

UNFINISHED BUSINESS AND WASTED RESOURCES – THE CASE OF MOMBASA COUNTY

BACKGROUND

Devolution was meant to be the panacea. The debate about majimboism was not just about ethnicity but also a manifestation of the tremendous space that temporarily opened up for democracy with the achievement of independence. But it was, more importantly, about development. By decentralising power and clear fiscal policies to 47 counties, each with democratically elected governors, devolution was expected to lead to more inclusive and accountable county institutions able to deliver better services for all, and in turn reduce the tensions and divisions that cause conflict.

With a devolved system of governance, many hoped their livelihoods would improve. Schedule Four of the Constitution lists the functions of county governments to include key areas such as agriculture, healthcare, pre-primary education, village polytechnics, homecraft centers and childcare facilities, county transport, trade, planning and public works. Between financial years 2013/2014 and 2018/2019, the 47 counties were allocated a total of KES 1.5 trillion to fund county functions.

Despite public expectations and heavy resource allocation, devolution has not fully been realised. Kenyans are living in worse economic times than before, with skyrocketing prices of basic commodities, poor health services and dilapidated road infrastructure. It would seem the one item that devolution has been able to successfully devolve is corruption and wastage of resources, as poor accounting practices have become the hallmark of a public service, abetting massive loss of public funds. The wastage mainly emerges from poor planning and deviance from actual plans, projects that are either badly implemented, abandoned, ghost or duplicated, thereby serving no meaningful purpose in the lives of the public. Misappropriation which has, over the years, been documented by the Auditor General continues to make headlines, however the lack of goodwill to address these concerns has provided an ample environment for corruption.

This report reviews progress on selected projects within Mombasa County, between FY 2017/2018 and 2018/2019. During this assessment, reference was made to various policy and

budget documents. The aim of this report is to highlight how county resources have been utilized and to initiate conversations to enhance transparency and accountability in the management of public resources. Availability of resources is crucial for the success of devolution, but more importantly, citizens need to reflect on the management of these resources. Devolution will only be successful if resource allocation equates to service delivery. It is our hope that this report will inspire Kenyans to demand for better accountability and value for money from their leaders.

MOMBASA COUNTY

Mombasa County is Kenya's second largest city after Nairobi. The county lies along the Kenyan Coast, is 229.9 Km² in size, excluding the 65 Km² that is covered in water, stretching up to 200 nautical miles into the Indian Ocean. The 2019 population census conducted by the Kenya National Bureau of Statistics puts the county numbers at 1,208,333 people, with 49.5% being women.

The county is subdivided into 6 sub counties, i.e. Mvita, Jomvu, Likoni, Changamwe, Kisauni and Nyali. The county has 30 wards. The current Governor, Hon Ali Hassan Joho is serving his second term in office. The county's equitable share allocation over the last few years has been as follows: FY 2015/2016 - KES 5,197,893,978.00; FY 2016/2017 – KES 5,608,593,922.00; FY 2017/2018 – KES 8,154,000,000.00; and FY 2018/2019 – KES 8,226,800,000.00. This equitable allocation is exclusive of the local revenue collection and grants received from the government and other partners. Development of the county is thus dependent on the prudent use of these resources.

METHODOLOGY

The evaluation was conducted in the month of August 2020 in the four Sub-counties of Mombasa County namely Changamwe, Mvita, Nyali and Kisauni. It focuses on projects undertaken within the financial years 2017/2018, and 2018/2019. A set of projects drawn from four County Departments were identified for assessment. These projects include:

- Development of Sports Facility at Uwanja wa Mbuzi Kongowea in Nyali Sub-County (Department of Youth, Gender, Sports & Cultural Affairs);
- Improvement of County Stadium in Mvita Sub- County (Department of Youth, Gender, Sports & Cultural Affairs);
- Improvement of Mtopanga Estate Road in Kisauni Sub-County (Transport, Infrastructure & Public Works);
- Chaani Elimu Yetu ECD in Changamwe Sub-County (Department of Education, ICT and Mombasa Vision 2035);
- Purchasing of breeding animals (Department of Agriculture, Livestock, Fisheries and Cooperatives)

These five projects were identified following public outcry over the state of the projects and the cost incurred in implementing them. These complaints were picked during public meetings held in all the six sub-counties to assess the state of devolution, as part of the 10th anniversary celebrations of the Constitution of Kenya 2010.

