

**PARTICIPATORY COMMUNICATION AND POLICY FORMULATION IN
KENYA**

A STUDY OF NAIROBI COUNTY PUBLIC FINANCE BILL 2019

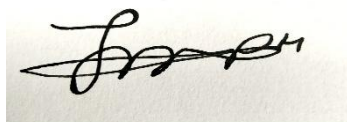
JOSEPH MWANGI KIGUTA

**A RESEARCH PROJECT SUBMITTED TO THE SCHOOL OF JOURNALISM
AND MASS COMMUNICATION IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF THE DEGREE OF MASTER OF
ARTS IN COMMUNICATION STUDIES, UNIVERSITY OF NAIROBI**

2020

DECLARATION

This research is my original work and has not been presented for academic award in any other university or Institution.



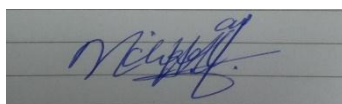
Signature:

Date: 14/11/2020

Joseph Mwangi Kiguta

K50/10642/2018

This research project has been submitted for the award of degree of Master of Arts in communication studies, with my approval as the University Supervisor.



Signature :

Date : ...20/11/2020

Dr. MWANGI, M. KAMAU

Senior Lecturer

School of Journalism and Mass Communication

University of Nairobi

ACKNOWLEDGEMENTS

This research project has been made possible by the immense contributions and encouragement of several important people. First, I cannot fully express my gratitude to my supervisor Dr. Mwangi, M. Kamau who has been a source of guidance, encouragement and good insights during my journey of writing the Thesis. His focus to detail and immense wisdom and experience on research was extremely helpful to me in understanding my topic and ensuring there is quality in my work. His patience with me and unwavering support is not something that I can ever take for granted, and I will forever appreciate.

Secondly my gratitude goes to Dr. Samuel Siringi and Dr. George Gathigi who coordinated research defense process and for going out of their way and assisting students in countless ways. Further gratitude goes to the school Director Prof. Ndeti and all lecturers, and entire staff at school of Journalism and Communication Studies for their continued support to students in wonderful ways.

I give my special thanks to my friend and fellow student Hellen Omondi who assisted me in my study through her invaluable support whenever I requested. I am equally grateful to my fellow students at University of Nairobi class of 2018 for their continuous support and encouragement amongst ourselves; led by our class president Mr. Walter Oguda.

A special feeling of gratitude to my loving parents John Kiguta and Virginia Nyakio, brother and sisters and other relatives for being my source of encouragement. As for all of my friends thank you for all your contribution either directly or indirectly. I take responsibility for any shortcoming in my thesis and also pride on those who made this work possible.

DEDICATION

This study is dedicated to all Kenyans and public institutions that have an obligation to protect the spirit of Public participation on the Constitution of Kenya 2010. The study is also dedicated to policy implementers who strive to understand participatory communication process in policy formulation process. Further, I dedicate this work to my family, friends and colleagues who have been my source of encouragement and cheerleaders throughout my research process

TABLE OF CONTENTS

DECLARATION	ii
ACKNOWLEDGEMENTS	iii
DEDICATION	iv
LIST OF TABLES	vii
LIST OF FIGURES	viii
LIST OF ABBREVIATIONS	ix
ABSTRACT	x
CHAPTER ONE: INTRODUCTION	1
1.0 Overview	1
1.1 Background of the Study	1
1.2 Problem statement	10
1.3 Research Objectives	13
1.3.1 <i>The General Objective</i>	13
1.3.2 <i>Specific Objectives</i>	13
1.4 Research Questions	13
1.5 Rationale for the Study	14
1.6 Significance of the Study.....	15
1.7 Scope and Limitation.....	15
1.7.1 <i>Scope of the study</i>	16
1.7.2 <i>Limitation of the study</i>	16
1.8 Operational definition.....	17
CHAPTER TWO: LITERATURE REVIEW	19
2.0 Overview	19
2.1 Empirical Studies.....	19
2.3 Kenya Historical Perspective on Public Participation Process	29
2.4 Policy Formulation Process in Kenya	31
2.3 Theoretical Framework	33
2.3.1 <i>Participatory Paradigm</i>	33
2.3.2 <i>Arnstein: A ladder of Citizen Participation</i>	34
2.3.3 <i>Theory of Communication Action</i>	35
2.4 Knowledge Gap	36
CHAPTER 3: METHODOLOGY	38
3.1 Overview	38
3.2 Study Design	38
3.3 Study Site.....	38
3.4 Research Approach.....	39
3.5 Research Method	39
3.6 Data Needs, Types and Sources	39
3.7 Population.....	39
3.8 Sampling Procedure.....	40
3.9 Data Collection Procedure.....	41
3.10 Data Collection Instruments	41
3.11 Data Analysis and Data Presentations	42
3.12 Validity and Reliability of Study.....	42
3.13 Ethical Consideration	43
CHAPTER FOUR: FINDINGS, ANALYSIS AND RESULTS	45
4.0 Overview	45
4.1 Influence of Participants on the Public Finance Bill 2019	45
4.1.1 <i>Changes done on the Proposed Finance Bill 2019 after Public Participation</i>	46
4.1.2 <i>Participants Influence on Public Finance Bill 2019</i>	50

4.1.3	<i>Citizen Engagement on the Bill</i>	51
4.2	Source of Information on Formulation of the Public Finance Bill 2019	52
4.2.1	<i>Preferred Media Channel</i>	53
4.3	How participatory Communication process was conceptualized by Policy Implementers	53
4.4	What Should Be Done To Enhance Quality Participatory Communication Process	55
4.4.1	<i>Challenges faced by participants</i>	55
4.4.2	<i>Challenges faced by Implementers</i>	57
4.4.3	<i>To enhance quality Participatory Communication process</i>	58
4.4.1	<i>Perceptions of the groups and Organizations</i>	60
4.4.2	<i>Perspective of policy implementer (County government) on participants</i>	60
	CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS	61
5.1	Overview	61
5.2	Conclusion.....	61
5.2	Recommendations	65
5.3	Implication for Future Research	67
	REFERENCES	68
	Appendix I: Introductory Letter	72
	Appendix II: Request for Consent	72
	Appendix III: Interview Guide for County Government Implementers	74
	Appendix IV: Interview Guide for The Public (Participants)	76
	Appendix V: Stakeholders Matrix	78

LIST OF TABLES

Table 4. 1 Overall changes on Charges after public participation on Public Finance Bill 2019..48

LIST OF FIGURES

Figure 4. 1 Participants Influence on the Bill based on 14 memoranda submissions46
Figure 4. 2 Reduced charges on the proposed Public Finance Bill 2019 50

LIST OF ABBREVIATIONS

DFRD	District Focus for Rural Development
KSG	Kenya School of Government
GOK	Government of Kenya
UNDP	United Nations Development Programme
WPPF	Ward Public Participation Facilitators
COK	Constitution of Kenya
CGA	County Government Act
CDF	Constituency Development Fund
UACA	Urban Areas and Cities Act
LASDAP	Local Authority Action Plan
PFMA	The Public Finance Management Act,
CBD	Central Business District
CDC	Center for Disease Control and Prevention

ABSTRACT

The study examines how participatory communication was done on formulation of Public Finance Bill 2019 by Nairobi County Government. The major aim is to understand whether participatory communication in policy formulation is collaborative, engaging and the public input is sought in all stages in accordance to the constitution of Kenya 2010. Article 118(1)(b) and 196(1) of the Constitution calls for Meaningful Public participation at both National and County Government levels. The study utilized explanatory sequential Mixed Method research methodology. Business, organizations, Special Interest groups, lobby groups and policy implementers who participated in Public Finance Bill 2019 comprised the study population. The quantitative data was obtained from the documents reviews and analyzed using descriptive and inferential statistics. In addition, qualitative data was generated from a sample of 10 participants who participated in the formulation of public finance Bill 2019 and respondents on the Nairobi County governments. Further, Qualitative data derived from County government respondents' key informants was transcribed and arranged into meaningful themes which were coded for content analysis. The data collected informed the findings of the study and conclusions were made based on the findings on the process of formulation of Public Finance Bill 2019. The findings show that participatory Communication is a concept that is not fully understood and comprehend by the public Institutions and there is little influence of organizations and groups inputs on Bill formulation process. Additionally, in as much as convectional media especially Newspaper Notice adverts played role in informing organizations and groups that participated on the Public participation events, it was not the most effective media channel for communication. Interpersonal form of Communication played a key role on information dissemination to targeted Organizations and groups during policy formulation process. The study recommends training of County Government Officials and organizations and self-help groups involved in policy formulation process on what constitute quality public participation process in order to formulate better policies. Similarly, there is need for additional resources to Public Institutions to support public participation process as well as passage and enactment of laws and policy guidelines that enhance the public participation process.

CHAPTER ONE: INTRODUCTION

1.0 Overview

The chapter has the following areas; overview, background information, statement of the problem, research objectives, research questions, rationale, significance of the study, Scope, limitations, and Operational definitions.

1.1 Background of the Study

The Constitution of Kenya 2010 highlights participatory communication as a key principle of governance. Article 10 (2) and Article 232(1) of the Constitution provides that public participation is a national value and principle of governance in the public service. According this principle, the public is expected to play a part in legislative process and other business of Parliament and its committees. Also, the Constitution of Kenya 2010 under Article 1 (1) people have sovereign power that can be expressed through direct participation or indirectly through elected representatives. In addition, there are various legislative provisions that avail various platforms for citizen participation in devolved governance. This Model of Devolution in the counties governments in Kenya has given power of self-governance to the people and through public participation people are able to work with this government in making decision that affect them.

Chitere et al. (2004) explains, major milestone of participatory communication started way back in 1983 when the government came up with decentralized strategies in planning such as District Focus for Rural Development and District Development committee to bring resources closer to the people. The DFRD strategy purposed to boost community participation in the planning and implementation of development projects at the district level. This became a participatory planning strategy beside being a decentralized approach that facilitated implementation of projects in the district level.

Mwenda et al. (2010) opines that, devolution as an Act can be viewed as a mechanism that came to institutionalize public participation in development planning and as a result it also gave real power to the people through increasing opportunities for political participation thereby enhancing community sense of ownership to development plans.

According to Bessete (2004), participatory communication is a planned activity that is based on the participatory processes, and on media and interpersonal communication. Dialogue among different stakeholders is viewed as a key communication tool that facilitates good decision making in policy formulation. Gumbo (2013) asserts that institutions working at the community level engage in dialogue to identify problems, make decisions and initiate action. According to Dragon (2001), participatory Communication is a form of pluralistic public participation as people are considered integral component on social change and in the control of the communication tools and content. People are able to take action for their own future through dialogue as a communication tool.

Walker. G. (2007) posits, public participation as participatory communication. Walker argues that participatory communication is an important public participation approach to the extent that players in the environmental policy decision situation pursue pluralistic public participation and use approaches and tools of participatory communication which seem essential.

Jacobson (2003, p.87) asserts, in the participatory development, participatory communication emphasizes on local knowledge and local capabilities. In similar vein, Tonn & Patrich (1998, P 90) asserts that robust public participation method helps citizen build citizenship capabilities, establish identities and better understand governance, construct and maintain social network and receive rewards for their effort. Therefore, Pluralistic Public participation through participatory communication works and features

local knowledge and citizen capabilities. According to Mansel et al. (2007), Macbride Commission, report in (1980) explains participatory communication model and stresses reciprocal collaboration throughout all levels of participation. Also involves listening to what others have to say, respecting others will and working towards mutual trust among the public participating in the development issues.

Jan Serves & Patchance (2005); Unesco Language About Self-management, Access and Participation meeting report (1977), participatory communication is implied as a new paradigm of public participation and involve public participation and management of development initiatives.

Kaseya (2016), argues that citizen participation in development plans of their country is not a favor it's a Constitutional obligation that both National and County government must adhere to. Further, Article 174(c) of the Constitution, gives people powers of self-governance through participation in making decision that affect them. Freedom of access to information under article 35 is also enshrined in the Constitution and this accessibility, consultation and active public participation in policy making is expected to contribute to good governance and greater transparency in policy making through public scrutiny. Therefore, agreeing with observation made by Kamau. M. (2011), Communication is an essential tool that can help enhance peace, political stability and democracy and this can well be achieved through a common understanding among different stakeholders. Access to information should be a bare minimum condition for democratic citizen. As a fundamental component that enhance citizen engagement, people can therefore be able to shape their lives and also empower themselves to make informed democratic choices.

The implementation of participatory communication approach cannot work effectively in absence of proper framework and guideline. The Constitution 2010, Article 118 (1) (b), and 196 (1) (b) principally direct the National and the County Assemblies to

provide frameworks for all stakeholder's involvement in legislative processes. This is to ensure citizens are continuously involved in governance processes. Moreover, the governments both at national and county level are required to enact legislation and develop procedural guidelines for public participation for people to exercise this right. Such guidelines entail that Introduction of a Bill in Legislature should follow advertisement in the media asking for public views on the Bill and through appropriate mechanism such as holding public hearings, inviting submission of memoranda, consulting relevant stakeholders and consulting the experts on subject matter.

According to a review done by Kenya School of Government (2015) on county initiatives on Participatory Communication in the roll out of devolution. The process of public participation has its fair share of challenge. The report findings acknowledged that Counties were facing challenges such as lack of understanding participation, poor planning and lack of guidelines and structure that don't accommodate public participation process. Further, Majority of counties acknowledged that they were fulfilling the minimum legal requirements for participation and there was room for improvement on the quality. Pimbert and Wakeford, (2001) asserts that, "Democracy deprived of citizen negotiation and participation is in the end an empty and meaningless concept". This assertion is rooted on the fact that repetitively governments in the past excised Autocratic form of governance and decision were made from top-down approach and major projects and policies were passed based on individual interest rather than the public needs. There was need to address people's expectation in governance in the wake of declining interest and participation in democratic process.

