, 5 points if the allocation was between 2.5% but less than 3% or zero(0) if less than 2.5% of the development budget.

Bungoma County Government total development budget for the financial year 2023/2024 was Kshs. 4,757,809,017 as at the time of assessment. Out of this the County allocated 80,000,000 to the county climate change fund. This allocation as a percentage of the development budget is 1.7% hence the county scored a zero.

- 2. County climate resilience investment for social resilience;** counties would earn ten (10) points if they had allocated at least 20% of the county climate resilience investment (CCRI) grant to each of the following sectors-Agriculture, water and Environment. Four (4) points if more than two sectors and zero if less than two sectors.

Bungoma county resilience work plan for the Fy 2023/2024 indicated allocation of more than 20% on the three specified sectors .Agriculture, water and Environment was allocated 26%,24% and 21% respectively. The county scored ten (10) points.

- 3. Community participation on climate action;** counties would earn points if they had conducted community level assessment in at least 65% of the wards within the 12 months preceding the 31 may 2023.

Bungoma county score ten (10) points as had carried out community level assessment in each of the ward.

Also ward planning committees were to carry out a facilitated participatory, vulnerability and capacity assessment followed by climate action project identification in 12 months before 31<sup>st</sup> may 2023 with involvement of marginalized groups (women, youths and persons with disabilities (PWDs). Counties were to be awarded ten (10) points if they involved 100% marginalized groups.

Based on analysis during assessment, Bungoma County scored 10 points as it had involved marginalized groups in ward planning committees.

- 4. Program related grievances;** counties were expected to develop an effective response system for program related grievances by developing accessible grievance redress system in order to be awarded five (5) points. This should include the presence of, procedure and contact details of the county government's website, grievance log, and quarterly grievance reports, showing resolutions of grievances and /or closure of cases.

Bungoma County scored five (5) points as it had a procedure of FLLoCA related grievance redress mechanism system and contact information in the County Government's website.

- 5. Funding of the climate change unit;** county governments are required to designate county climate change unit that is adequately staffed. Counties were to provide CCCU budgetary allocations from own resources, at least an equivalent of 4% of CCRI grant

to CCCU operations. Counties were awarded five (5) points if resources were explicitly provided for in the budget for the financial year 2023/2024.

Bungoma County had not made any explicit provisions for the CCCU in the approved budget for the financial year 2023/2024. Therefore, the county scored zero (0) points.

**6. County Departments mainstream climate change action;** County governments are to integrate climate change actions into decision making and implementation of functions by county departments. This is done by including climate change actions into plans and budgets for the county to be awarded five (5) points.

Bungoma County scored five (5) points on this assessment as climate change actions had been included in the plans from the analysis of the CIDP county integrated development plan and budget of the financial 2023/2024.

**7. Capacity development for climate change action;** County governments were expected to make deliberate efforts to enhance their staff's knowledge on climate change actions. For effective capacity building to be achieved, county governments needed to carryout training need assessment and develop capacity development plans. County governments should also make budgetary provisions for staff capacity development. Counties were to be awarded five (5) points if there was evidence of such effort, for example through availability of an annual updated climate change staff capacity development plan.

A report dated March 2023 had indications that Bungoma County had carried out a capacity needs assessment for the CCCU in June 2023. However, the county did not prepared a capacity development plan to address the capacity development needs identified. The county did not have allocation for capacity building of the CCCU in the 2023/2024 budget. Therefore, the county scored a zero (0).

**8. Staffing for County Climate Change Unit;** county governments were expected to appoint County Executive committee member in charge of climate change. In addition county governments were required to establish a designated climate change unit that is adequately staffed with designated environmental and social points that can support the CCCU.

Bungoma County had an executive committee member responsible for climate change. The staff for climate change unit comprised of the director climate change/programme cordinator, finance focal persons, three (3) climate change officers and other focal persons representatives drawn from other departments to a total of 18 officers.

**9. Establishment and operationalization of ward climate change planning committees;** According to section 14 of Bungoma County Climate Change Fund Act,2022, the county was expected to establish ward climate change planning committees whose membership composition composed of a male elder, youth representative,(male and female), woman, person with disability, sub- county environment officer as an ex-officio, person representing community based organizations in the ward, ward administrator as the secretary and person representing faith based organizations.

Interviews held with the ward climate change planning committees in the two sampled wards of Kaptama and Township confirmed that the composition were in line with the requirements of the County's climate change Fund Act.

## **10. Sustainability of climate change investment projects**

The county had put in place several strategies to ensure the long term sustainability of the identified climate change investment projects. These included:

- a) Proposal and initiation of projects by the community, fostering strong sense of ownership.
- b) The County Government allocating 2% of its budget to support climate change actions and programs.
- c) Some community groups were already engaging in project related activities even before receiving financial support.
- d) Collaboration with other donors engaged in the similar activities.
- e) Projects initiated had the potential of economic returns for example fruit farming.
- f) Regular renewal of group certificates to prevent opportunistic or unsustainable groups from benefiting, along with the review of their constitutions for added stability.

