



**Gregory Mwakanongo**

**Ag. Secretary and Head of public service**

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**Nairobi.**

***23<sup>rd</sup> April, 2015***

**RE: MEMORANDUM ON THE NAIROBI CITY COUNTY ON THE BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2015/16**

The draft budget 2015/16 outlines a strong vision for growth and macroeconomic stability. It identifies critical pillars for Nairobi's transformation which are well articulated in the County Fiscal Strategy Paper 2015/16. The budget has reduced from Kshs. 28.8 billion to Kshs. 27.3 billion, a 1.5 billion reduction. This has been reflected in the recurrent expenditure which has in turn dropped by Kshs. 1 billion, from Kshs. 19.2 billion to Kshs. 18.2 billion this financial year. Whereas we support the overall county objectives, we wish to make the following observations which may serve to undermine the realisation of its ambitious goals.

This submission is divided into two parts to address the specific issues as outlines in the press advert on 21<sup>st</sup> April, 2015. In the first part, highlights transparency and participatory concerns for the County Executive to consider before presenting the same to the county assembly. In the second part, we consider priority areas that should be included during the budget period

**1. Interrogating the content of the draft budget for FY 2015/16**

**1.1. Nairobi's budget does not contain a narrative information**

County budgets, like all budgets, should include a narrative description of programmes to accompany any tables.



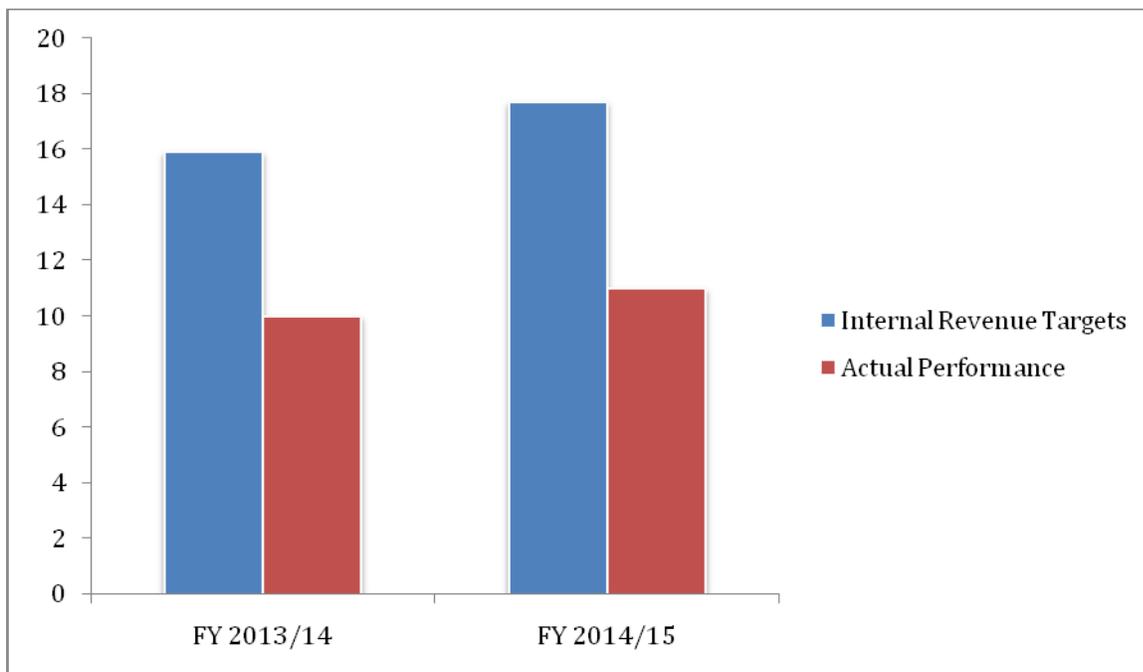
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Apart from the assembly address given by Governor Kidero on March 3<sup>rd</sup> 2015, there is a need for a publicly available narrative that explains the reasons for spending more in some areas than others. This is where we expect to see information on about how citizen priorities were taken into account as a result of the MTEF consultations undertaken in February including those submitted by TISA on 3<sup>rd</sup> February 2015 (please find attached)

*Recommendation:* A narrative report that enables the public to understand the choices the county government has made should be developed and attached to the budget document as it is tabled to the county assembly.