Geissel & Newton, (2012) says, corporation of citizens in policy making process helps in repairing the lost relationship between the local community and their governments.

Example, In Kenya during Kanu government regime in 1990s, projects and policy were

supported based on popularity of the party in the regions and this eroded the public trust in institutions and slow development of the economy was witnessed under this Autocratic regime.

According to Mamdani (1996) Kenya borrowed largely from the British Administrative structure where judicial, legislative, executive and administrative authority largely fused into one authority and individuals who were given the administrative power and responsibility used coercion techniques in supporting their agendas of the day. Chiefs were often seen as clients of the administration and often yielded much power which they used to enforce state policy. African individuals in societies who opposed the ideals of the governments of the day, were harassed, tortured and detained due to their contrary views and beliefs. According to Koigi Wamwere (2002); I refuse to die. His first detention happened during the Kenyatta era and again during the Moi regime. As a political detainee, he attributed his predicaments to the then governments which was not peoples centered and did not want divergent views on any matter. As an activist he spoke against injustices in society and lack of public inclusivity in government decisions and that resulted to more detention years in Kenya prison. The belief that good public participation principles yield good governance is well founded and going by the above case, participation helps improve service delivery to the people and consequently giving voice to the voiceless in the society.

In addition, Kamau. M. (2011) argues that Kenya has undergone massive and fundamental changes in democracy since Multi party election in 1992 when Kenya moved from being a one state party. For instance, today media is at the forefront and bolder in criticizing the government in matters of governance and the public can engage in political debates on radio and other media channels without government interference as a result of having a robust constitution that protect freedom of the media and freedom of

expression. Public participation can also be viewed in the perspective of change management in an organization. According to Zoltners et al. (2001), Change management is often important especially when transitioning from one point to another. A country moving from Autocratic governances to Democratic governance to devolved governance could only be desiring to have a better future than the current state, this can only be achieved through proactive change management process. Therefore, to manage good change in public participation process, there is need of New strategies by County Government in enforcing public participation process and deliberate new ways of thinking, acting and operating.

Ketoyo (2017), study on influence of public participation in the implementation of Nairobi County projects, states that full realization of public participation is far from being realized. Analysis of those who responded in the study indicated that 80.9 percent of respondents did not consider themselves as stakeholders in the public participation process and only 21.9% agreed with the process and further satisfied with the roles and responsibilities in the designing of county programs and policies. The above findings can further explain the widening gap between the needs of implementers and those of the beneficially (public) in terms of consultation of stakeholder on any project or policy implementation in the counties. According to Kenya Human Rights reports, it is a common practice that County Governors and executive members in the county governments are often accused by the public of by passing them in policy formulation and implementation of programmes. Kathi and Cooper, (2005) describes, public participation as that which informs, engage, consult, collaborate and empower the citizen and where public input is often sought in all stages of the policy making process. Baker et al., (2005) supports that argument, however he viewed public bureaucracy as a limitation to public engagement. He further explains that people confuse public participation with

information exchange channels where public are guided on how to think and act and the end goal of this public hearings is not problem solving. Therefore, it is important to have meaningful public participation in governance process.

According to Kenya Policy on Devolved System report (2016), low civic awareness by the public, inability to access of information and uncoordinated civic education are some of the issues that greatly affect quality of public participation process. County Government Act (2012), gives County government legislative power to use media in awareness creation and civic education on devolution and governance. Section 95(1) of the Act specifically obligates county government to facilitate communication and information access to the Public through media with the highest public outreach in the country. The County Government can use different communication channels such as County Government websites, Television station, radio, public meetings and other traditional media.

Kamau.M. (2016) states, use of media channels such as radio which has highest public reach in the country has both negative and positive effects. The free and liberalized media in Kenya can both build or destroy democracy and erodes patriotism values and social cohesion. Therefore, caution should be taken in the kind of messages that are broadcasted in this media stations. Ordinary words with different interpretations can cause violence among communities. Therefore, County Governments when engaging the public through media on their oversight role in policy implementation. There is need of carefully choosing the right wording and messages to the target audiences.

Nairobi City County Public Participation Bill (2015) section 6(i) states that the Nairobi County Government shall establish a culture of democratic governance for the public to participate in the affairs of the county and in line with other relevant laws such as County Government Act 2012. Under Section 12. (i) of the County Bill County

assembly members or village administrators have the authority to convene a ward or a village citizen participation forum facilitated by the County Government in respect to Implementation of policies or plans of county, sub county or village.

The Urban and Cities Act (2011), is in full supports of the County Government Act and it contemplates the view that residents in a town or a city can participate in policy and law-making process and also in-service delivery in their respective regions. Nairobi County is Cosmopolitan city and according to the above assertion, different communities living in this city have to demand for accountability and inclusivity in the decision-making process of the city.

According to The Institute for Economic Affairs report (2015), on public participation in the Four counties namely, Kisumu, Makueni, Isiolo and Turkana. Some counties have put up infrastructure to facilitate public Participation. Example Kisumu County had established Decentralized structure at the ward level and county level and these efforts had encouraged citizens in that county to attend public forums that call for development of projects and policy formulation. The challenge of bias against members of public with contrary opinion was noted in mobilization of citizens by Members of the County Assembly, this underpins that the principle of public participation is just a formality process that is under the mercy of the powerful governing body. This governing body decides who to participate in the process of public participation contrary to the expectation of the Kenya constitution 2010.

According to the study by Institute for economic Affairs, some of the best infrastructure supporting citizen participation was in Makueni county. There was an elaborate public participation office run by a coordinator. At the ward level there was a Coordinator who works with Ward Public Participation Facilitators (WPPF). Citizen participation was found to be important in implementation and oversight process and this

was well coordinated through program management Committees (PCM) which have been established in the County.

According to UNDP, Global Centre for Public Service Excellence (2016), Public engagement is a key factor in good governance. public sector agitators and Community leaders and other parties interested in public engagement need to know what approaches of engagement are effective in supporting reforms. The report also highlights need for reformers to understand which kind of the public are more likely to participate and how they engage in participation process, for what reason and when they have chosen to participate and how the engagement process works to produce desirable outcomes.

Arnstein. S. (2007), argues that the process of participation by the citizens is good in principle and no one is against it. However, when it comes to actual participation of the public in government programs. The position shifts and the process is reduced to a polite handclap and this principle further explodes into many shades of ideological differences, racial and ethnic conflicts and political oppositions. on Ladder of Citizen participation, Citizen participation according to the scholar is seen as a strategy of power redistribution which enables the haves not to continue being excluded in the political and economic process. For the public who are powerless in the society, public participation without redistribution of power is viewed as a frustrating effort.

The implementation of the public participation process in Kenya as highlighted by different scholars, is often viewed with a mixed bag of reaction from the Kenya citizens, and other stakeholders who are interested in the decision-making process on policy formulation and governance at national and County government level. There are those, implementers (Authorities) who are in the support of the current public participation process due to their own interest in the process and also critics who view the process as a sham on the face of the current constitution 2010 and Kenya democracy. In particular

instances, citizens have had to go to law court to challenge the process of public participation when they have felt the due process was not followed and their right to public participation in accordance to the constitution is threatened.

According to Walter.D.(2019), three Nairobi residents went to court on August 2019 to bar the enactment of public finance Bill arguing there was no public participation in the process. The three argued that the legal notice on the provisional collection of taxes, fees, charges, levies, and penalties order 2019 was tantamount to denying the public the right to participate in public forums which had started on July 2019 to August 16, 2019. Additionally, the bill attracted public uproar according to the petitioner due to the plans by Nairobi County executive to use Nairobi Provision Collection of revenue Act of 2013 to effect part of finance Bill 2019, this they viewed as an act against the spirit of public participation process as envisioned on Kenya Constitution 2010. Therefore, they wanted the court to declare the issue null and void and stopping the Nairobi County Government from passing in to law the public finance Bill 2019 as there was no public participation in the process. Walter asserts that democracy is at stake when public participation process is not followed according to Kenya Constitution. Therefore, the public Finance Bill 2019 sparked a fierce debate on the process of public participation and its contribution to democracy in Kenya. This study is continuation of that debate and aimed to understand the process of public participation in policy formulation at the county government level. The study would also help in establishing what is ailing the process of public participation at the County Government level.

1.2 Problem statement

From the background, UNDP report (2016), participatory Communication is a key principle in strengthening Democracy and Good governance. The Constitution of Kenya 2010 has entrenched public participatory principles in decision making and in policy

formulation. Under article 1(1), citizens have Sovereign power which can be expressed through direct participation or indirectly through elected representatives. In addition, Article 118(1) (b) and 196 (1) (b) of the Constitution calls for meaningful public participation at both levels of Nation and County Government.

From the Background, the Process of participatory Communication has been dogged with controversy emanating from mistrust of the process by the public and dismal performance. For instance, Walter.D.(2019), asserts that public Finance Bill 2019, sparked a fierce public debate on the process of public participation by the Nairobi County government. Three petitioners wanted the court to declare the legal notice order of 2019 on taxes, levies, and penalties, null and void. Further, they wanted the court to stop the Nairobi County government from enacting public Finance Bill 2019 in to law as there was no adequate participatory communication on the process and therefore the Bill was unconstitutional.

Well & Morgard, (2006) argues that, numerous different ideas exist on how best to conduct participatory Communication on policies and development activities. This difference on implementation make public participation effort more challenging and also limit its effectiveness. Nevertheless, numerous legislations and policy guidelines have been passed at the National and County government level to strengthen participatory Communication, and limited achievement has been made. Ketoyo (2017), observes that full realization of participatory communication is far from being realized. On his analysis of Public participation at the County Level, 80.9 percent of respondents did not consider themselves as stakeholders in the public participation process and only 21.9% agreed with the process and its design.

Transparency International (2016) report, on public participation also indicates dismal performance of county in public participation, according to their findings 38% of

respondents expressed they were aware of County meetings and only 15% attend those meetings of policy formulation. The findings of the study point to a process that is not committed to inclusivity of the public in formulation of Kenya policies. According to Gumbo, (2013) Participatory approaches offers a promising tool for promoting peoples centered policies and development in the economic and political systems and this enhance community empowerments.

In addition, Nairobi City County Public Participation Bill (2015), supports inclusive public participation process, section 6(1) calls for establishment of a culture of democratic governance where there is enabling condition for the public to participate in the affairs of the county and in line with other relevant laws. The UNDP, Global Centre for Public Service Excellence report (2016), highlight need for Public reformers to understand the public who are more likely to participate and how they engage in participatory communication, for what reason and when they have chosen to participate and how the engagement process works to produce desirable outcomes.

Adams (2004) states, low participatory communication practice in institutions may lead to a public perception of such meetings as hollow formalities and there is need for improvement in the process to make it more inclusive. Pimbert and Wakeford, (2001)) supports Adams views and asserts that:

“Democracy without citizen deliberation and participation is ultimately an empty and meaningless concept”.

From the foregoing narrative there is an indication of dysfunctional participatory communication in policy formulation which is contrary to the spirit of the Kenya Constitution 2010. There exists a research gap since no study has been conducted on understanding how participatory communication is done in formulation of policies in Nairobi county. In addition, Public Bill formulation and implementation continue being a

challenge due to lack of participatory communication among stakeholders. According to Gumbo (2013), lack of participation among community members or target groups in the decision-making process is the one of the main reasons for the failures of programs and implementation of policies. This study will seek to fill the gap by examining participatory communication and formulation of Nairobi County public finance Bill 2019.

1.3 Research Objectives

1.3.1 The General Objective

The purpose of this study is to examine the participatory communication on formulation of County Public Finance Bill 2019 at Nairobi County Government.

1.3.2 Specific Objectives

- i. To evaluate public participation influence on formulation of Nairobi County Public Finance Bill 2019;
- ii. To establish media channels used by organizations and groups to access information on Formulation of Public Finance Bill 2019 in Nairobi County Government;
- iii. To establish how participatory communication has been conceptualized by Nairobi County Government;
- iv. To determine how participation can be enhanced on formulation of Public Bills in Nairobi County Government.

1.4 Research Questions

- i. How did participation influence on policy making in Nairobi County Government?
- ii. What media channels did you access information about the Public Finance Bill 2019 in Nairobi County Government?

- iii. How did Policy implementer conceptualize participatory Communication in Nairobi County Government?
- iv. How participation can be enhanced on formulation of Public Bills in Nairobi County Government?

1.5 Rationale for the Study

Public participation process is a key principle of governance in Kenya and it is captured in the Constitution of Kenya 2010. However, despite being institutionalized in Kenya governance structure, the process is criticized and shunned by the public. This continued trend can be attributed to public mistrust of the process or low civic awareness of the process or constraining public bureaucracy. Therefore, this study is important as it is expected to find out the reason behind continued trend and dismal performance of the participatory communication process in Kenya County government and other public sectors.

Similarly, Muriu (2014) supports this view, and while assessing the impact of citizen participation on service delivery in Kenya using cross-regional data. He found out that there has been lacking of participatory communication in decentralized system of government, despite effort by government to set out mechanism for public participation. The public continue being left out in matters of policy formulation. Adams (2004) observes that, during public participation often there is no dialogue as the public are never given enough time to air their view and communication is thought to be a one-way process. As more critic of the process continue to emerge there is need for this study as it will help create understanding on the process of participatory communication and also interrogate whether the process is working as proposed in the Constitution of Kenya 2010. Consequently, this study is expected to help at examining at the participatory

communication in policy formulation and its contribution in informing and empowering citizens to make informed decision.