The assessment employed both primary and secondary methods of data collection. This included ground visits, interviews, and desk review of budget and Audit reports including:

- County Integrated Development Plans 2013-2017 and 2018-2022;
- Annual Development Plans 2017/2018, 2018/2019;
- County Budget 2017/2018, 2018/2019;
- County Budget Review and Outlook paper,
- Auditor General Reports 2017/2018, 2018/2019;
- Controller of Budget Report 2017/2018, 2018/2019.

The process of collecting and collating of information was constricted by obstacles. The budget documents that would normally be accessible on the County website were pulled down. Some project sites were inaccessible for instance the county stadium could not be accessed to properly assess progress as it had been cordoned off. Requests for information submitted to the county on the projects were not responded to. Be that as it may, we managed to obtain relevant information that informs this report.

FINDINGS

a. Development of Sports Facility at Uwanja wa Mbuzi Kongowea in Nyali Sub-County

The youth make up 41% of the population of Mombasa County, most of who remain unemployed. This has continued to make youth vulnerable to violent extremism, drug abuse amongst other social evils. Sports has over the years proved to be an essential development tool for the youth. Sporting facilities therefore go a long way in developing youth talent and building their capacity to tap into existing commercial opportunities. The county government of Mombasa has invested in youth development projects among them the construction of sports stadia.

Football is arguably one of the most popular sports in the world. This is why most countries are investing in the construction of world class stadiums. The county constructed a modern 11-aside, 2000 sitter capacity stadium commonly known as Uwanja wa Mbuzi stadium at a cost of KES 75 Million in a bid to improve the sports facility in the area. The Audit report for Year Ended 30th June 2016 show that the contract sum was KES. 66, 270,664. The stadium was officially opened by Gov. Hassan Joho on 24th May 2017 with pomp and colour yet barely 3 years down the line, the facility is in an agonizing state characterized by tattered synthetic grass. The current status of the stadium does not match the KES 75 Million allocated into its construction. There is no value for the amount of money spent on the facility.

The County Finance Act has set the cost of hiring a stadium at KES 10,000. However, interviews with parties who have hired the ground established that the stadium is hired out at KES 3,000 without county receipts being issued for the payment. In addition, right outside the stadium gate, there exists a growing garbage dumping site that the county has neglected to clear. This neglect of the facility that consumed Millions of tax payers money is symptomatic of the rampant wastage of resources within the county.



Current state of the uwanja wa mbuzi stadium.



Current state of uwanja wa mbuzi stadium



Neglected heap of garbage at the entrance to the stadium

b. Development of County Stadium Mvita

The construction and/or renovation of Mombasa County Stadium has dragged on for 4 years. The construction of the stadium is a jointly done by the county government of Mombasa and the National Government. The facility's initial improvement in 2016 was valued at approximately KES 50 Million. Later on, in the FY 2017/2018, KES 61,290,854 was set aside for 'further improvement of the facility'. From the information gathered, In the FY 2018/2019 another KES 1.1 Billion had been budgeted still for construction of the Stadium and an additional KES 10,000,000 for Completion of Renovation of the same County Stadium. The budget documents availed have not been clear on what percentage of the cost is covered by which level of government. Efforts to extract further information from the county department of youth have been futile.

Despite the continuous massive resource allocation by the County Government of Mombasa, there seems to be very little progress on the ground. Efforts to access the stadium for assessment of progress. None the less, we did establish that the stadium is far off from being complete. From the 2018-22 CIDP, it was ambitiously stated that the stadium would be complete by December 2020. This target has since been pushed to June 2021. It is therefore likely that more money will be pumped into this moribund project that has stalled for far too long now. Whether Mombasa residents will see a 'brand new world-class' stadium built by June 2021 remains to be seen.



An artistic impression of the proposed Mombasa county international stadium



*Current state of the proposed Mombasa
county international stadium*

c. Improvement of Mtopanga Estate Road -Kisauni Sub county

Infrastructure remains one of the greatest enablers for socioeconomic development and is a vital component in encouraging economic growth. Accessibility and quality of infrastructure in the county will help shape investment decisions and determine our attractiveness to local and foreign investors. Additionally, improvement of access roads is crucial in improving access, reducing travel time, improving security and promoting economic activities across all sub-counties. According to the 2018-2022 CIDP, the county government intends in paving 803 kilometres with cabro, at an estimated cost of KES 4B.