## 1.2 Questionable own revenue estimates

Although the county intends to progressively mitigate challenges that continue to face internal revenue generation through automation, of concern is that in FY 2013/14, the county only collected 62.8 percent of its Kshs. 15.9 billion target of local revenues<sup>1</sup>. As of Mid FY 2014/15, the county only managed to collect 24.34 % of the annual target<sup>2</sup>. Even with the expected boom in revenue during the fourth quarter, the county might not exceed 65% in attaining said target f Kshs. 17.7 billion.



<sup>1</sup> COB, Annual County Budget Implementation Review Report 2013/14

<sup>2</sup> Nairobi County Fiscal Strategy Paper 2015/16

*Recommendation:*

- a. The low performance by the County raises concern on the ability of the County Government to meet its local revenue targets which is likely to affect the implementation of planned activities and programmes. Given the trends, the county over the last two financial years has collected an **average of Kshs. 11 billion**. With the Kshs. 15.5 billion target necessary to finance expenditure, we recommend the county to revise its revenue targets to Kshs. 11 billion and at the same time revise down its expenditure in order to be in line with the realistic revenue targets
- b. According to the World Bank, Nairobi County used to collect Kshs. 8.6 billion Under the defunct city council. The county could look at expanding its revenue base by taking advantage of the KRA Agency system of revenue collection that is already in place across all 47 counties at a charge of 2% of revenues collected.

### **1.3 Funds for participation**

A look at the line budget does not give any indication of money specifically set aside for public participation. However, a look at the programme based budget, the closest thing to public participation is under public relations under the governor's office. The county has set aside Kshs. 86.5 million under the public communications sub programme. This is a 483% increase from the previous year's allocation of Kshs. 14.8 million allocation.

Of concern is

1. The strategic objectives of the office do not speak to facilitating public participation which is a constitutional provision. Public participation and civic education plays a critical role in deepening democracy and promoting good governance and hence should be explicitly provided for as an objective of the sector.
2. The programme does how they plan to undertake public consultation and no targets have been set except to 'reduce public complaints'.

*Recommendation*

Setting targets is essential in ensuring the county is on track and also in measuring performance. In the budget process alone, there should be at least 4 meetings throughout the budget cycle. Further the programme has not broken down the funds and how they are meant to meet the needs of the structures of participation, of significance is the County



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Budget and Economic Forum (CBEF). The funds within this sub programme need to be disaggregated further for clarity purposes

### 1.4 Budget surplus

This financial year, the county has a projected surplus budget. Of the total expenditure of Kshs. 27.3 billion budget, the county revenues total Kshs. 28.9 billion, an excess of Kshs.1.6 billion. The PFMA speaks to setting of County Emergency Fund to allow the government to respond promptly to urgent unforeseen occurrences such as drought, floods, among others. The programme based budget only speaks to fire fighting in terms of disaster management.

<b>Programme 3:Disater management</b>								
<b>Outcome:</b>								
<b>SP: Disaster Risk Reduction</b>	<b>Fire Dept</b>	Fire fighting	Fire fighting	Inspection of buildings	of	Fire drills	Fire drills	Fire drills

#### *Recommendation*

All counties can (and should) have a County Emergency Fund in their budget to provide for disasters. As per the Public Finance Management Act, this can spend up to 2 percent of the county revenues in a single year. With the projected surplus, the county should include this in their proposal to the Assembly

### 1.5 County public debt

The CFSP has cited debt as a key expenditure. This financial year, the county will incur Kshs. 1.1 billion to pay its outstanding debt of Kshs. 45 billion. However, it is not reflected in neither the line budget nor the programme based budget under the finance and economic planning sector which it has been under in the previous 2 years.