1.6 Significance of the Study

The study focuses on participatory Communication on formulation of Public Finance Bill 2019 at the Nairobi County Government. There are other numerous studies that have been done that examine the role of public participation and its general contribution to development and democracy. This study departs from that common approach and purposes at understanding the Participatory Communication and how stakeholders engages, informs, consult, and are empowered to make decisions and what necessarily drives the citizens to participate on the process of policy formulation.

This study is also important and help in addressing the lack of clarity on who actually participate in this process of decision making. De Veries (2002), points out that there are general assumptions that the Public participation process is about involving the public in policy formulation. Contrary to this view, the scholar argues that the public does not exist, and what is assumed as the public are profit organization, businesses, political party groups etc. Therefore, this study helps in answering the arising question, on who should participate in policy making process? And to know citizens that participate in decision making.

The study also provides insights on why citizens are not interested in participating in participatory communication as required in the Constitution of Kenya. The findings of the study would also be useful to all those who want to understand public participation process on policy formulation in Kenya and how well the process can be improved to yield better results and also benefit the citizens.

1.7 Scope and Limitation

1.7.1 Scope of the study

The study focused on the public who participated in formulation of Nairobi city county Finance Bill 2019. The public entailed the residents of Nairobi county; the rate payers, civic organizations, social groups (comprising of marginalized groups such as women, youths and people with disability) and Business Associations with interest in the governance of Nairobi county. The study was conducted within Nairobi County, CBD. The researcher used descriptive research design and interviewed six (6) respondents in the County government of Nairobi. Respondents for the study were selected using purposive sampling technique for individual interviews.

Also, the study collected primary data through census sampling method from stakeholders who participated in the policy formulation. In addition, secondary data was generated from document review of the 14 memorandum submissions. Data was collected using interviews and review of documents and analyzed thematically and statistically. Later clear conclusion was drawn.

1.7.2 Limitation of the study

The research was limited to Nairobi County and also to only participants and Policy implementers who were involved in the formulation of public finance Bill 2019, this was due to the limited time available and implications of financial resources and also due to the demanding nature of collecting information in a wide area. Other limitation experienced during the study period was that some participants agreed to the interview but halfway they opted to stop answering the questions citing they were afraid and also had no time. Despite assuring them that information was for academic purpose, some refused completely to continue answering questions for the study.

In addition, some organization did not agree to participate on the study citing they had no time to undertake the interview. There was also resistance by the county

government officials giving crucial information and documents to the researcher about the study and to get access the researcher had to write a letter despite presenting a proper introduction letter from the school of journalism at University of Nairobi, indicating the student intentions of carrying out the study solely for academic purpose.

1.8 Operational definition

Traditional media are earlier communication medium such as Radio station, Television station, Newspaper dailies. Traditional media has mass audience followers due to the historical relationships this media have created over time through interaction with their audiences. Messages communicated through this medium of information is able to reach large Mass of audiences and the information conveyed is widely considered as factual and authoritative by the populations. These medium of communication also shapes public opinion and sets agenda how the public should think, act and perceive their environment.

Democracy is conceptualized as a governance structure which is driven by the will of people as cardinal rule in policy implementation or development plans. key principles in this governance structure is freedoms of speech and expression. Democracy also calls for exercise of fairness and justice as well as accountability and transparency in public service delivery. Respect to the governing laws and rules is also emphasized. People also are not coerced in making decision and they have equal opportunities to voice their opinion without any form of discrimination to any group. Citizens also have free will to air their opinion despite how unfavorable the opinion may be viewed by those in authority as long as their opinion are not to cause violence or propagate for war or hate speech to communities and other citizens.

Public participation is a process that involve citizens' inputs on matters of national building and issues that are of concern to them. Members of the public are

consulted, engaged in public debates and forums which help them to make well informed decision that bind them present and in future. The process is expected to consolidate citizen inputs so that their needs are addressed and prioritized. The process if implemented successfully informs better results and minimizes conflicts and resistance from the public on programme executed by organization for the community wellbeing.

Participatory Communication is an approach where stakeholders or beneficially become actively involved and participate in the drafting, designing, methodology, and implementation of their development goals. There is use of dialogue and other forms of communication, citizens make deliberation and also participate in public affairs and in decision making of their present and future goals. It is a transformative process to the publics, through which communities become empowered. People who participate are conscious of their dignity and are in a position to express themselves based on their individual reality and personal life.

Public are non-profit organizations, individuals, businesses, private interest groups that operate externally and have interest on influencing decision process of the public institutions.

Stakeholders are all involved parties in matters of governance, and they influence decision making either directly or indirectly for the greater public good.

Policy Formulation is procedural process of making laws and inclusive decision that are legally binding to the public.

Perceptions are beliefs or opinions held by the public about an issue. These viewpoints dictate how the public acts on particular issues.

CHAPTER TWO: LITERATURE REVIEW

2.0 Overview

This chapter is intended to offer a review of synthesized relevant literature which is focused on the following variables: Public participation process, civic awareness, Access to information, communication and Media, legal framework on public participation and formulation of public policy in Kenya. Further, the chapter discusses the theoretical framework which the study is grounded on. The study is grounded on participatory paradigm, Arnstein ladder of citizen participation Model and Theory of Communication Action.

2.1 Empirical Studies

According to (Savaes 2002; mefalopolus 2003), Communication and participation are key components of successful development. Gumbo (2013), argues that Participatory approaches in decision making offers a promising tool for promoting peoples centered policies and development in the economic and political systems and this enhance community empowerments. Therefore, dialogue among different stakeholders is viewed as a key communication tool that facilitate good decision making in policy formulation. According to Bessete (2004), participatory communication is a deliberate activity that is based on the participatory processes, on media and interpersonal communication. Gumbo, (2013) opines, lack of participation among community members or target groups in decision-making process of development initiatives is the one of the main reasons for the failures of programs and effective formulation of policies.

Well & Morgard, (2006) argues that, numerous different ideas exist on how best to conduct participatory Communication on policies and development activities. This differences on implementation make public participation effort more challenging and also limit its effectiveness.

Creighton (2005), observes that participatory Communication is an integral part of democracy and it's both a citizen right and a principle of governance. According to the author the process provides a direct link between the public and policy makers in the governance structure. Democracy is supposed to give citizens power to influence their governments action in decision making on issues that affect their needs. Through public participation process policy makers are able to gather information about people value and choices with regard to certain decision.

Beierle & Cayford, (2002) analysis on 239 public participation cases over the past 30 years based on social goals. The findings of the case studies showed that when the public participated in decision making process, there was improvement in quality of decision and high responsiveness to the public values. Also integrating the public helped to resolve any problem that might have been there, build trust and enhance awareness on the public about their environment. Tufte & Mefalopulos, (2009) posits, Participatory communication is an approach that use dialogue to contribute to citizen empowerment. The approach facilitates sharing of information among various stakeholders including most vulnerable and marginalized in the society. According to De Zutter. P. (1980) lack of participatory communication in development activities constitute a barrier to success. On the other hand, basic service projects that involve discussions among the populace and between the people and outside promoters always produce superior results. Institutions with better communication, and dialogue emphasized between parties involved, have appreciation for people's real needs, and are able to seek solutions adapted to the local realities.

Public participation principles are found in the Kenya Constitution 2010. Public participation is enshrined under article 1(1) and its states that people of Kenya have sovereign power which can be exercised directly or through their elected representatives.

In addition, the constitution outlines National values and principles of governance under Article 10 (2) a, b and c. They include democracy and inclusivity of people in decision making, Transparency and Accountability and good governance.

The constitution also provides freedom of expression under article 33 in decision making process and article 27 states there should be no discrimination and inequality of individual during public participation process. Further, the constitution provides for right of every citizen in accessing information held by state and of important to the public.

Under Article 118 (1) Parliament is expected to be transparent in conducting its businesses and of committees and also to facilitate public participation in the legislation process. Article 119(1) states every citizen has right of petitioning Parliament on enacting, amending, or repealing any legislation that is contrary to the constitution.

Article 174 provides for Objects of devolution where communities have right to manage their own affairs and further their development initiatives through public participation process. Article 184 (1) calls for National legislation to enhance public inclusivity in planning, management and governance of urban cities and areas. At the County Assembly level, the Constitution directs counties under Article 196(1) to be transparent in their legislative business in committees and to facilitate citizen involvement in formulation of policy. Article 232(1) of the constitution stipulates the need for timely and accurate information in the legislation making process. Other legislation that emphasize on public participation include; The Public Finance Management Act (PFMA), Section 207 and County Governments Act Section 113. The PFMA Act calls for establishment of structures, guidelines and mechanisms by County Governments for citizen participation.

In addition, the County Governments Act section 113 makes public participation in county planning processes mandatory. Also, Section 87 of the Act stipulates there

should be citizen involvement in their development initiatives and timely access of information to enable the public participate in the decision-making process. The county government Act Section 91 guides county government on how to establish platforms and modalities for citizen participation e.g. town hall meetings, decentralized Units at the County and appropriate Information technologies to use. Urban Areas and Cities Act Sections 21 and 22 is another legal framework that provides for residents' participation on governance of cities and urban areas in Kenya.

The Kenya laws therefore provides for establishment for structure and mechanism of public inclusivity in all levels of National and County governments. However, despite this legislation being in place the process is thought to be dysfunctional as many policies and projects are continued being undertaken without public being involved in the decision making process, this stalemate has often led to law suits in Court which have been initiated by the members of the public with the aim of compelling power holders (Governments) to involve the public in the matters that are of interest to them. Arnstein. S. (2007), supports the view that Citizen participation is not working as stipulated and it has become a strategy of power redistribution which enables the haves not to continue being excluded in the political and economic process and the idea of public participation is good in principle but not in implementation.

According to Ketoyo (2017), study on Influence of public participation in the implementation of the Nairobi County Government funded projects. The analysis of respondents on the public participation in designing of program indicated that majority considered public participation in project none inclusive to stakeholders and those who participated felt the process lacked clear roles and responsibilities in project designing. According to the statistics 80.9 percent did not consider themselves as stakeholders and 21.9 percent saw the process as inclusive. Kathiyn (2016) supports the view that public

participation is at its lowest level in governance and calls for greater attention in understanding of public participation process so that to improve the efficiency of the process and further build trust and confidence of public about the process.

Muthepu. (2013) study on Local governments of Lesotho; Public participation in policy and planning process. Found that the process was important as it offered responsive service delivery by the governments. Also, the process led to initiation of projects that were sustainable and productive. The government of Lesotho through this inclusive process was able to identify the needs of its citizen and hence able to provide services and development relevant to the community. Taylor and Frenchman (2004) supports this view and explain that the process has the ability to reduce poverty and social injustices as through participation in policy making, the level of accountability improves and the citizens become empowered and responsive.

Further, Muthepu (2013) argues that personal benefits attached to the process by the public is some of the reason why there is low participation. Majority of the respondents indicated they participated in the process because they were paid and also there was high likelihood of being employed in a project. The process according to the author stands a better chance in implementation when its enforced through comprehensive citizen participation law which will ensure it's the prerogative of the governing body to involve the public as provided for in the law and this will help in empowering people with relevant knowledge and education. Example, in Kenya laws as discussed earlier, public participation is envisioned in the constitution and this necessitates the need to involve the public in policy making even when the government feels not to do so.

According to De Vries. M (2007) Article; On Public participation in policy processes. Towards Research Agenda. De Vries asserts that to arrive at sound policies in

governance there is need for them to be thought through. There is need for closer relationship between the stakeholders in their environment. Policy makers should also work undisturbed in order to formulate coherent, effective and efficient policies. The author also cautions that participation should not defeat its purpose of bringing inclusivity in decision making and in the interest of all stakeholder's, minimal time should be taken to negotiate with the public. Weber (1995) supports this view and explain that organization that negotiates too much with its stakeholders in a decision process have a high chance of falling victim to those groups effect and interests, especially when the groups yields more power than them. Beer (1982) also asserts that large influence of stakeholders in decision making process results to delay, postponement or stagnation.

Duke.et al., (1996) however argues against this notion and notes that participation may not necessarily halt policy making progress but will help in reduction of time spent from identifying a policy problem, to developing the policy, to making decision about the policy to implementation stage. This means the complex decision-making processes will speed up whatever stakeholders are continuous involved and the degree of resistance is greatly minimized. On inclusivity of public in policy formulation; De Vries argues that public participation can be viewed as an interaction between the Governments and the Societal groups through various design. The first design (A)society groups are seen as target groups. At this design participation of societal groups in policy making is minimal. The second design, known as type (B) social groups are viewed as interest groups that are involved in the formulation of policy and thought to be good in economic development. Type C is where society groups are seen as clients and government is the service provider. Type D classification is where societal groups are treated as partners with the governments and what constitutes governance. The public participation envisioned in the Kenya constitution 2010 falls in category D classification where the public are partners

with the government in decision making on policy or projects. Readschilder, (2003) supports this view and asserts that the kind of relationship between the public and the governments in the policy formulation where there is no dominance from any party involved is what should constitute modern day public participation in policy network.

According to Mbithi and Dambuki (2008) journal on determinants of citizen participation in Kenya county governments. Public participation process is provided for by the constitution of Kenya and various law such as County Government Act 2012, Urban areas and Cities Act and the Public Finance Management Act, among others. To address the development imbalance in the devolved county governments there is need of citizen empowerment through meaningful public participation. What has been lacking in public participation in governance is meaningful public participation as the process is done in guarded mystery and often times the public are never aware of the process. The public only learns about the process after the process has been complete, this would only mean that the public who are mainly involved in this process do so for the purpose of formality and to legitimize the process in the eyes of the public and the laws.