## **CHALLENGES OF THE IMPLEMENTATION OF THE PROGRAM**

The challenges highlighted in the county include.

- a) Delayed capacity building, notably for accountants and procurement officers by the project implementation unit.
- b) Budgetary constraints particularly regarding funding allocation for the unit.
- c) Communication from the project implementation unit is a still a challenge in terms of trucking down of information to the counties.

## **DEPARTMENT RESPONSE ON BUNGOMA COUNTY ANNUAL PERFORMANCE ASSESSMENT REPORT FOR FINANCING LOCALLY-LED CLIMATE ACTION (FLLoCA) PROGRAM FOR FY 2023/2024**

### **Background**

Financing Locally-Led Climate Action Program (FLLoCA) is a government program co-funded by the World Bank and other bilateral partners. The program is being implemented by the National Treasury and Economic Planning in collaboration with the Ministry of Environment, Climate Change and Forestry, Council of Governors, County Government, and other line ministries.

The development objective of the program is to deliver locally-led climate resilience action and strengthen County and National Governments capacity to manage climate risks. The program focuses:

- a) Capitalizing the national and county climate change fund

- b) Building capacity level for the planning, budgeting, reporting and implementation of the local climate actions in partnership with communities
- c) Strengthening of the national level capacity for coordination. Monitoring and reporting

**Result area 1:** County Institutional Capacity Building for Locally Led Climate Action

Conditional County Climate and Institutional Support (CCIS) Grant is provided for three years to County Governments to finance the strengthening of climate risk management capacity of Counties. This is achieved through establishment of climate change units and climate change funds, and adoption of supporting legislations. The Grant also aims at development and implementation of community education and awareness raising programs and establishment of business and information centres in counties.

**Result area 2:** Locally-Led Climate Resilience Action

Aims at financing low-emission climate resilience actions through a conditional County Climate Resilience Investment (CCRI) Grant that will facilitate participatory climate risk assessment and county climate change action plans.

The office of Auditor-General carried out the Annual Performance Assessment (APA) with the objective to determine the extent to which counties had achieved the defined performance measures as outlined in the Grants manual and also establish a performance score for the County Climate Investment Grant (CCRI) for the County of Bungoma to determine the disbursement the county will receive as CCRI Grant. The assessment was undertaken by the office of the Auditor-General in Bungoma County from 4<sup>th</sup> -8<sup>th</sup> September, 2023.

**Bungoma County Performance Score for the County Climate Resilience Investment (CCRI) Grant under FLLoCA Program**

The county scored thirty-eight (38) points out of the total sixty (60) points across different Assessed result areas as tabulated below.

SN	Result Area	Score Card	
		County Score	Maximum Score
1	Capitalizing the county climate change fund (CCCF) - above 2.5% of county budget	0	10
2	County climate resilience investment for social resilience – at least 20% of CCRI to Water, Agriculture and Environment sectors	10	10
3	Two-way community learning – Participatory Climate Risk Assessment (PCRA) in all 45 wards	10	10
4	Ward-level County climate action plan project identification	10	10
5	Program related grievances	3	5
6	Funding for the county climate change unit (CCCU)	0	5
7	County departments mainstream climate change actions	5	5
8	Capacity development for climate change action	0	5
<b>Bungoma County APA Total Scores</b>		38	60

## COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

### Committee Observations

The committee made the following observations in respect to the County Annual performance assessment report for Bungoma County.

1. Bungoma County scored a total of thirty-eight (38) points out of the possible sixty (60) points during the annual performance assessment report of the financing locally led climate action for Bungoma County that was carried out by the office of the

Auditor General through the engagement by the Ministry of National Treasury and Economic Planning.

2. Bungoma County allocated Ksh80, 000,000 towards County Climate Change Fund from the County development budget of Ksh4, 758,809,017 representing 1.7%, which was way below the required 3%, which was equivalent to Ksh145, 000,000.
3. Bungoma County had not provided for any budgetary allocation for the County Climate Change Unit (CCCU) in the approved budget for the financial year 2023/2024 that led the county to loose off 5 points
4. Bungoma County lost 5 points that was attributed to lack of a capacity development plan and an allocation for capacity building of the CCCU in the FY 2023/2024.
5. Bungoma County lost two points attributed to lack of quarterly grievances reports.

### **Committee Recommendations**

The committee makes the following recommendations in respect to the County Annual performance assessment report.

1. The County Government, through the Department of Tourism, Environment, and Climate Change, should allocate at least 3% of the development budget in FY 2024/2025 to the County Climate Change Fund. This allocation is necessary for the county to earn a total of 10 points in the next annual performance assessment, with the aim of receiving higher allocations from the World Bank and other bilateral partners.
2. The County Government through the Department of Tourism, Environment and Climate Change should forthwith provide for a budgetary allocation in the FY 2024/2025 for the County Climate Change Unit (CCCU) operations for the County to earn full points during the next annual performance assessment with the aim of receiving higher allocations from World Bank and other bilateral partners.
3. County Governments should conduct a training needs assessment and develop a capacity development plan with budget allocation in FY 2024/2025. This will enhance opportunities for capacity building for the County Climate Change Unit staff, County Government staff, and the Ward Climate Change Planning Committees.
4. That the County Government department in charge of climate change should put in place quarterly grievances reports.