*Recommendation:* As this is the approved plan (CFSP) the county needs to reflect this in the budget proposal.

### 1.6 County public receivables



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Receivables have been targeted as an avenue for raising capital in the CFSP. The county is owed Kshs. 100 billion<sup>3</sup> and the county intends to place measures of collection. However, a look at the revenue projections of the finance and economic planning sector does not reflect the county imposing any new measure.

<b>ECONOMIC PLANNING</b>				
<b>FINANCE</b>				
RATES	3,700,000,000	3,000,000,000	3,300,000,000	3,630,000,000
CLEARANCE CERTIFICATES	55,000,000	80,000,000	85,000,000	90,000,000
RATES SEARCH FEES/ADMINISTRATIVE FEES	500,000	3,000,000	4,000,000	5,000,000
SDR-INSTITUTIONS HOUSES	8,000,000	15,000,000	18,000,000	20,000,000
SDR-GROUND RENTS	50,000,000	45,000,000	50,000,000	55,000,000
SDR-STAND PREMIUM	12,000,000	12,000,000	10,000,000	8,000,000
SDR-SEARCH/TRANSFER FEES	750,000	750,000	1,000,000	1,200,000
<b>PROCUREMENT</b>				
SALES OF TENDER/BID DOC	4,500,000	4,000,000	5,000,000	6,000,000
SALES OF DRUM/LIDS	150,000	300,000	500,000	800,000
WEIGH BRIDGE	200,000	200,000	300,000	500,000
<b>TOTAL</b>	<b>3,831,100,000</b>	<b>3,160,250,000</b>	<b>3,473,800,000</b>	<b>3,816,500,000</b>

*Recommendation:* As this is the approved plan (CFSP) the county needs to reflect this in the budget proposal.

## **2 .Proposals on priority projects to be pursued during the budget period**

Public participation plays a critical role in deepening democracy and promoting good governance. Citizens' involvement in governance processes ensures that citizen's perspectives inform government on their needs and how these needs can best be addressed.

From December 2014 to January 2015, The institute for Social Accountability undertook a needs assessment with 1044 members of the public representing community leaders, sub-County administrators and ward administrators in Kibra, Embakasi, Westland's and Dagoretti North sub-counties.