According to Mbithi & Dambuki, when there is difficulty in influencing county decision this results to reduction of meaningful public participation process. To address the problem there is need for policies to address the gap that exists in meeting the legal requirement of public participation as envisioned in the Kenya constitution. The county executive should also establish robust communication mechanisms that encourage two-way communication and enhances people's inclusivity in the process. As illustrated in the texts of the journal the current structure of communication in the Kenya governments does not encourage dialogue in policy formulation. Thus, public are most of the time not aware of public participation process of a project or a policy and learn about the process much later. This has led to the public perception that citizen involvement process on

development initiatives is a mockery of the constitution of Kenya 2010 as it is not open to all.

The Kenya County Government Act (2012) asserts that information about the process should be communicated through a media which has the highest outreach in order to encourage public engagement. Radio is one of the media used for communicating to mass audiences but it's rare to find counties advertising about public participation process and most of the time this information is relayed through the newspaper which is only accessible to the elites in the society who can read. Counties governments should also be innovative and use social network platform popular with the youths such as Facebook, twitter and website to enhance their interaction with the public on policy formulation at that level. According to E.Innes & Bachor (2004) on planning of Public participation and strategies on the 21st Century. Collaborative participation among all stakeholders help to improve climate for future action in conflict and also the strategy is a good recipe for solving complex and contentious problem such as policy formulation and Budget decision making. The process of public participation is touted as good in principle but when it comes to applicability the process does not work. Members of the public are not satisfied with genuineness of their inclusivity in decision making at the national or the county level. Consequently, politicians usually politicize the process due to their vested interests and eventually it loses its meaning.

E.Innes & Bachor cites among the reasons of failure of public participation process as lack of involving wide spectrum of public views. The strategies of public participation in Kenya also appear as a ritual that appear to satisfy the legal requirements in a process. This perception discourages thoughtful citizen who view that their input is not likely to be incorporated and the procedure translated as a waste of time. In USA public participation method has also not worked in public hearings, forums, reviews in

influencing decision making this is according to Judith E. Innes & David Bachor, and instead the process is antagonizing citizens who are supposed to work along with the government. Moreover, Public participation is viewed as an afterthought process after a decision has been made. Example in Kenya according to a statement released by Kenya Statehouse spokesperson to media houses on 25th February 2020. The Governor of Nairobi transferred four county functions to the national government of Kenya which included; County Government Planning and Development; County Health services; County Public Works; County Transport services, Utilities and Ancillary services pursuant to article 187 of the constitution of Kenya.

According to the article 187 (1) the function of one level of government may be transferred to another level of government by agreements especially if the functions can well be handled by the receiving government. The signing of this agreement was done by the Governor with Devolution Cabinet in concurrence with H.E the President. The agreement was also witnessed by the Speaker of the Senate, and the Attorney General. This action took many Nairobi residents by surprise because they had not been consulted and consequently a Nairobi resident moved to court days after, citing the process lacked public participation. Further, the government of Kenya notified the public through special gazette on 26th February 2020 that there would be public participation forum on 4 March 2020 and also the public could send their views with regard to the Deed of Transfer of 2.2

2. 2.2 Functions to the National Government

The spirit of Constitution of Kenya 2010 on public participation is that the process is done before arriving at any decision by the County or the National government but according to this deed the agreement was signed before public participation taking place. This act shows lack of genuine public participation process and the depth of vested interests that politicians have in this process.

In addition, Lack of consolidating public views in the Deed of transfer of Nairobi county functions may result to conflict between Nairobi residents and the County governments. Also, the members of the public may feel betrayed as their input was not taken into consideration and the level of trust in public participation process will continue to diminish with this kind of action. Olson, (1965) supports the notion that citizen participation is likely to fail because the interests represented by organized groups are likely to overshadow the shallow interests represented by the citizens. According to Olson for public participation process to work the method must have inclusive common framework which involve not only citizens but also pay attention to organized interests' groups, organization and policy implementers. Communication model in participation should be multi-dimensional and two-way communication by the stakeholders and with joint action.

Kamau. M. (2015) opines that the media play key role in elections. His findings on online campaign study in Kenya during 2013 general election, indicated that Kenya political candidates used traditional media in their campaigns more than social media network sites. In addition, multimedia approach in communicating to the target audience worked well as every media channel had specific target audience and the message was tailored according the demographics of the audiences.

For instance, Politicians used frequently Facebook as a communication tool to communicate to the audience masses, while twitter was considered an elite platform. The study also revealed that use of radio by political candidates was leading at 61.9 % followed by bill boards at (40.3%), newspapers (37.2%), and television (32.5%). These results show that use of different media channels in communication including traditional media and new media such as social network site like Facebook, twitter are important communication tools for masses and diversified mode of communication helps in

ensuring message is conveyed to the public and other target groups and this can be viewed as ways of enhancing public participation process.

Hanna, (2000) asserts that the biggest issue in participation is information control and its trustworthiness. Yankelovich, (2001) supports idea of having dialogue with the public in decision making process. He argues that dialogue has a transformative power and citizens stand to benefit when they are equally empowered with opportunity to voice their concerns. This argument was based on a study done called choice work dialogue. Citizens were selected randomly in a group of 30 for a dialogue on growth of policy. The author thereafter observed their interactions and in their first encounter, the people who formed this groups started their conversations by opposing views and through meaningful dialogue they all agreed by the end of the day. The author observed that participation of citizens in an activity or in policy formulation empowers the public to generate more confidence in their ability on transformative change. According to Innes & Booher collaborative participation is the better option because participation is likely to be more representative than other methods and disadvantaged citizens such as youth, women and people with disability have the opportunity to arrange themselves into groups and have representatives who will air their views and be in a position to compete with other interest groups which are well funded. The method can also help to deal with dilemmas of participation in contemporary society.

2.3 Kenya Historical Perspective on Public Participation Process

Public participation is traced back from Arnstein (1969) Ladder of citizen participation. Arnstein viewed public participation as giving of power to the haves not in the society in determining how information is shared and goals and policies are set. Omolo. A. (2011) asserts, public participation started way back in 1965 session paper No. 10 on African socialism and its bid to planning in Kenya. Part II (12) of the session paper

expressed the need for all citizens to participate in the rapid development of the economy in order to foster success in the endeavor of Governments of Kenya. The session paper outlined how Kenya was to grow its economy in various sector and need for public participation in National Building. Part II. (130) On policy consideration of consumers in Africa socialism the session paper gave the government duty to protect the interest of the consumers to avoid exploitation. In 1983 the government of Kenya also made more effort of enhancing public participation through the establishment of District Focus for Rural Development Committee whose aim was bringing services closer to the people and the Government to be able to identify people's priority and needs and address them. This committee provided the citizens with an opportunity to participate in giving important insights in national planning and policy formulation.

Also, according to Omolo. A. (2011) an evolution of participatory development was through enactment of physical planning Act in 1996 which provided for communal involvement on physical and development plans. Other effort at local level of improving public participation process was through a ministerial circular in 2001 that establishment Local Authority Action Plan. Subsequent establishment of constituency development Fund through CDF act helped in promoting public participation in development agenda of the government. The promulgation of the Kenya constitution in 2010 made citizen inclusivity a mandatory process at National and county governments even at the onset of the introduction of devolution. Public participation process was supposed to enhance accountability, equity and social justice in the affairs of the governments.

Bryson et al. (2016) argues that the main purpose for public participation include an obligation to meet legal requirement; to enhance democracy and inclusivity; to advance social justice; to produce policies that are peoples centered and to inform the public in understanding their needs and issues affecting them and exploring for possible solutions.

2.4 Policy Formulation Process in Kenya

According to the Kenya Institute for Public Policy Research and Analysis (Kippra), A policy is a statement of government intent, which articulates basic principles that can lead to specific goals and actions. Policy formulation in Kenya entails procedure of law making. In context of legislation, it is a document outlining government or an individual goal to achieve for a society as a whole.

According to Kippra report (2017), upon approval a policy is passed by respective County Assembly, it is submitted to the Governor for Assent. A policy is published as a white paper after being assent. The policy in its early stages before its tabled in the house it is called a legislative proposal after it is tabled it is called a Bill. Therefore, the procedure of drafting legislation to be considered by National Assembly or County Assembly in Kenya is often referred as Policy Formulation process.

According to Nairobi County Assembly website, a Bill is a legislative proposal that either intent to enact a new law (to anchor a policy into a law), amend or repeal existing law(s). There are two types of Bills and include Private Bill and Public Bills. Private Bills deals with particular effect or benefit to association or corporate bodies. Public Bills on the other hand intends to affect the general public. In addition, Kippra report asserts that, County government Bills follow the following stages; After being drafted, a Bill is published in a special or supplementary issue of the Kenya Gazette to notify the public and invite representations through the elected Members or direct submission of memoranda and petitions. The Bill is then subjected to First reading, which is intended to draw the attention of the Members and the public to the Bill. The Bill, here, may be referred to the relevant Sectoral Committee. The Bill then goes to second reading where the Mover introduces and outlines the main purpose, objectives and any other

details of the Bill. The members discuss the Bill and the views of the Mover together with the report of the Sectoral Committee.

Consequently, the bill is subjected to the whole House Committee and is considered clause by clause. Members are allowed to propose amendments but only if they do not affect the original proposal, or objective of the Bill. The Committee informs the House sitting in Plenary of their consideration of the Bill. On the Third reading, Members may again debate the principles of what is already in the Bill but further amendments should not be proposed, except to defer its Third Reading for six months, literally - “killing the Bill”. Therefore, Once the Bill is approved and Assented to by the President or Governor, it becomes an Act of Parliament or County Assembly. The Nairobi City County Finance Bill, 2019 was read on Wednesday, 3rd July, 2019 for the First Time and was committed to the Select Committee on Finance, Budget and Appropriations for consideration and thereafter there was submission of a report to the County Assembly.

Pursuant to Article 196(1) (b) and Standing Order 121(3), the Finance, Budget and Appropriations Committee invited interested members of the public to submit any representations they may have on the Nairobi City County Finance Bill, 2019. The representations were supposed to be hand delivered to the office of the Clerk, Nairobi City County Assembly or emailed to the given email address, on or before, Monday, 19th August, 2019. Thereafter, Open public participation forum on the Bill was undertaken on the dates and venues as indicated below; at Uhuru Gardens Primary School in Langata Sub County on 30/7/2019, St. John’s Catholic Church Riruta, in Dagoretti North on 6/08/2019, Kayole Social Hall in Embakasi Central on 13/08/2019, Kariokor Social Hall in Starehe sub county on 16/8/2019.

2.3 Theoretical Framework

2.3.1 Participatory Paradigm

Participatory theory is earlier traced in Plato theory of participation (methexis in Greek) and referred to the relation existing between sensible objects and the Platonic Ideas or Forms, and also between the Ideas themselves. Plato in his Dialogues 'Parmenides', 'Phaedo', 'Republic', and 'Sophist' never lived to resolved primarily the relationship. In addition, Servaes, (2008) argues that the participatory paradigm of development stemmed from the dependency theorists who were looking for a new way to development. World Bank, (1996), posits that citizen involvement has become the dominant approach in all development initiatives for there to be meaningful social change. Beneficially of those programs and policies are key contributor in decision making process.

Gumbo (2013), argues, participation paradigm emphasizes the empowerment, cultural reality and multidimensionality in the approaches of development. The model posits that development cannot be approached from a linear perspective as the citizens also have an obligation to participate in the development of their future and in realizing their goals. Mefalopulos, (2008) argues that participation model is grounded in a two-way dialogue among the implementer and the beneficially. This model views the beneficiaries of development as active participants in the attainment of their development goals while previous theories viewed them as passive. Rahim, (1994: p. 118), argues that citizen participate in development initiatives without being dominated.

Participatory approach is therefore an important paradigm in development initiatives as it strengthens community's and citizen's empowerment in development processes. Thomas (1994) asserts, Participatory approach is significant as it allows people and communities to define and their future rather than becoming observers in their

development plans. Inagaki (2007) asserts, “the approach faces operational challenges of imbalance among actors that threatens the integrity of a participatory strategy”. Inagaki argues that the approach may sometime favor the elites in the society on the expense of the poor because of diverse social position, interests and technical background of participants.

2.3.2 Arnstein: A ladder of Citizen Participation

The proponent of this Model is Arnstein in the year 1969 and he came up with the ladder of citizen participation which explains the degree of citizen power in determining the outcome of a product. Arnstein says, “*there is a big difference between going through the empty ritual of participation and having the real power needed to affect the outcome of the process*”. The authors views achievement of adequately public participation process when there is redistribution of power from those in position of authority and the Haves not in order to deal with profound injustices and inequalities that citizens deals with in their lives.

According to the ladder, Citizens are placed in rungs that describe the level of citizen involvement. At the bottom of the rung there is Manipulation and Therapy, described as non-participation levels. At this level the process enables power holders to educate participants. The next level is informing and consulting and this falls under the level of tokenism, the haves not have the power to hear and also, they have a voice however their power is restricted because there is no guarantee of changing the status quo. Rung five which is placation is higher level of tokenism and is based on set ground rules and at this level the haves-not have the ability to advise but the power holders have ultimate right of making the decision.

In addition, there are other rungs in the ladder such as Partnership, Delegated, citizen control, and as the rungs go further up, citizen have increasing degree of

participation in decision making process. Arnstein views public participation as a process that involve competing interests of power control between the haves-not and the powerful in the society. The ladder of citizen involvement helps policy makers in understanding the different level of citizen participation and their power at each level. The ladder has some limitation on the application in the contemporary society because neither the haves not nor power holder are homogeneous blocs and each group have divergent views and interest in participation process. Also, the eight -rung ladder characteristics may differ and extend beyond up to 150 rungs depending on different perspectives of organizations.

