



THE COUNTY ASSEMBLY OF NYERI

FIRST ASSEMBLY – FOURTH SESSION

**THE WARD DEVELOPMENT FUND COMMITTEE PROGRESS REPORT
SEEKING GUIDANCE ON THE FAILURE BY THE COUNTY EXECUTIVE
SECRETARIES TO HONOR INVITATIONS AND SUMMONS.**

JUNE, 2016

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1.0 Acknowledgement

The Committee acknowledges the supremacy of the Almighty God who has been gracious to them. The Committee further wishes to record its gratitude to the house for having entrusted them with the execution of their mandate. Much gratitude also goes to the Members of the Committee.

2.0 Committee Membership

1. Hon. Antony M. Kibuu	Chairperson
2. Hon. Regina Macharia	Vice Chairperson
3. Hon. Stephen M. Munuhe	Member
4. Hon. Fredrick Karere	Member
5. Hon. Leah W. Wachira	Member
6. Hon. Paul E. Wachira	Member
7. Hon. Keziah Mwangi	Member
8. Hon. Bernard Mubia	Member
9. Hon. Bernard Kinga	Member

3.0 Mandate of the Committee

Mr. Speaker Sir, the County Assembly of Nyeri, Ward Development Fund Committee is constituted pursuant to Standing Order no. 186 (a) and mandated to:

- (a) To consider and to recommend to the County Assembly any matter requiring action by the County Assembly pursuant to the provisions of the Ward Development Fund Act, 2015;

- (b) To oversee the implementation of the Ward Development Fund Act, 2015 and where necessary, propose any amendments to the Act, in particular, with respect to the quantum of funds payable into the fund;
- (c) To oversee the policy framework and legislative matters that may arise in relation to the fund;
- (d) To continually review the framework set out for the efficient delivery of development programmes financed through the fund;
- (e) To carry out any other function relevant to the work of the Fund.

Mr. Speaker Sir, on behalf of the County Assembly Ward Development Fund Committee, I have the honour and pleasure to present the Committees progress report seeking guidance on failure by the County Executive Secretaries to honor invitations and summons.

4.0 BACK GROUND INFORMATION

Mr. Speaker Sir, the County Assembly of Nyeri, Ward Development Fund Committee is constituted pursuant to Standing Order no. 186 (a).

On Thursday, 7th April, 2016 the Ward Development Fund Committee held a meeting and resolved to invite various County Executive Secretaries to appear before the Committee on Tuesday, 12th April, 2016 to deliberate on the progress on implementation of the Ward Development Fund in Nyeri County.

The Committee in particular invited the County Executive Members for Special Programmes, Youth and Sports vide a letter Ref: CAN/WDFC/1 (17); Education and ICT vide a letter Ref: CAN/WDFC/1 (16); Energy vide a letter Ref: CAN/WDFC/1 (15); Agriculture, Livestock, and Fisheries vide a letter Ref: CAN/WDFC/1 (14); Lands and Infrastructure vide a letter Ref: CAN/WDFC/1 (13); Trade, Industrialization and Tourism vide a letter Ref: CAN/WDFC/1 (12); Health Services and Sanitation vide a letter Ref: CAN/WDFC/1 (10) and Water, Environment and Natural Resources vide a letter Ref: CAN/WDFC/1 (11).

Following the invitation the County Executive Members replied vide letters REF: NCG/SPYS/01/04/2016; CGN/EDU&ICT/ADM/2/8/90; NCG/CESE/VOL.1/27; NCG/HEALTH/C.A/1/69; NCG/TIT/CAN/023/ (135); NCG/CE/W/PARLI/II/8; NCG/LHPP/CA/18/2016. In their response they cited various reasons as to why they would not be able to appear before the Committee on 12th April, 2016.

On the same day the Committee held a meeting to consider the correspondences by the various County Executive Members and agreed on the way forward. They resolved to invite the County Executive Members on Thursday, 14th April, 2016 to discuss the progress made in implementation of the Ward Development Fund in Nyeri County.

The Committee invited the County Executive Members for Special Programmes, Youth and Sports vide letter Ref: CAN/WDFC/1 (25); Education and ICT vide letter Ref: CAN/WDFC/1 (24); Energy vide letter Ref: CAN/WDFC/1 (23); Agriculture, Livestock, and Fisheries vide letter Ref: CAN/WDFC/1 (22); Lands and Infrastructure vide letter Ref: CAN/WDFC/1 (21); Trade, Industrialization and Tourism vide letter Ref: CAN/WDFC/1 (20); Health Services and Sanitation vide letter Ref: CAN/WDFC/1 (18) and Water, Environment and Natural Resources vide letter Ref: CAN/WDFC/1 (19).