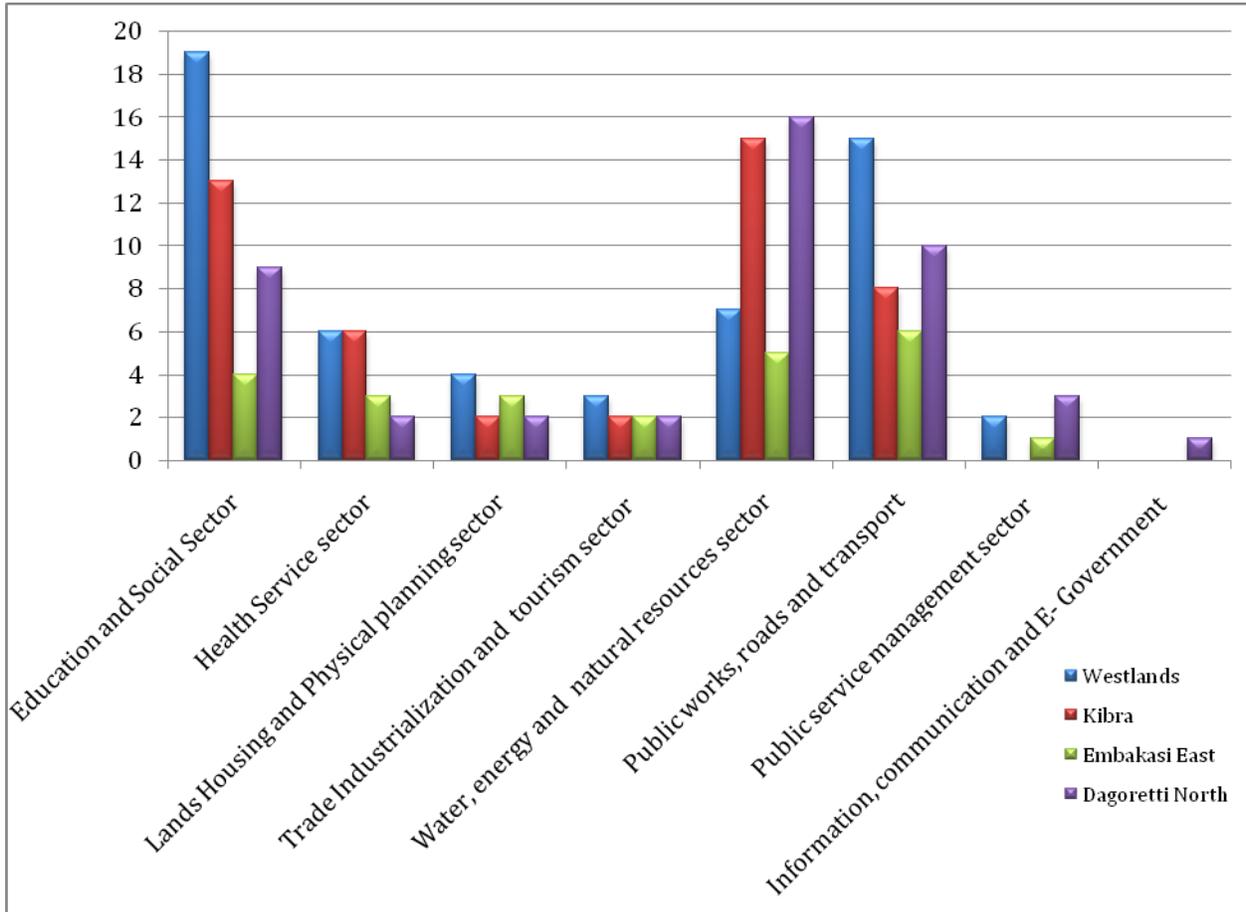
The needs assessment revealed exponentially that the top three most important

<sup>3</sup> Nairobi County Fiscal Strategy paper, 2015/16



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issues the county government should deal with are **Education and social sector, Water and Sanitation and Public Works and Roads.**



*Recommendation*

The following project activities that should be included in the 2015/16 Budget period

WARD	ISSUES AND PROPOSED PROJECTS
KARURA	<ul style="list-style-type: none"> <li>a) Access roads to slums</li> <li>b) Shades especially for bodaboda operators</li> <li>c) Upgrading of the city park markets</li> <li>d) Not enough teachers and classrooms in schools</li> <li>e) Poor road Kitsuru – Uthiru road</li> </ul>