2.3.3 Theory of Communication Action

The proponent of this theory was Herbermas (1984). Theory of Communication Action explores the reason given to everyday Communicative practice. The theory proposes key concepts that constitute communication among them being; Moral Conscience, Communication Action, Dialogue Knowledge and Communication rationality. On Moral Conscience concept, Herbermas view participants in decision making process presenting their argument based on what they consider right or wrong based on their beliefs or thoughts. The Participants are able to express their views in respectful way and share their vision and goals through discussion. There is no imposing of views when communicating.

According to Carvalho DPSP, et al. (2017), Communication action concept, is the practice of argumentation during communication of participants. Herbermas further argue that, Participant addressed in this concept practice argumentation, reflection and understanding and seeks freedom from coercion and promoting independent mind and creativity of thoughts. The following conditions should be met for Communication Action to take place. First, every subject is capable of action and speaking on participants in discussion. Second, any participants on a dialogue can problematize and introduce new

affirmative express their needs and convictions. Thirdly, no discussers can be prevented by internal or external forces from making use of individuals rights.

On communication rationality this concept entail developing relationship between participants that allows understanding and consensus. This theory is relevant to this study as it outlines key elements that are important in participatory communication during decision making process. Example the theory envisions participants in decision making process to have independent mind and have freedom from any coercion from external or internal forces. The constitution of Kenya 2010, Article; 1 (1) provides for sovereign power of citizen in participation through direct or indirect representation. This theory therefore envisions that right of freedom that the public has in decision making away from any coercion. In ideal public participation process the citizens should be able to relate well with the governing body further have the ability to question those in authority and give any important input that they feel is important and can add value in decision making.

2. 4 Knowledge Gap

The literature reviewed on this study did not indicate how structured public participation process was in achieving meaningful results in decision making on policy formulation in Nairobi County. This implies that participatory communication in most counties do not meet the legal requirement as stipulated in the Kenya Constitution 2010. Also, according to the literature reviewed there is no study which has been done in Nairobi county on what drives the participatory communication process in policy formulation and who actually participate in this process of decision making. In addition, according to the literature reviewed lack of inclusivity of citizens in the decision-making process on development initiatives is among the reasons for the failures of programs and implementation of policies. This study sought to fill the gap by examining participatory

communication and formulation of Nairobi County public finance Bill. Further, according to Adams (2004) the public are not interested in participating in decision making and they feel the process is a formality procedure rather than a fundamental right that every citizen ought to exercise. Therefore, the study will seek to understand why the public feels so, and will help in understanding what is ailing public participation process in formulation of Kenya Policies.

CHAPTER 3: METHODOLOGY

3.1 Overview

This chapter offers the methodology used in the study. The chapter entails the study design, study site, research approach, research method, data needs, types and sources. Also, the target Population, Sampling procedure and data collection method, data analysis and data Presentation, Validity and reliability and ethical considerations of the research.

3.2 Study Design

The study adopted a descriptive survey design. The design was used to gather data that informed the findings and the recommendation of the study- Participatory Communication and policy Formulation. A case of Public Finance Bill 2019. The descriptive design approach was adopted because as Odeo (2003) observes, it focuses on present facts or prevailing conditions with regard to nature of persons, objects, class or events. This method is known to be used when collecting information about people's attitudes, habits, opinions or any variety of education or social issues. The study sought to understand public participation process in Formulation of Nairobi City County Finance Bill 2019.

3.3 Study Site

The study was conducted in Nairobi County which has an area of 704km squared and Density of 6247/km squared. According to Nairobi County MTEF report 2018, the county has 17 sub counties. The study was undertaken specifically at Nairobi Central Business District (CBD) in Starehe sub county. Nairobi (CBD) became an ideal area for the study due to availability of the targeted population and also because of their accessibility. Further, Nairobi CBD was an importance center of industries, commerce and finance and stakeholders targeted for the study were mainly found here.

3.4 Research Approach

The study adopted mixed method approach. According to Creswell (2007), mixed method research methodology involves integrating quantitative and qualitative research in a single study. The approach gives quality on the study as it permits good understanding of a research problem better than using one approach.

3.5 Research Method

The study used Case study research method on formulation of Nairobi County Public finance Bill 2019. According to Yin (2009), case study research method investigates a phenomenal at in-depth and within its real-life context. Gummerson (2007), opines that case study offers opportunity for all-inclusive approach without the interference of too many variables. Case study is also used on collective entity such as organization or community.

3.6 Data Needs, Types and Sources

The researcher collected both qualitative and Quantitative data for the study. The study focused more on primary data and less on secondary data to understand the research problem. Primary data was collected from participants who participated in formulation of Nairobi County finance Bill 2019, County Government respondents, and Key informant from Finance, Budget and Appropriation Committee.

Secondary data was collected through review of participants' submissions document on the Public Finance Bill 2019.

3.7 Population

The target population for the study included 17 Nairobi county government officers who deals with bill formulation, 14 stakeholders who presented memoranda on the Bill and the 14 memoranda submissions on the Public Finance bill 2019. The stakeholders on the target population included the businesses, organization and interest

groups, who participated in the formulation of Nairobi County Public Finance Bill 2019. According to McLeod (2019) the target population is the total group of individuals from which the sample may be drawn.

3.8 Sampling Procedure

Sampling is a technique of selecting a population to participate in the study. According to McLeod (2019), through sampling process, a representative group is selected from the population under study. Purposive sampling techniques was used to select the participants from the County government implementers. The study interviewed five key heads of department that deals with policy formulation process and one key Informants to understand how participatory communication is conceptualized at the Nairobi County Government.

In addition, the researcher used census method of sampling to sample the 14 participants (organizations and groups) who presented their submissions on the Public Finance Bill 2019. The 14 participants who participated in the formulation of public finance Bill 2019, were categorized in to three Association of People, they included; five (5) self-help groups, three (3) civil society organizations, and six (6), Business Associations.

Out of 14 organizations and groups that participated the researcher managed to interview 10 in total they included; two (2) women groups, two (2) youth groups, Four (4) Business Associations and two (2) civil society organizations. In each category the researcher using purposive sampling techniques, selected Chairpersons or secretary general and one member for the interview during the study.

The study also used census method of sampling to review 14 memoranda submissions on the public finance Bill 2019. A census method of sampling involved collecting desired information under study from every member of a population.

According, to Dillman &Salant (2000), census sampling method is used especially when the population is so small and selection of part of it would not provide accurate estimates of the whole population.

3.9 Data Collection Procedure

Data collection involved first seeking authority letter from University of Nairobi to conduct the study then using the letter to get permission from Nairobi County government to collect data. A letter of authorization from the Clerk of Nairobi County Assembly to conduct my research was also applied for.

3.10 Data Collection Instruments

The data collection instruments for the study was interviews and Archival documents and government sources. The researcher did documents review on Archival documents on 14 participants; organizations and groups, submission on the public finance bill 2019 at Nairobi County Government. Archival data refer to information often kept because of legal requirement, for reference or as an internal record. The information is kept in a file and may be generated for reporting or research purpose. The archival data also known as fixed data is a result of completed activities, and the data is not subject to change. Further, the Interview guide was used to collect data from 14 stakeholders (organizations and self-help groups) involved in the policy formulation process. Also Interview guide was administered to five (5) county government respondents and one key informant to elicit answers on the research problem.

Interviews are used to investigate people's opinions and attitude. The researcher used semi structured interview on the six (6) County Governments respondents and 14 organizations and groups that participated in the formulation of public finance bill 2019. The semi structured interviews were used because they provided rich information and they are flexible to probe further on an issue. According to Robson (1997) the advantage

for using semi structured interview is that it has the potential of providing rich and highly illuminating material.

3.11 Data Analysis and Data Presentation

Data analysis according to Tromp & Kombo (2006), refers to probing what has been collected in a survey or experiment and making conclusions and interpretations. The quantitative data was analyzed using descriptive statistics that is through calculating percentage change of prices of the Final Public Finance Bill with reference to the proposed initial Bill. Also, quantitative data was cleaned and analyzed statistically with the aid of a computer Application, Microsoft Excel spread sheet. Further, Data was presented numerically, also in tables and graphs.

Further, qualitative data was being coded and developed into themes which were then analyzed thematically and presented in narrative. According to Boyatzis, 1998; Roulston, 2001, thematic analysis is a widely-used qualitative analytic method and one of its benefits is its flexibility. Braun & Clarke, (2006) also views the rigorous thematic approach as one that leads to better understanding and analysis that answers particular research questions.

3.12 Validity and Reliability of Study

To ensure validity of the study the researcher did a pilot test of the study to 10 respondents and the respondents who were chosen in the first test they were not included in the actual study. The selection of subjects was different to avoid bias that may arise as a result of selecting similar groups. In addition, the instruments that was used for collecting data in the study was uniform and standardized and was administered by the researcher himself. The pilot test on the 10 respondents helped the researcher to identify gaps in the research questions as well as remove repetitive questions on the Interview guide and also established lengthy question that participants and policy implementers

were uncomfortable to answer. Further the Pilot test also helped to know whether the study objectives were achievable and also to measure the time that one participant would take during the interview.

According to Campbell and Stanley (1970), one way of reducing external threats of validity is using a random sampling method on a sample. The study during the pretest, the researcher used random sampling and purposive sampling technique methods. The instruments used in the study were also in agreement with the objectives and content area of the study and addressed the needs of the research problem. In addition, the researcher ensured that during interviews he asked the right question to the right person, using the right instruments and the answers to the questions addressed the research problem. In addition to increase Validity and the credibility of the research, the researcher also used triangulation method on qualitative data and quantitative data and this helped to test consistency of findings obtained through different instruments. According to Goundar. S (2013) triangulation of data helps to facilitate validation of data through cross verification from more than two sources.

To ensure reliability of the instruments, the researcher used test- retest reliability. The designed instruments or tests was administered on the same group of people at two different point in time. Then correlations between the two sets of results was calculated. Further, questions were formulated in a way was not influenced by mood or concentration of participants and samples were tested under the same conditions. The research questions were also designed to express the relationship between variables in the study.

3.13 Ethical Consideration

The researcher observed ethical standards in research and to start with he got a letter from the University of Nairobi, School of journalism authorizing the student to undertake the research topic. Consequently, the letter was presented to Nairobi County

government to seek authority to carry out the study on participatory communication and policy formulation at the county level.

Also, during the study, the researcher kept participants anonymous and did not reveal who they are or what they have told the researcher. Right to anonymity is essential in protecting respondents from future victimization by Institutions.

The research also guarantees the respondents their confidentiality, and information given will not be made available to anyone who is not directly involved in the study. The research was also conducted honestly and objectively without assumptions and bias. The study also relied on interviews and document reviews to arrive at the findings of the study. Respondents were not intimidated nor coerced into participating in the research as information was collected from respondent who were willing to share.

The researcher relied on information books, journal and thesis and past research done on public participation and the study acknowledged and gave references to authors and researchers who the researcher has relied in sourcing for information on the subject under study.

Lastly, the researcher avoided conducting research in areas that would endanger him and the researcher team. The researcher also did not expose respondents in a situation where they might be at risk of harm in their participation. Harm is both physical and psychological according to ethical standards.

CHAPTER FOUR: FINDINGS, ANALYSIS AND RESULTS

4.0 Overview

This chapter presents data collected from ten participants drawn from organizations, social groups, civil society leaders and members who participated in formulation of public finance bill 2019. further, the chapter contains data collected from 5 heads of department in Nairobi County governments and Nairobi County Assembly Finance, Budget and Appropriation committee involved in the Bill formulation process. Additionally, the Chapter has various sections addressing findings on; Influence of Public participation on Public Finance Bill 2019; Communication Channels used by organization and Groups to access information; How participatory Communication process was conceptualized by Nairobi County government; Lastly, the chapter explains what should be done to enhance participatory communication on Bill formulation process.

4.1 Influence of Participants on the Public Finance Bill 2019

The study objective was to establish whether the participants had influence on the bill. The 14 memoranda submitted on the Bill were reviewed and using a table, numerical data was generated comparing on charges on Proposed Bill and Final Bill after public participation was conducted. The results were as summarized in figure 4.1. The findings show that 14 percent of the charges were reduced after participants gave their submissions on the Bill while 86 percent of the proposed Bill charges remained the same. This finding indicates that there was no significant influence of participants on the formulation of the public Finance Bill 2019. This finding agrees with Ketoyo (2017) observation, that full realization of participatory communication is far from being realized and the process is not inclusive.

It follows then that when public participants' views are used to rubberstamp decisions from Implementers and not to influence them. There is failure in programs and

policies that are targeted to benefit the Public due to wrong priorities that do not address people’s needs. Researches that supports this view include that done by Gumbo (2013), arguing that programs or policies fail because of lack of participation among community members or target groups in the planning, implementation or decision-making process.