On 20th April, 2016, the Committee held a meeting to discuss the failure by the County Executive Members to attend a meeting scheduled for Tuesday, 14th April, 2016. The Committee discussed the matter and resolved to invite them again on Tuesday, 26th April, 2016.

The Committee invited the County Executive Member for Special Programmes, Youth and Sports vide letter Ref: CAN/WDFC/1 (27); Education and ICT vide letter Ref: CAN/WDFC/1 (28); Energy vide letter Ref: CAN/WDFC/1 (29); Agriculture, Livestock, and Fisheries vide letter Ref: CAN/WDFC/1 (30); Lands and Infrastructure vide letter Ref: CAN/WDFC/1 (31); Trade, Industrialization and Tourism vide letter Ref: CAN/WDFC/1 (32); Health Services and Sanitation

vide letter Ref: CAN/WDFC/1 (26) and Water, Environment and Natural Resources vide letter Ref: CAN/WDFC/1 (33).

On Tuesday, 26th April, 2016, the Committee held a further meeting to deliberate on the same issue in which the Members expressed great concern on the failure by the Executive Members to honor invitations.

During the meeting the Committee resolved to do a further invitation to the County Executive Members for Education and ICT vide letter Ref: CAN/WDFC/1(36); Trade, Industrialization and Tourism vide letter Ref: CAN/WDFC/1(36); Water, Environment and Natural Resources vide letter Ref: CAN/WDFC/1(40) dated 5th May, 2016 to appear before the Committee on Tuesday, 24th May, 2016.

On the same day the Committee also resolved to summon three County Executive Members after failing to appear before the Committee on Tuesday, 12th April, 2016; Thursday, 14th April, 2016 and Tuesday, 26th April, 2016 pursuant to Article 195 (1) of the Constitution of Kenya and Standing Order no. 170.

The Executive Members were summoned to appear before the Committee on Thursday, 12th May, 2016. The Executive Members summoned were; Health Services and Sanitation vide letter Ref: CAN/WDFC/1(34); Special Programmes, Youth and Sports vide letter Ref: CAN/WDFC/1(35); Lands and Infrastructure vide letter Ref: CAN/WDFC/1(38) and Energy vide letter Ref: CAN/WDFC/1(37) dated 5th May, 2016.

In the letter dated 11th May, 2016 vide Ref: CGN/FEP/1/14, the County Executive Secretary for Finance and Economic Planning replied in regard to the summons and cited a circular dated 9th September, 2015 in which the Controller of Budget stated that the allocation of the Kshs. 180 Million for other capital grants in relation to the Ward Development Fund be under the departments.

The letter stated that the amounts were distributed to the departments through the Supplementary Budget approved by the Assembly in the month of February, 2016.

The letter further stated that the projects identified were at various stages of implementation and the progress report now being sought by the Committee shall be submitted in due course in compliance with section 166 of the Public Finance Management Act, 2012. The letter was countersigned by the County Executive Members Dr. Charles Githua Githinji, PHD; Madam Lucy Wanyitu; Mr. Stanley Miano; Mr. Erastus K. Muriuki; Eng. T.G. Ngunyangi and Mr. Robert Thuo.

On Thursday, 12th May, 2016, the Committee held a meeting in which they discussed the content of the letter from the Office of the County Executive Secretary for Finance and Economic Planning vide Ref: CGN/FEP/1/14 dated 11th May, 2016 referring to summons to attend a meeting.

In the said meeting the Members resolved to seek for further guidance from the Office of the Speaker in regard to the failure by the Executive Secretaries to honor the invites to appear before the Committee. The Committee directed the Chairperson to meet with the Hon. Speaker and report to the Committee on the way forward.

On Thursday, 2nd June, 2016, the Committee met to discuss the same issue in an attempt to getting a solution. In attendance was Hon. King'ori representing the Speakers Panel. Hon. King'ori informed the Committee that the Speakers Panel had met and discussed the issue where they resolved that the Committee should write a progress report and table the report with a view to seek guidance from the Speaker.

It is in the light of the above that the Committee is seeking guidance from the Speaker on the failure by the County Executive Secretaries to honor invitations.

Signature:

Date.....

Hon. Antony Mwangi Kibuu,

Chairperson, Ward Development Fund Committee