I have the adoption schedule, members of the Environment, Water and Natural Resources Committee append our signatures confirming the contents of this report on the Bungoma annual performance assessment on financing locally-led climate action, that's FLOC program. Those are names of members who have appended their signatures and next are annexures.

Mr. Speaker, I have come to the end of the report, if you can allow me to call upon Hon. Luseneka to second this report.

**Hon. Speaker:** Hon. Vitalis you, don't require my permission its procedural. Hon. Luseneka you do have the honor of seconding the report of the committee. Kindly proceed.

**Hon. Anthony Luseneka:** Thank you, Mr. Speaker. I was responding to the call of nature, so Hon. Speaker, just forgive me. I also want to welcome members back to our business from the long recess. I know most of us enjoyed the recess despite the hard economic times and Hon Speaker for non- Bukusus this was a terrible period because some had to run away from their homes because of that ceremony, so we welcome them back.

**Hon. Speaker:** I think Hon. Luseneka; you were the team who were forcefully circumcising people by force. That's was wrong. It's supposed to willing.

**Hon. Anthony Luseneka:** Hon. Speaker, sometimes you have to force them because it's not easy to face that knife. Apart from that, I want to second the report and put a few comments on it. This climate change thing is being financed by the World Bank and being also co-financed by the government of Bungoma. These projects come to our specific wards in the 45 wards.

This project started in 2022, it is supposed to run for five years, but looking at the real picture, they are being financed from, 2024, so we are only left with, I think, two or three years financial years.

So our question to those concerned was what will happen? Because we are only going to get funds for the three financial years, so we had requested that if they can extend the period, we will appreciate. Each Ward is going to get on average around seven million per Ward for this financial year.

The projects have already been advertised and contracts are being signed. And I'm sure in the next two or three weeks, the contractors will be on site. So, apart from the CEF Funds, I think this one will also boost development in our Wards. The only challenge is the funding. The more you fund, the more funds you receive from the World Bank. As maybe as an Assembly, we are going to review, maybe during the next financial year, so that we sit down and see how much we can allocate to get the maximum benefit. When you allocate a little money, you also get the same equivalent. And from the report, I think we got ten points, which is almost average.

We were among the counties that benefited. Other wards were getting below 10 per cent, so if we can increase our funding, I think we'll get more funding from the World Bank.

So, I just want to urge this House and the Committee on Tourism, in particular, to make a follow-up and reach those terms and conditions properly, so that when we commit the County funds, we also get equal from the World Bank. And this one will at least help propel developments in our wards. I second.

**Hon. Speaker:** Thank you, Hon. Luseneka. Hon. Members, a motion has been moved and seconded that this House adopt the report by the Sector Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Annual Performance Assessment Report for the Financing of Locally-led Climate Action program laid on the table of the House on the 19th of June, 2024. I propose.

*(Question proposed)*

Hon. Majority Leader,

**Hon. Joseph Nyongesa:** Thank you, Speaker. First, allow me also appreciate the mover of this report, Hon. Vitals and the seconder of this report.

I would also appreciate the members in that committee for being keen and coming up with such observations, at least for our County to improve., I just want to be brief and on the point. That actually, if you want to attract some funding from maybe other quarters, as a County, we need also to be smart in terms of also allocations, not only in environment, but also it applies across other departments, even in health, we are losing a lot of grants because we are not also budgeting for the same. So, learning from what happened from the climate change, whereby if we could have allocated more than 80 million, I know members could be receiving more than what we have received this financial year.

So now that actually the seconder of this motion sits on the Budget Committee, and I think when we will be referring to this report will make us actually improve, so that at least we attract funding. Otherwise, I support.

**Mr. Speaker:** Thank you. Allow me to invite the mover to respond.

**Hon. Vitalis Wangila:** Thank you, Mr. Speaker. First of all, allow me also thank my seconder and the Majority Leader for the input they have put in. As the report has finalized everything in its recommendations, what is remaining is more funding towards the program. Otherwise, I beg this house to adopt this report as it is with its observation and recommendation.

**Mr. Speaker:** Thank you, Hon. Vitalis. Hon. Members, allow me to finish the remaining part of this motion by putting a question to the motion beforehand for the house to make its decision.

Hon. Members, a motion has been moved, seconded and the debate having ensued, that this House adopt the report by the Committee on Tourism, Environment, Water, Energy Resources, on the Bungoma County Annual Performance Assessment Report for the Financing Locally-Led Climate Action Program laid on the table of the house on the 19<sup>th</sup>, June, 2024.

*(Question put and agreed)*

## **ADJOURNMENT**

**Mr. Speaker:** Hon. Members that was the last motion on our Order Paper. We will adjourn today and resume tomorrow 4<sup>th</sup>, September, 2024 at 9:30 a.m.

***The House rose at 3:45 p.m.***