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	<ul style="list-style-type: none"> <li>f) No bumps near Kanini market</li> <li>g) Schools has no cleaners and security people (watchmen)</li> <li>h) High cost for rent</li> <li>i) Plots allocation since most are informal settlements – slums; approval of building decent homes, slums upgrading. There are 5 slums in Kitusuru ward</li> <li>j) No ambulance services</li> <li>k) No fire engines</li> <li>l) No government pre-primary schools and no qualified teachers</li> <li>m) No markets they go to Kangemi or Kiambu county</li> <li>n) No adequate street lighting and most of the ones in place not functioning</li> <li>o) Lack of all-weather roads</li> <li>p) Poor drainage and sewer lines</li> <li>q) Police corrupt to be changed or rotated</li> <li>r) Inadequate drugs in the health facility so after serving only a few estate people at lower Kabete, none where it is densely populated</li> <li>s) Bad roads like Mukabi road extension leading to Kibagare village, Kapenguria road at Ndumbuini</li> <li>t) Patched road at Mwemuto interior</li> </ul>
<b>KANGEMI</b>	<ul style="list-style-type: none"> <li>a) There is need to support for garbage collection initiates in the ward, in terms of equipment</li> <li>b) Rehabilitation centre for drug users who are mainly young people</li> <li>c) Drainage and sewer: There are broken sewer lines in most residential areas in the ward</li> <li>d) Sports equipment for the community sports initiatives in the ward</li> <li>e) Foot paths for pedestrians to reduce incidents of accidents in the ward</li> <li>f) Feeder roads into the ward</li> <li>g) Student, teacher ratio disproportional</li> <li>h) Inadequate clean water</li> <li>i) Lack of road bumps or footbridge i.e. northern by-pass at Githogoro</li> <li>j) Insecurity and corrupt police officials</li> <li>k) No maternity hospital in the area – Nearest maternity centre Kiambu</li> <li>l) Poor sanitation in the village Matopeni, Huruma and Githogoro areas and insufficient toilets</li> </ul>
<b>MOUNTAIN VIEW</b>	<ul style="list-style-type: none"> <li>a) Insecurity</li> <li>b) City council harassment especially on women</li> <li>c) Lack of health facilities in the ward have to go to the Kangemi. Kangemi</li> </ul>



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	<p>facility is shared among 3 wards; Kangemi, Mt. view and Kitsuru</p> <p>d) Streetlights not functioning</p> <p>e) High degree of school drop outs caused by:</p> <ul style="list-style-type: none"> <li>✓ Children of school going age not enrolling for school</li> <li>✓ High service charge by school officials</li> </ul> <p>f) Lack of a multi-purpose hall</p> <p>g) There is no technical college to absorb students from high school who are not able to go to university</p>
<p><b>KITUSURU</b></p>	<p>a) Shortages of teachers in schools</p> <p>b) Few classrooms</p> <p>c) Kitsuru – Uthiru road is in poor condition</p> <p>d) High rate of road accidents near Kinani market due to lack of bumps</p> <p>e) Lack of school cleaners and watchmen as parents are not able to raise service charges</p> <p>f) Lack of a public high school</p> <p>g) There are 5 slums in Kitsuru ward thus the need for plots to be allocated since most are informal settlements – slums; approval of building decent homes, slums upgrading.</p> <p>h) Lack of ambulance services and fire engines in the ward</p> <p>i) Lack of a public pre-primary school</p> <p>j) Lack of a market. Market vendors use Kangemi or Kiambu county</p> <p>k) Inadequate street lights</p> <p>l) Poor drainage and sewer lines</p> <p>m) Police corrupt to be changed or rotated</p> <p>n) Health facilities lack medication.</p> <p>o) Lack of health facilities around informal area of Kibarage</p> <p>p) Bad roads like Mukabi road extension leading to Kibagare village, Kapenguria road at Ndumbuini</p> <p>q) Patched road at Mwemuto interior</p>



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<p><b>SARANGOMBE</b></p>	<ul style="list-style-type: none"> <li>a) Establishment of pre-school/early childhood centres by the county government .They noted that there is no public pre-school and the private centres do not provide quality education.</li> <li>b) Roads- From Bombolulu to Raila. They noted that this road had received funding from CDF and had also been earmarked to be funded ward development fund. They noted there would be need to conduct an audit process to ensure all funds are properly utilised</li> <li>c) Drainage and sewer: In Katwekera, Gorrofani and Maranatha the drainage system needs fixing</li> <li>d) Health and sanitation: They noted that there is no health centre in the entire ward</li> <li>e) Water:</li> <li>f) Social Hall</li> </ul>
<p><b>LINDI</b></p>	<ul style="list-style-type: none"> <li>a) A resource centre</li> <li>b) Water scarcity</li> <li>c) Toilets</li> <li>d) Lighting along corridors</li> <li>e) Insufficient streetlights</li> <li>f) Illegal electric conections</li> <li>g) Poor condition of feeder roads</li> <li>h) Poor sanitation</li> <li>i) Lack of clean water</li> <li>j) Lack of a market</li> <li>k) No health centre in the ward</li> </ul>
<p><b>MAKINA</b></p>	<ul style="list-style-type: none"> <li>a) Poor drainage systems</li> <li>b) Lack of public primary schools</li> <li>c) Bridges</li> <li>d) There is need of a resource centre (with gazette notices available)</li> <li>e) Expanded health facilities (structures, services, equipment)</li> <li>f) Lack of water in schools and houses</li> <li>g) Lack of ambulance services</li> <li>h) Lack of fire engines</li> <li>i) Rampant illegal electric connection that pose a danger to the community</li> <li>j) Lack of access roads</li> <li>k) Rampant corruption among police</li> <li>l) Inadequate public school in proportion to the people</li> </ul>