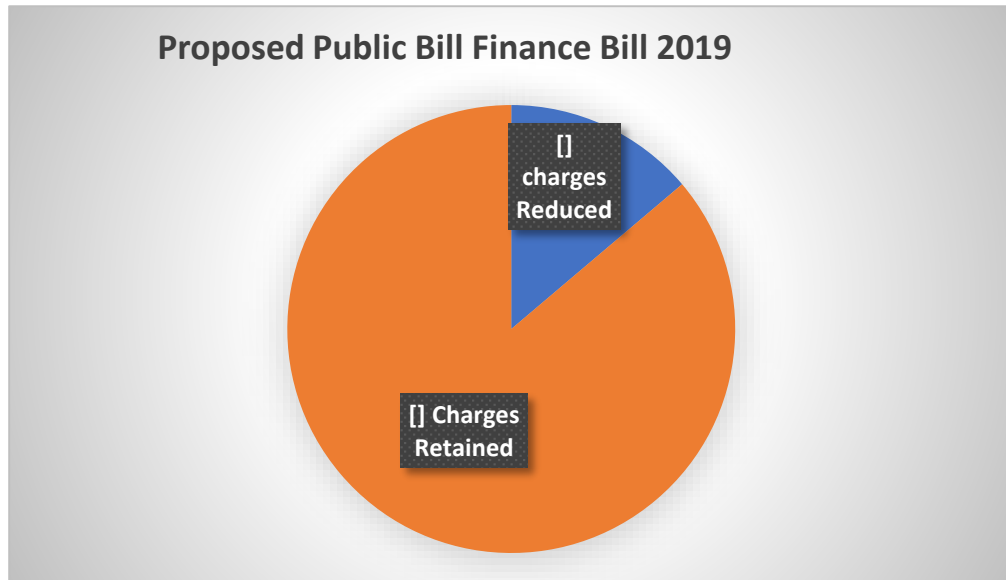


Figure 4. 1 Participants Influence on the Bill based on 14 memoranda submissions

4.1.1 Changes done on the Proposed Finance Bill 2019 after Public Participation

To establish changes done on the proposed public finance Bill 2019, the study reviewed the 14 memoranda submission and highlighted amendment done on the proposed Bill and the retained charges on the Final public finance Bill 2019. The results are as shown in Table 4.1. The findings indicate that after public participation was done on the Bill, there was significant changes on charges of items on the Bill; for occupational certificate medium Building was reduced by 66.7 %, CBO solid waste collection and transportation per ton 1-7 charges was reduced by 100%, Cleasing Labor hire per head /day (professional) and Unskilled was reduced by 100% and 75% respectively. The Justification given on reduction of charges was to ensure high compliance as well as because the Charges were too high for low income earners.

The study established there was 100% change of Charges for fire certificate per Household per year; charges were removed because they were viewed as being punitive as it was the responsibility of County government to provide fire services to Nairobi residents. Charges for modern stalls was reduced by 66.7%, Charges for fish and chips for small by 66.7%, The charges for small scale gas seller by 85%, Charges for church/mosques/ temple(small) by 100%,Charges for slaughter, cattle ;sheep and goat by 60% and 65 % respectively, Charges for Cattle(Health Inspections) by 100 %, Charges for Sheep/goats (Health Inspections) 66.7%,Charges for (Health Inspections) on poultry by 100%,Charges for organized group less than 100 per group by 80% , Charges for licenses to operate plant nursery per annum by 80%,Charges for on street parking II by 50%, Charges for parking zone iv by 100% ,Charges for Medical examination booklet by 90%, Charges for Uhuru park lunch time preaching on lawn per Hour by 100%, Use of Kamukunji ground by Religious rallies using lawns per day were reduced by 75%.

In summary, 21 charges on items were amended on the Bill and 131 items charges were retained on the public Finance Bill 2019. Some of the justification for retaining charges as mentioned above was that they were reasonable, rational and to boost Revenue collection as well as to decongest the city among others. Further, justification for reducing charges on the proposed public finance Bill were some charges were found to be too punitive and disruptive on business environment.

Table 4. 1 Overall changes on Charges after public participation on Public Finance Bill 2019

Charges of Item described	Frequency of submissions	Unit Charge in Ksh. proposed on the Bill	Unit charge adopted on the Bill after participants give submissions	Difference in Prices	% Change on charges
Charges for Occupational certificate medium Building	2	15000	5000	10000	66.7
CBO solid waste collection and transportation per ton 1-7	3	3000	0	3000	100
Cleasing Labor hire per head /day (professional)	1	2000	500	1500	75
Cleasing Labor hire per head /day Unskilled	1	600	500	100	16.7
Charges for fire certificate per Household per year	2	2000	0	2000	100
Charges for modern stalls	3	750	250	500	66.7
Charges for fish and chips for small	1	4500	1500	3000	66.7
The charges for small scale gas seller	3	30,000	4500	25500	85
Charges for church/mosques/ temple(small)	2	5000	0	5000	100
Charges for slaughter, cattle	1	500	200	300	60
Charges for slaughter, sheep and goat	1	200	70	130	65
Charges for Cattle (Health Inspections	1	500	0	500	100
Charges for Sheep/goats (Health Inspections)	1	150	50	100	66.7
Charges for (Health Inspections) poultry	1	25	0	25	100

Charges for organized group less than 100 per group	1	5000	1000	4000	80
Charges for licenses to operate plant nursery per annum	1	10000	2000	8000	80
Charges for on street parking II	1	200	100	100	50
Charges for parking zone iv	1	100	0	100	100
Charges for Medical examination booklet	1	1000	100	900	90
Charges for Uhuru park lunch time preaching on lawn per Hour	1	1500	0	1500	100
Use of Kamukunji ground by Religious rallies using lawns per day	1	20000	5000	15000	75

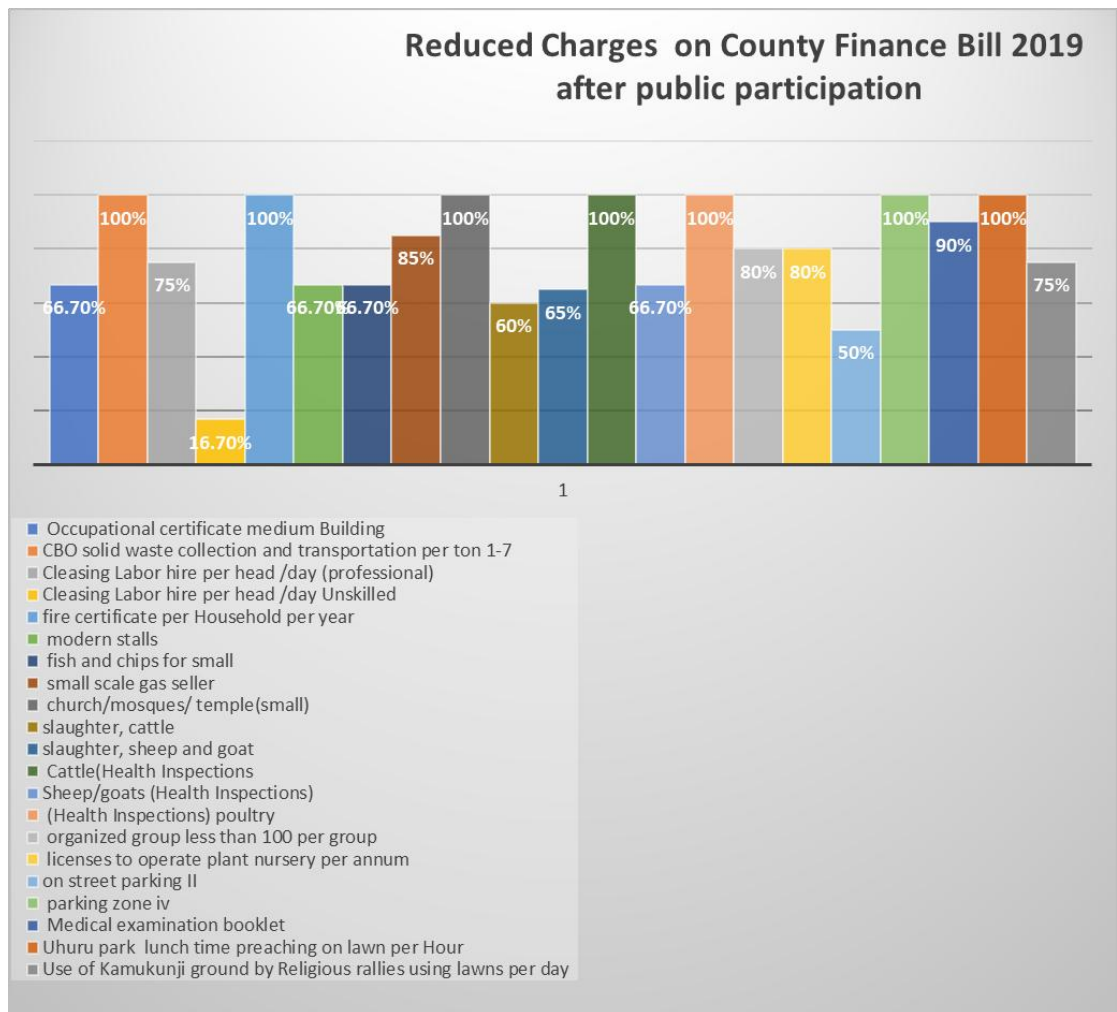


Figure 4. 2 Reduced charges on the proposed Public Finance Bill 2019

Note. The figure 2 above, shows the reduced charges on County Public Finance Bill 2019 on various 21 items on the Bill after public gave their Submissions on the Bill. The charges were reduced because of various reason such as charges being punitive or to support small business ventures, women groups and youth groups as well as to ensure high compliance on payment of the charges outlined on the Bill.

4.1.2 Participants Influence on Public Finance Bill 2019

The study sought to find out from organizations, groups and civil society that participated their influence on formulation of Public finance Bill 2019. The study interviewed ten participants among the 14 who presented the memoranda documents to understand more about participants Influence on the Bill. Participants were drawn from

chairpersons, secretary generals and members from different organizations and groups involved. From the interviews, majority of participants felt their inputs and contributions had no significant influence on the final public finance Bill 2019. They revealed that their views were not incorporated and changes done during public participation forums were skewed to favor county government position on the bill and participants were only involved to rubberstamp predetermined decisions on the Bill. “Participant 1” mentioned several challenges with public participation including the feeling that his “input did not have much impact on the policy formulation process adding that for instance the charges that the County Government was planning to introduce on parking charges for taxis was stopped by a Court through a third party by an activist who went to court on our behalf and not through submissions on public participation process.” Other participants also agreed mentioning that “whatever they said was not incorporated during formulation of Public Finance Bill 2019” others describing the process of public participation as “not done with transparency “with “no representatives from public gallery” and that when the bill was being drafted the public were involved as an “afterthought.”

4.1.3 Citizen Engagement on the Bill

One of the questions asked to organization and group involved in policy formulation process was whether citizen engagement was meaningful to them. According to the findings of the study, majority of participants were in agreement that citizen engagement was good and was meaningful.

Participants revealed they were able to learn more about County Government plans and what informed their decision on some of the charges proposed on the Bill. Additionally, there was dialogue between the policy Implementers (Nairobi County Government) and the participants (organization and groups). Participants also acknowledged they were given time to air their views on the formulation of Public finance Bill 2019. Furthermore,

public event was guided by the agenda of the meeting and was dominated by question and answers session, heated debates and discussion with sole aim of finding common ground. Participants established that they were able to get immediate feedback from County Government Committees members that were present in the meetings on issues concerning the Public Finance Bill 2019

However, despite citizen engagement being viewed as meaningful, their expectations on implementation of their input on the Bill was shortcoming. This begged the question on whether the public forums had any serious ramification to the participants' decisions or it was a process to massage ego of the implementers. This finding agrees with Adams (2004), concern that public participation if not checked can be a shallow ritualistic process done to entice the Masses but not to produce quality outcome.

4.2 Source of Information on Formulation of the Public Finance Bill 2019

The study sought to identify the communication channels used to reach out to civil Organizations, self-help groups and Businesses association in the formulation of Public Finance Bill 2019. This information was obtained from ten organizations and groups that participated in the formulation of the Bill. Majority of organization and groups that participated in the Bill formulation revealed that consultative meeting played key role as a source of information. For instance, from the findings Six out of ten respondents revealed that they got information about the participatory communication forums through consultative meeting with County government officials such as sub county ward administrators, County revenue Collector, and Members of County Assembly (MCA) in their respective areas.

Two organizations acknowledge their sources of information as Notice Adverts on Daily newspaper, and remaining two through County assembly website and civil society

groups (TISA) respectively. This finding agrees with Oriakhi & Okoedo (2013) on the preference of sources of information, pointing that sources that are easily accessible cheap and user friendly are more preferred.

4.2.1 Preferred Media Channel

The study also sought to find out what was the most preferred Communication channel to reach out to the civil society organization, self-help groups and business association and other interested parties. Majority Respondents interviewed agreed that Radio was the most preferred and effective communication channel to reach to target groups and organizations. Radio was viewed as convenient and could be used to communicate to large masses of audience across all regions.

Radio especially vernacular radio was viewed as cheap and effective by majority participants as they could listen and understood the context of the message. Therefore, majority of the respondents were in agreement that county government should desist using Daily newspaper notice adverts as the only communication channel and should diversify and use other platforms to such as radio, TV and social media platforms to advertise and disseminate information in order to reach groups and organizations. This finding agrees with Oriare (2010) that a majority of Kenyans 90% listen to the radio and it is effective communication channel.

4.3 How participatory Communication process was conceptualized by Policy Implementers

One of the study objectives was to find out how the process of public participation was conceptualized by the county government of Nairobi. Majority of respondents interviewed from implementers (County Government of Nairobi) revealed that conceptualized of public participation on the formulation of the public finance Bill was informed by a gap in policy, also was undertaken to fulfill legal requirement of the

constitution 2010, County Government Act 2012 or Public Finance Management Act.

Based on the findings, Participatory communication process was also done with the intention to involve the public in decision making process so that the outcome of the decision reflect the needs of the community. The respondents interviewed also revealed that participatory communication was being undertaken in two levels. At the Nairobi county government executive level by the Economic and Planning department alongside Public participation office.