The 1.3km Mtopanga Estate Road connects Old Malindi road and Anwarali- Vikwatani road. The road was to be upgraded to cabro paving block standard complete with a drainage system. In the FY 2017/2018, KES 37,378,538 had been allocated for this project. As at 30th June 2018, the status of implementation was 23%. A ride along the road however will immediately show poor workmanship, lack of a drainage even on the small bit that is apparently 'complete'. In September 2020 when the assessment was conducted, there was no contractor on sight (none had been on sight for over a year). All indications are that the road is considered complete, despite its considerably poor state.





Images of sections of the Mtopanga Estate Road

d. Construction of Chaani Elimu Yetu ECD in Changamwe Sub-County,

For any society to realize any meaningful development, the quality of education must be enhanced. Early Childhood Education (ECD) is the responsibility of County Governments. Therefore, provision of the requisite environment for learning is an integral part in the implementation of the programme by counties. The County government of Mombasa has continuously made budgetary allocations for the construction and renovation of ECD Centers one of which is the Chaani Elimu School.

This particular project featured in the Auditor General Report for the year ending 30th June 2015. The project cost was KES 27,909,180 and was 66% complete. Interestingly, From the Auditor General report as at 30th June 2017, the Project Cost was Ksh. 28,788,548 and at 64% completion. Most recently, as at 30th June 2018, the Contract sum was Ksh. 28,788,548 and inspection status was at 66%. The project has lasted 5 years and is no where near being completed. During the inspection of the facility, the team was shocked at the sight of an incomplete, dilapidated and vandalized building that has been converted to a dungeon for criminal gangs in the area. Part of the roof seems to have been blown away or vandalized.



Front section of Chaani Elimu ECD



Vandalized roof of Chaani Elimu school



Graffiti images on the walls

e. purchasing of breeding animals to support small scale farmer groups

While Mombasa County is mainly urban, this department is crucial in enhancing food security, plant and animal health and reducing poverty through creation of agribusiness opportunities that result into improved livelihoods. Majority of the farmers practice domestic farming with others practising commercial rearing of sheep, goat, cattle, fish, vegetables and poultry. Among the projects that this department has been undertaking is the purchasing of breeding animals to support small scale farmer groups registered with the county.

Available records reveal that in the FY 2017/18, the department purchased 900 one-month old chicks at a cost of KES. 1,320,000, each chick costing KES 1,466. These were distributed to 9 groups drawn from Mtongwe 3, Timbwani 1, Mwakirunge 2, Kongowea 1, Shimanzi 1, Tudor 1. Later in the FY 2018/2019, 300 Rabbits were purchased at a cost of KES. 1,485,000; distributed to 43 farming groups, with each rabbit costing KES 4,985. In the same FY 2018/2019, the budget for purchasing breeding stock was KES 4M, the department purchased 1800, but only 320 have been distributed to 4 groups in February 2020. (Mtongwe 2, Likoni 1 and Tononoka 1). It is not clear where the remaining 1480 chicks are. It is worth noting that the market price range for a one-month old chick is KES 100-300; whereas a rabbit retails at between KES 1000 – 2000, depending on the species.



CONCLUSION AND RECOMMENDATIONS

7 years since the operationalization of devolution, Mombasa County government has made noticeable strides in improving service delivery. However, there equally has been enormous proliferation of public resources as evidenced in this report. Tax payers money has been lost through exaggeration of prices, extreme delays in completion of projects, and or outright abandonment of projects before completion.

The Auditor General has over the years raised red flags on some of the projects, but it seems his reports have been of little consequence, as irregularities have continued to be tolerated. Now more than ever, the role of civilian oversight is crucial in supporting the office of the Auditor General towards ensuring transparency in the management of public resources. Kenyans must therefore find ways to generate sustained support for the constitution from other state officers and agencies.

Recommendations

1. Access to information is a right enshrined under article 35 of the constitution. The County Government of Mombasa should avail or fiscal and budgetary documents on the county website as mandated by law.
2. The public in partnership with Civil Society and religious institutions need to be proactive towards sustaining advocacy initiatives to push for implementation of recommendations in the Auditor General's report. Independent institutions such as Commission on Administrative Justice also need to be put to task in supervising implementation of these recommendations.
3. Project implementation committees as crucial oversight structures need to be in place for all projects during project implementation and need to be empowered to be able to hold the county to account and ensure that the project implementation schedule is adhered to.
4. In order to enhance service delivery; citizen empowerment and participation in civilian oversight is key in sustainable development, citizens need to stop complaining and take initiative in holding their leaders to account.

“The way to right wrongs is to turn the light of truth upon them”

By Ida B- Barnett