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	<ul style="list-style-type: none"> <li>m) Drugs abuse by youths</li> <li>n) Extreme state of insecurity</li> <li>o) No toilets just pay toilets thus every now and then outbreak of health related/hygiene related diseases</li> </ul>
<b>LAINI SABA</b>	<ul style="list-style-type: none"> <li>a) Access roads to slums</li> <li>b) High number of fire incidents and lack of fire engines</li> <li>c) Water points do not function</li> <li>d) Education-it was noted that the ward has only 4 primary government schools and given the population, this was very limited</li> <li>e) Lack of pre-primary schools (government)</li> <li>f) Lack of polytechnics or handcraft centers for students who underperforms</li> <li>g) No resource centers</li> <li>h) Railway line construction affects structure owners and the compensation is not adequate</li> <li>i) Lack of regulation of housing making it very expensive left to the will of structure owners. House rent hiked from Kshs. 3,000 – 6,000</li> <li>j) Public toilets were built but are not in use as not connected to the sewer.</li> <li>k) High degree of insecurity</li> </ul>
<b>WOODELY</b>	<ul style="list-style-type: none"> <li>a) No water - some cartels taken over the sale of water</li> <li>b) Security – inadequate street light</li> <li>c) Only one government health centre, not fully equipped, no medication</li> <li>d) Poor roads along Nairobi water company rd and all estate roads in general</li> <li>e) Poor drainage blocked sewers</li> <li>f) Only one public ECD at Mbatu road not enough for the population in Woodley</li> <li>g) Lack of a social centre or a sport facility for young people</li> <li>h) Toi market under threat as grabbers want to privatize the land</li> </ul>
<b>PARKLANDS HIGH RIDGE</b>	<ul style="list-style-type: none"> <li>a) Demolition of houses that undermine principles of human security</li> <li>b) Poor access roads</li> <li>c) Lack of adequate water</li> <li>d) High cases of insecurity</li> <li>e) High rate of school dropout</li> <li>f) Early families child led families</li> <li>g) Corrupt elders and chief working with robbers, youth chang'aa dens and chang'aa brewers</li> <li>h) Insecurity, robbery with violence by youth</li> </ul>