Here the department looked at the different proposals that have been forwarded by various county government offices, their revenue needs and untapped areas that could generate more revenue for County as well as identifying punitive charges for removal on existing taxes.

Therefore, on the Public Finance Bill 2019, the Economic and Planning department came up with the first draft after consulting with different County government department and the public participants. There were two categories of participants involved; key stakeholders and other participants. The key participants were called to participate through letters and phone calls while others participants, the County government used Notices adverts in Daily Newspaper to inform them.

According to Implementers the Economic and Planning department had upper hand on proposed charges on the initial draft of Finance bill, however they made sure the charges were not oppressive but affordable to the public who are directly affected by the Bill.

The County Government Economic and Planning department after consolidating public views, they then forwarded the proposed public finance Bill 2019 draft to County Assembly of Nairobi; Finance, Budget and Appropriation Committee who took charge of the process of public participation and they advertised again to Daily newspapers on dates of the public participation events on different sub counties in Nairobi.

The information was also shared with county Administrators, sub county finance officers, MCAs and Nyumba Kumi Elders in all 85 wards in Nairobi County so that to reach the intended targets of participants. Respondents revealed that meetings were held by department involved in the formulation process of the public finance Bill 2019 and consequently county government officials were trained on how to present the draft Bill proposals to the participants and to ensure there is good citizen engagement. Respondents agreed that at the ward level, two participants from each 85 wards were chosen as it is the norm to represent the public issues at sub county level in respective public participation events. The public participation events took place in four different sub county in Nairobi County. The committee on Finance, Budget and Appropriation reviewed the Finance Bill 2019 together with the submissions from the County Executive Committee members for finance, the various stakeholders and members of the public and came up with proposals on respective sections of the Bill. The Committee through their chairman then presented the report to the County Assembly on respective changes on the charges for deliberation and adoption.

4.4 What Should Be Done To Enhance Quality Participatory Communication Process

The study sought to find out what could be done to enhance participatory communication of Citizen on formulation of Nairobi County Public Finance Bills. The study found out there were challenges that organizations, civil societies and business associations and policy Implementers faced during formulation of public finance Bill 2019.

4.4.1 Challenges faced by participants

Participants and policy implementers revealed that during formulation of Public Finance Bill 2019, there was no adequate time to scrutinize proposals that were presented during public participation events. The Public Finance Bill 2019 draft proposed by the

County government of Nairobi was not shared to participants earlier before the actual day of the forums and this hindered the participants to objectively look at the document and propose changes accordingly. Majority of Participants revealed they initially had high expectation on the process and they gave their views on the proposed Bill which were not implemented and this demotivated them to participate again in the future public participation events on Nairobi County government programs. Respondents also expressed the fact that there was wastage of time by policy implementers who arrived late during participatory communication forums, and this resulted to programme not starting on time. According to study findings, discrimination of participants was also cited as a major challenge to participants, a group of participants were treated with superiority than others. The ‘special’ participants from factions were given more opportunity and time than others. This made some participants to question the whole process of Public participation process as being marred with illegalities.

Lack of good communication by the county government of Nairobi was also mentioned as an impediment to effective formulation of Public Finance Bill 2019. Majority of participants revealed they received information about public participation forums through county government official such as ward administrators, Member of County Assembly among others and not through media channels such as radio, TV or Newspaper adverts which if used had ability to reach large number of people. This implies that participants who were not connected to county officials or out of reach of the County government offices could not access information on time and would miss the opportunity to participate in the formulation of the Bill.

Lack of Incentives during public participation process proved as a major reason why there is consistence low number of participants in the public participation events. Participants explained that they normally used Money to come to the meetings, Buy Food

during lunch break and other beverages and they were not reimbursed, therefore they saw no need of participating in the future public forums because of high cost incurred during that process. The participants interviewed also revealed that external interference from politicians and groupings of Cartels posed a challenge because there was lack of genuine contributions from proxy participants paid by politicians to rubberstamp decisions favorable to them.

4.4.2 Challenges faced by Implementers

The study sought to find out challenges that implementers faced during formulation of policy in Nairobi County government. According to the findings of the study, majority of those interviewed revealed that the public ignorance was a major challenge they faced. That despite the fact that they informed the public about the event, only a fraction showed up to participate in the formulation of public finance Bill 2019. Yet the public kept on complaining of not being involved in the County Government programs. There was also lack of understanding about the public participation process among the implementers (County government officials) and the participants as it was a new thing that need time to comprehend in line with the 2010 Kenya Constitution.

It was also noted there was little resources allocation on public participation process that can cope with the demanding expectations by the participants like printing proposed materials for distribution to participants before the actual day of the event and low budget to enhance public mobilization and information access through media channel.

Communication breakdown among county officials was a challenge and respondents noted that it was occasioned by lack of clear and good communication strategies. The implementers respondents also cited that they involved leaders to enhance access of information to participants but sometime the leaders ended up calling participants from

their areas only and withholding information from other people who would be interested to participate.

4.4.3 To enhance quality Participatory Communication process

The study sought to find out what could be done to enhance participatory communication of Citizen on formulation of Nairobi County Public Finance Bills. The study established that Majority of participants agreed that the county Government should have a clear mode of communication to the people. Civil society Organizations, social groups, business associations agreed to the fact that innovative ways such as developing a Mobile App could be used on alerting the Public about the participatory communication events on the Bill formulation process. Additionally, majority of respondent supported the fact that County government should advertise the Public participation events in all Mainstream media (Radio, TV, Daily Newspapers) and on the internet sites, i.e. on social media platforms such as Facebook, twitter, in order to reach all targeted citizens.

Also, the findings reveal that county government should also send information in form of short messages to participants' mobile phones through use of different mobile networks like Safaricom, Airtel, Telkom etc. Similarly, information on the Bill should be disseminated to all groups in market gatherings and other social places to enhance citizen participation on the Bills. Further, majority of participants agreed that Nairobi County government should effectively disseminate information from the sub county level to up to the County wards through County administrative structures in order to enhance public awareness on the Bill and citizen participation. Participants also noted the difficulties in accessing information from county government officials and recommended information about the public finance Bill to be accessed freely without bureaucracy, prior to public participation process actual date. In order to build participants confidence on the process, there was need for the process to be transparent and for citizens to demand accountability.

Additionally, from the interview findings, participants noted that their views should be taken with seriousness it deserves by the county government of Nairobi and this would enhance their participation in future. They acknowledged that currently they lacked motivation to participate on the formulation of Bills because their inputs are not considered as they would want to.

Participants also proposed that during public participation events, there should be some form of incentives or allowances given to them to enhance high numbers of participation of people in these forums. They noted that it is best practice in developed countries like United Kingdom (UK) and it has worked. The reason for asking for the allowances was because of the fact that participants incur cost on lunch, transport which is not refunded and this had some implication on the Number of participants in the event. Also, there was time wastage as participants spend a lot of time going to look for lunch and sometime, they left in the process. Participants moreover recognized that there were limited resources allocated to Public participation process and this could be one among many reasons why the process had not been so productive. Participants therefore recommended that National Government to allocate More funds to Counties government in order for them to reciprocate and set aside adequate fund to facilitate public participation process.

On the number of attendances, participants proposed that the bare minimum should be 100 people and above for any public participation event to be properly constituted to avoid situation where a few people driven by their interest, have meeting and pass resolutions on issues that directly affect majority of citizens. Lastly, to enhance participatory Communication events in the Nairobi County, majority of participants urged the Implementer (Nairobi County government) to pass and enact public participation Bill

stuck at the Nairobi County Assembly in order to enhance participatory communication culture at the County level.

4.4.1 Perceptions of the groups and Organizations

The study sought to find out the perceptions of the youth and women groups, Business associations and civil society organizations involved during participatory communication forum on public finance Bill 2019. The findings revealed that the Majority of groups and organization involved did not trust the public participatory process and consequently they felt it was a waste of time as public views were not considered at the end of the process. Participants also felt that they were called to rubberstamp predetermined issues by the policy implementer who already had a stand and therefore the process was important to the implementer to fulfill their constitution requirement.

The study findings also revealed that majority of participants considered county government operating much similar to past Municipal council governments, this was attributed to County government inspectorate consistent conflict with Business people.

4.4.2 Perspective of policy implementer (County government) on participants

The study sought to find out perception of implementers (County government officials) on civil society organizations, youths and women groups and Business Associations involved in formulation of public Finance Bill 2019. The study findings revealed that Majority of respondents indicated that Implementer effort in service delivery was not appreciated by the organization and groups involved in policy formulation. Further, they were constantly accused of neglecting their core duty of service delivery and engaging on unwarranted conflict with Businesses due to late payment of licenses and other county taxes.

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 Overview

This chapter features conclusions based on the study findings and also presents 4 recommendations to enhance participatory communication in decision making on formulation of policies in Kenya.

5.2 Conclusion

Participatory communication is a key principle in strengthening democracy and good governance in Kenya. The Constitution of Kenya 2010 has ensured that principles of participatory communication are entrenched in the institution and it directs under article 118(1) and (b) that there should be meaningful public participation at both levels of National and county governments. The overriding purpose of this study was to examine participatory communication and the formulation of policies in Kenya; a case of Nairobi County public finance Bill 2019. The justification for the study was based on the reasoning that despite participatory communication being institutionalized in Kenya governance structure, the process is criticized and shunned by the public.

It is thus argued that the failures of programs and implementation of policies is due to lack of adequate Participatory communication among community members or target groups in the planning, implementation or decision-making process of development initiatives. As such citizens are viewed as integral part of any development initiatives and must be involved in the decision-making process in strengthening democracy of a country. The findings of the study point out that full realization of participatory communication is far from being attained as the public opinion and views on the policy making process are not incorporated. The continued trend has contributed to public mistrust of the process and growing negative perception that the process is ritualistic and it is done for formality and to fulfill the constitution requirement. For instance, From the

findings the Majority of participants viewed process of participatory communication on formulation of Public finance Bill 2019 as done below their expectation.

In order to understand participatory communication and policy formulation in Kenya. The participatory paradigm, Arnstein: A ladder of citizen participation and theory of Communication Action are discussed. This paradigm and Theory help to explain the importance of participatory communication in decision making on formulation of policy and development initiatives. For instance, from the participatory paradigm we learn that for meaningful social change in development, active participation of people is key for good outcome. Through participatory communication, People exercise their power through thinking and taking action in collaborating with the project implementers. Dialogue is seen as communication tool between the implementer and the beneficiary to arrive at a consensus and not to impose predetermined decisions on the beneficiary. This process is transformative to the community because it helps them to present their needs and priorities which inform decisions on the development agenda targeted to them. Thus, it shows that programs and policies that are successful are those that incorporate citizen priorities and needs

Arnstein: A ladder of citizen participation model is also important in the study because it explain concept of citizen power in every level of participation. This model shows 8 different rungs that citizens are placed during participation and these levels range from high to low. This ladder of citizen participation explains that participation allows those in powerful position to claim that all sides were involved and to maintain the status quo as it was. The ladder shows distribution of power between the Haves and the Haves not. This simply means that at the lowest rung for instance which is Manipulation. There is distortion of participation and the process is reduced in to a public relation exercise by

the power holders. At every rung in ascending level the power of citizen participation increases.

The ladder of citizen participation is important to the study because it helps to create reality on the power of citizens on every level during public participation. The ladder shows at what level citizens have power to influence decision on the programme and policies being formulated by the implementers. The study also looks at Theory of Communication Action. This theory relates with the study as it explains that during public participation. There should be rationale in communication and dialogue. Also, participants should be able to argue their case based on their needs without any coercion.

Additionally, the study concludes that Public participation on formulation of public Finance Bill 2019 in Nairobi County, was ritualistic process that did not have significant influence on the decision making on the policy formulation process. The study paints a picture of dysfunctional participatory communication process that did not incorporate citizen views on the policy formulation process. From the review of 14 submissions on the Bill and interviews of participants involved in the formulation of public finance Bill 2019, the study concludes that the County Government of Nairobi had upper hand in the determining the outcome of the decision on the Formulation of the Public Finance bill 2019. Additionally, the study found out that public participation forums were skewed to favor county government position on the bill and participants were only involved to rubberstamp predetermined decisions on the Bill. From the study finding, it is possible to conclude that participants placed high value on implementation of their views than how public engagement was conducted. Thus, lack of meaningful public participation over time could further result to low public participation as participants view the process as wastage of time. Also, Participants felt demotivated during public

participation forums due to lack of incentives or allowances to caution them on incurred costs on transport and lunches.

Based on the Findings the study also concludes that County government has necessitated improvement on access of Information to participants through County government officials such as County Administrators, Revenue collectors, Members of County Assembly and Other government officials. The County government of Nairobi should further enhance access of Information through mass media (Radio, TV, Newspapers) with the biggest outreach as stipulated in the County Government Act 2012. This will enable high participation of citizens because they can access information disseminated through this platform. The study also revealed that public inclusivity in decision making has come of age and to achieve good democracy in Kenya especially among devolved units such as County government, citizens should be empowered not only by airing their views on the policy formulation process but also being active in the implementation process of the Public Bills.

The study demonstrates that there is lack of good communication strategies and Mutual agreement between the public and the implementers leading to constant conflict and deteriorating of the relationship between the participants and policy implementer. Lastly, the study concludes that Public participation is a new paradigm and a new concept that Majority of both the Policy implementers and the participants do not fully understand as envisioned in the 2010 constitution, therefore to enhance quality public participation there is need for civic education and capacity building to all those involved in the policy formulation process.

5.2 Recommendations

The study makes the following 4 key recommendations based on the analysis of the data collected and the objectives. These recommendations are considered valuable in ensuring quality participatory communication in formulation of Policies in Kenya.