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	<ul style="list-style-type: none"> <li>i) Child labour and parental irresponsibility</li> <li>j) Poor leadership and governance on the side of the people in authority i.e. area MCA never concerned about community members</li> </ul>
<b>MIHANGO</b>	<ul style="list-style-type: none"> <li>a) No public health centers</li> <li>b) Security – no police station, in adequate security lights</li> <li>c) Poor roads – <ul style="list-style-type: none"> <li>i. Kibiku to Chokaa</li> <li>ii. Hurligham to benedicta</li> <li>iii. Bypass to Kangundo road</li> <li>iv. Mwihoko to Kayole</li> <li>v. Chokaa to Maua</li> <li>vi. Shelisheli to Buruburu to enter Kangundo road</li> <li>vii. Kigwathi road</li> </ul> </li> <li>d) No water and sewer system, piping a problem</li> <li>e) No social halls</li> <li>f) Mihang’o residents have no title deeds (land tenure issues) <ul style="list-style-type: none"> <li>a. Constructions of a social centre for Mihang’o</li> <li>b. Water piping at Chokaa for Mihang’o and Utawala</li> <li>c. Modern Kioskis from the month of May</li> </ul> </li> </ul>
<b>EMBAKASI EAST</b>	<ul style="list-style-type: none"> <li>a) Inadequate primary and secondary schools, vocational training, rehabilitation center &amp; IT centers</li> <li>b) Need to construction a Tassia health center needs to be complete</li> <li>c) Expansion of Embakasi health center</li> <li>d) High mast lights to be added along Tassia and Juakali road</li> <li>e) Tassia road in poor condition</li> <li>f) Poor sewer systems</li> <li>g) No proper chief and police posts</li> <li>h) Lack of well identified Matatu terminals</li> </ul>
<b>UPPER SAVANNAH</b>	<ul style="list-style-type: none"> <li>a) Poor water and sanitation conditions</li> <li>b) There is need for a playing ground</li> <li>c) Poor road conditions</li> <li>d) Insecurity, inadequate street lights</li> <li>e) There is need for a market place for the vendors</li> </ul> <p><b>Projects proposed on MTEF budget 2015/2016</b></p> <ul style="list-style-type: none"> <li>a) Street lights installation starting from May. Places identified are old Donholm, phase 8, Manyatta</li> <li>b) Perimeter wall for Donholm primary school</li> </ul>



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	<p>c) Drainage from Banyanga road to Ngong river</p>
<b>LOWER SAVANNAH</b>	<p>a) No government schools  b) Poor roads  c) No markets  d) Insufficient water piping to provide water  e) Not enough streetlights  f) Land fraud, double allocation of title on land  g) <math>\frac{3}{4}</math> of the area roads are being done by world bank</p> <p><b>Proposed MTEF 2015/2016</b></p> <p>a) 15 streetlights in the ward on identified areas  b) An ECD and Edony primary school  c) Sewer lines  d) Modern kiosks proposed by area MCA  e) Renovate the existing social hall</p>
<b>UTAWALA</b>	<p>a) No government hospitals  b) Poor roads around fagilia  c) Inadequate clean water  d) Corruption by police  e) Land grabbers  f) No government schools and Utawala academy very expensive</p> <p><b>MTEF 2015/2016 projects</b></p> <p>a) Tarmacking the road from Fagilia stage to shopping center Utawala Ring road by July  b) A primary and secondary (government schools)  c) A letter being pursued to clarity of land ownership saga to build an ECD  d) 8 poles that will be mounted on lights</p>
<b>KILIMANI</b>	<p>a) Lack of a designated market area  b) Lack of public toilets.  c) Insecurity;  d) Access roads to slums  e) Fire incidents-mechanisms of how to deal with it  f) Lack of water  g) Education-it was noted that the ward has only 4 primary government schools and given the population, this was very limited  h) Leaking sewage and poor drainage  i) Inadequate clean water for kiosks, markets and the slums nearby as most of the middle class and wealthy persons get water from privately owned</p>



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	<p>outlets and delivered to their courts</p> <ul style="list-style-type: none"> <li>j) Lack of maintenance of security lights and no street lights on main roads as land owners put sport lights on their courts</li> <li>k) No social amenities e.g. halls, resource centers, library</li> <li>l) No public toilets</li> <li>m) Poor security, Nyumba kumi impossible to implement due to gated neighbourhoods restrict entry of county officials</li> <li>n) Low public participation efforts in the ward. Most residence do not know their ward administrator.</li> </ul>
<p><b>KABIRO</b></p>	<ul style="list-style-type: none"> <li>a) Shades for bodaboda operators</li> <li>b) Education-lack of education facilities, only 2 public schools exist in the ward and many children attend informal schools, it was also noted that there is no public ECD school in the area. A polytechnic in the ward was also noted as a need</li> <li>c) Street lighting and Security-this were seen as issues that are tied together, and low rate of implementation of the street lighting was seen as a contributing factor to insecurity in the area</li> <li>d) Health and Sanitation-it was noted that there is no public health facility at the ward. Poor drainage which results to accumulation of large water masses especially during the rainy season, especially near the Muslim community resulted to sicknesses such as diarrhoea for the children</li> <li>e) Very poor infrastructure that is the roads and drainage - drainage blocked along Muslim primary to Muslim village</li> <li>f) The roads extension Kabiro re-carpeted millions of years now inaccessible</li> <li>g) Poor housing structures, availability of mud house in this era still visible</li> <li>h) Illegal connection of electricity</li> <li>i) Plot 56 has no drainage, sewerage always pile in front of the compound and when a report is done the whistle blower is the one arrested as the plot owner is a known government tycoon</li> <li>j) No dump site</li> <li>k) Water inefficiency need more and affordable water points</li> <li>l) Parkings are never charged, no revenue generated people along Ngong road come to park there to escape paying for parking space</li> </ul> <p><b>The ward administrator briefed on the four projects that government will engage in 2015/2016 MTEF budget</b></p> <ul style="list-style-type: none"> <li>a) Road Kabiro – Muslim</li> <li>b) A perimeter wall on Muslim primary</li> </ul>



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	c) ECD school
<b>KILELESHWA</b>	<p>a) Security: this was noted as not enough to cater for the the growing population in the ward</p> <p>b) Sewerage/Drainage: the links are not working well enough as some areas are not fully connected to the sewer lines.</p> <p>c) Water scarcity: there is inconsistent water supply, and the well-off are resorting to buying water tanks for their homes, leaving the poor in misery</p> <p>d) Street lighting vandalism: a few streetlights were erected but these are constantly being destroyed by errant drivers knocking them down.</p> <p>e) Frequent Power blackouts: the power lines and transformers appear to be stretched by demand stemming from the dense population in Kileleshwa</p> <p>f) Slow response by government officials and service providers: e.g. the community around Waruku has been asking for better roads but since 2004 they still have a dirt road.</p> <p>g) Inaccessible elected leaders: after the elections, the elected leaders did not bother to go back to the communities to consult on progress, but rather some have their phones switched off, and cannot be reached in any other way.</p> <p>h) Cleanliness: the residents wished the ward to be cleaner than it currently is, as some areas have their litter dumped outside residential blocks</p>
<b>KAWANGWARE</b>	<p>a) The participants were of the feeling that primary education should be made a county function</p> <p>b) From the budget, it was seen that more funds should be allocated to the youth and reduced from public works as their ward is very developed</p> <p>c) More funds towards agriculture and livestock, Nairobi compared to other counties does not allocate as much</p> <p>d) The current moneys towards ICT for the county are not working for their intended purposes of informing the people. These monies should be redirected to youth functions</p> <p>e) Culture and youth should be separated from education especially in terms of allocating resources to the sector</p>
<b>GATINA</b>	<p>a) No sport ground/social amenities</p> <p>b) One public school in ward</p> <p>c) Poor roads i.e. Muthiorard to 56, Warukord to Amboseli</p> <p>d) No public toilets</p>



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	<ul style="list-style-type: none"><li>e) Insufficient clean water</li><li>f) No public health centres</li><li>g) No government polytechnics</li><li>h) No market</li><li>i) Poor housing structure – high rents</li><li>j) No garbage pits</li><li>k) Poor drainage &amp; sewer lines</li><li>l) Unemployment</li><li>m) Inadequate street lights poor management</li></ul> <p><b>The ward administrator briefed on the four projects that government will engage in 2015/2016 MTEF budget</b></p> <ul style="list-style-type: none"><li>a) Security lights</li><li>b) Perimeter wall Gatina primary school</li><li>c) Ward office to accommodate all sector officers</li></ul>
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**For further information, please contact us at**

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