One, the study recommends that understanding of the processes and the expected outcome as well as participation on policy formulation and influencing be enhanced through an annual Civic Education and capacity building programme to organizations and groups involved in this process. Consequently, a 5 percent budget should be set aside every financial year by the County government of Nairobi out of its County government equitable share from National government to facilitate the Civic education and capacity building programme. This is because the study found out that public participation is necessary in influencing policy formulation whereby when 14 organizations and groups gave their submissions on the formulation of public finance Bill 2019, 21 items changed out of 152 items on the Bill. This shows that the process is necessary and should not be trivialized or down played by the public. Therefore, substantial influence would be achieved when more organizations and groups are involved in the policy formulation process.

Two, the study recommends a multi-media approach of using different media and targeted communication to enhance reach of information on public participation in policy formulation and policy influencing. Even though the study established that newspaper notice adverts were used to encourage citizen involvement on the formulation of the public finance Bill 2019, only 2 out of the 10 participants interviewed indicated that their source of information about public participation on the Bill was through newspaper thus implying reliance on other media. Consequently, the Nairobi County government should adopt use of vernacular radio stations to inform local groups and organizations.

Billboards and Placards with information on public participation should be erected and displayed on Highways, market places and community social places for the public to view. Further, the Billboards could be erected on tall buildings, along major roads such as Thika super Highway, Jogoo Road and Mombasa road and at matatu terminals as these are widely used by the public thus would enhance access of information by organizations and groups involved in policy formulation process.

Third, totality in participatory communication on policy formulation is essential and should be done in accordance with the Kenya Constitution 2010. The study found that only major organizations were invited to give their views on the drafting of the initial public finance Bill with participants in the study indicating that they only participated at the final review and not during drafting of the Bill. Consequently, the study recommends that because there is likelihood of bias and miss-representation in dealing with only a few organizations as representatives of the public, that the County Government of Nairobi should have a list of all organizations and groups that are likely to be affected by the Bill and all these organizations be allowed to select their representatives to participate in the drafting of the initial Bill in order to ensure public views are captured from the onset. Further, public participation process should adapt bottom up approach where the citizen impact on the policy making process through giving their views.

Finally, from the study finding; conflict as a result of varying interests between the county executive and the legislature led to slow passage and enactment of public participation Bill at the county. Therefore, there's need for strong coordination and collaboration in the public participation process between the Nairobi County executives, the members of the County Assembly and the public. To improve efficiency of the process, the study recommends establishment of an inclusive steering committee composed of all the concerned parties to oversee the planning and implementation of the

participatory communication process at the County Government and ensure there is public inclusivity in decision making and elimination of such conflicts.

5.3 Implication for Future Research

The study has offered insights on participatory Communication (public participation) and policy formulation in Kenya, specifically by looking at Finance Bill 2019. The study has used mixed method approach in research and participation theories. Other studies could use different approaches, methodologies and theories to compare findings on public participation and policy formulation process in Kenya. In addition, it would be interesting to undertake a research on the participants needs and priorities in the informal areas like slums and in High rise areas and their perceptions on County government projects and their different expectations.

REFERENCES

- Ackerlund, W. S. (2011). Exploring Public Participation Decision-making at Superfund Sites: A Mental Models Approach.
- Babooa, S. K. (2008). *Public participation in the making and implementation of policy in Mauritius with reference to Port Louis' local government* (Doctoral dissertation, University of South Africa, Pretoria).
- Bessette, G. (2004). *Involving the community: A guide to participatory development communication*. Idrc.
- Bovaird, T. (2007). Beyond engagement and participation: User and community coproduction of public services. *Public administration review*, 67(5), 846-860.
- Brown, J., & Hay-Edie, T. (2014). *Engaging Local Communities in Stewardship of World Heritage: A methodology based on the COMPACT experience* (Vol. 40). UNESCO.
- Carreira, V., Machado, J. R., & Vasconcelos, L. (2016). Engaging Citizen Participation—A Result of Trusting Governmental Institutions and Politicians in the Portuguese Democracy. *Social Sciences*, 5(3), 40.
- Cătălin, B. A. B. A., CHERECHEȘ, R., Cristina, M. O. R. A., & ȚICLĂU, T. (2009). Public participation in public policy process—case study in seven counties from North-Western region of Romania. *Transylvanian Review of Administrative Sciences*, 5(26), 5-13.
- Chitere, O. P. (2004). District focus for rural development in Kenya: Its limitations as a decentralization and participatory planning strategy and prospects for the future.
- Creighton, J. L. (2005). *The public participation handbook: Making better decisions through citizen involvement*. John Wiley & Sons.
- Dagron, A. G., & Tufte, T. (Eds.). (2006). *Communication for social change anthology: Historical and contemporary readings*. CFSC Consortium, Inc.
- Dean, R. J. (2018). Counter-governance: Citizen participation beyond collaboration. *Politics and Governance*, 6(1), 180-188.
- De Jong, J., & de Vries, M. S. (2007). Towards unlimited transparency? Morals and facts concerning leaking to the press by public officials in the Netherlands. *Public Administration and Development: The International Journal of Management Research and Practice*, 27(3), 215-225.
- Gaber, J. (2019). Building “A Ladder of Citizen Participation” Sherry Arnstein, Citizen Participation, and Model Cities. *Journal of the American Planning Association*, 85(3), 188-201.
- Global center for public service Excellence. (2016). Citizen Engagement in Public Service Delivery: *The Critical Role of Public Officials*. UNDP

- Government of Kenya (GOK), 1965. Session Paper No 10. The Government Printer.
- Government of Kenya (GOK), County Government Act (2012). The Government Printer.
- Government of Kenya. (2019. Kenya Gazette Supplement No.9.). Nairobi city County Finance Bill. The Government Printer.
- Government of Kenya. 2010. Constitution of Kenya 2010. The Government Printer
- Government of Kenya .2017, public participation in legislative process. Fact sheet No. 27. The Government Printer.
- Government of Kenya (2020) gazette notice no. 1612 republic of Kenya. public participation on transfer of functions from the Nairobi city county government to the national government. The Government Printer.
- Gumbo.N. (2013). *Participatory Communication in Poverty reduction in Kenya* [A master thesis, University of Nairobi]. UON Campus repository
- Huxham, C. (Ed.). (1996). *Creating collaborative advantage*. Sage.
- Jacobson, T. L. (2003). Participatory communication for social change: The relevance of the theory of communicative action. *Annals of the International Communication Association*, 27(1), 87-123.
- Kamau, M. M. (2011). *Vernacular Radio and Democracy in Kenya: A Historical Reconstruction of Audiences' Usage of Kass and Inooro Radio Stations in Uasin Gishu District* (Doctoral dissertation, Moi University).
- Kamau.M.(2016). Media content and Diversity; *Undermining Democracy through vernacular radios 'metaphocidal' political campaigns in Kenya*, 44(8)
- Kaseya, C. N., & Kihonge, E. (2016). Factors affecting the effectiveness of public participation in county governance in Kenya: A case of Nairobi county. *International Journal of Scientific and Research Publications*, 6(10).
- Ketoyo, C. A. (2017). Influence of Public Participation On The Implementation Of County Government Funded Projects: A Case Of Nairobi County, Kenya.
- Kenya Institute for Public Policy Research and Annalysis.(2017).Public Policy Formulation Process in Kenya. Government Printer.
- Kombo, D. K., & Tromp, D. L. (2006). Proposal and thesis writing: An introduction. *Nairobi: Paulines Publications Africa*, 5, 814-30.
- Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.
- Krejcie, R. V., & Morgan, D. W. (1970). Determining sample size for research activities. *Educational and psychological measurement*, 30(3), 607-610.

- Mansell, R., & Nordenstreng, K. (2006). Great media and communication debates: WSIS and the MacBride Report.
- Marzuki, A. (2015). Challenges in the Public Participation and the Decision-Making Process. *Sociologija i prostor/Sociology & Space*, 53(1).
- Mbithi. A. & Dambuki. D. (2018). Determinants of public participation in Kenyan County Governments. *Journal of Africa and Asia studies*, (54)1
- Mothepe, T. A. (2013). *Citizen participation in policy and planning process in local government in Lesotho: a case of Qacha's Nek* (Doctoral dissertation).
- Nairobi County Government. 2018. *MTEF public participation report*. Nairobi county website.
- Nairobi County Government of Kenya. (2015). County Public Participation Bill. The Government Printer.
- Neshkova, M. I., & Guo, H. (2012). Public participation and organizational performance: Evidence from state agencies. *Journal of Public Administration Research and Theory*, 22(2), 267-288.
- Ndavula, J. O., Mberia, H. K., & Mwangi, M. K. (2015). Online campaign in Kenya: implementing the facebook campaign in the 2013 General Elections.
- Ngugi, R. W., & Oduor, C. (2015). Review of status of public participation, and county information dissemination frameworks: a case study of Isiolo Kisumu Makeni and Turkana Counties.
- Obwatho, S. (2014). Academic research writing: The logical sequence.
- Omollo, A. (2012). Policy proposals on citizen participation in devolved governance in Kenya; published: The institute for social accountability (TISA).
- Papa, R. O. (2016). *Factors influencing public participation in project development in Busia county Kenya* (Doctoral dissertation, University of Nairobi).
- Quick, K. S., & Bryson, J. M. (2016). Public participation. In *Handbook on theories of governance*. Edward Elgar Publishing.
- Stieb, J. A. (2009). Assessing Freeman's stakeholder theory. *Journal of Business Ethics*, 87(3), 401-414.
- Walker, G. B. (2007). Public participation as participatory communication in environmental policy decision-making: From concepts to structured conversations. *Environmental Communication*, 1(1), 99-110.
- Walter.D.(2019). Three Nairobi Resident in Court to bar Enactment of Public Finance Bill 2019. Citizen Digital. <https://citizentv.co.ke/news/three-nairobi-residents-in-court-to-bar-the-enactment-of-the-finance-bill-268479/>

Wamwere, K. W. (2011). *I refuse to die: My journey for freedom*. Seven Stories Press.

Appendix I: Introductory Letter



**UNIVERSITY OF NAIROBI
COLLEGE OF HUMANITIES & SOCIAL SCIENCES
SCHOOL OF JOURNALISM & MASS COMMUNICATION**

Telegram: Journalism Varsity Nairobi
Telephone: 254-020-491 0000, Ext. 28080, 28061
Director's Office: 254-020 4913208 Direct Line)
Email: director-soj@uonbi.ac.ke

P.O. Box 30197
Nairobi.
Kenya

OUR REF:
YOUR REF:

DATE: 13 August, 2020

TO WHOM IT MAY CONCERN

RE: KIGUTA JOSEPH MWANGI - K50/10642/2018

This is to confirm that the above named is a bonafide student at the University of Nairobi, School of Journalism and Mass Communication pursuing Master of Arts degree in Communication Studies.

Mr. Kiguta has completed his course work and is currently going to collect data for his research project leading to a Master of Arts Degree in Communication Studies.

Any assistance accorded to him will be highly appreciated.


Daisy Muthoni
Ag. Administrative Assistant
School of Journalism & Mass Communication


UNIVERSITY OF NAIROBI
DIRECTOR
13 AUG 2020
SCHOOL OF JOURNALISM & MASS COMMUNICATION

/dm

Appendix II: Request for Consent

Dear Respondent,

RE: REQUEST FOR INTERVIEW

I am a postgraduate student in University of Nairobi and wish to carry out a research on public participation in formulation of Bills in Nairobi County. You are part of the people who have been selected as a sample for the study. I humbly request you to participate in the study by answering given questions on the Interview guide, sincerely and accurately. The goal of the study is understanding participatory communication and formulation of public finance Bill 2019 in Nairobi County government. The information collected for the study will be treated with confidentiality and will only be used for the purpose of this study. I hereby request for your cooperation and thank you in Advance.

Yours Faithfully.

Joseph Kiguta.

Appendix III: Interview Guide for County Government Implementers

Introduction

The purpose of this research study is to examine how public participation process was done on formulation of Public Finance Bill 2019 by Nairobi County Government. The major aim is to understand whether public participation process in policy formulation is collaborative, engaging and the public input is sought in all stages in accordance to the constitution of Kenya 2010.

The following interview guide was used to guide interviews with County Government respondents to elicit answers on participatory communication and formulation of Public Finance Bill 2019.

Questions

1. Please explain how participatory communication is conceptualized in Nairobi County Public Finance Bill 2019?
2. Which methods of communication did the county government of Nairobi use to engage the public and why?
3. Can you elaborate how Nairobi County government used dialogue to engage its citizen during public participation forums and meetings on formulation of Public Finance Bill 2019?
4. Can you explain how the Nairobi County Bills are identified, planned and formulated to capture all stakeholders' inputs?
5. What are the reasons from your viewpoints that make the 'public' participate in County Public Finance Bill 2019, and also in formulation of other bills?
6. How did you ensure that the marginalized groups in the society had a say in formulation of public finance Bill 2019 at the county level?

7. What do you think needs to be done from policy perspective to address the quality of public participation in policy formulation in County Government of Nairobi?
8. What common perceptions do you notice from the participants and how do you deal with it during policy Formulation of Public Bill?
9. What challenges do policy implementer encounter on participatory communication and policy formulation of public finance bill 2019 and how they deal with it?
10. What are the threats that external forces posed to the process of public participation on formulation of public finance bill 2019?

Appendix IV: Interview Guide for The Public (Participants)

This is a research guide that will be used on the 14 Participants who participated in formulation of Public Finance Bill 2019. The findings for this research will be used by researchers, policy makers, various level of governments, and other stakeholders in making informed decision on public participation process in future and how well to strengthen the process in formulation of policies.

1. What is name of your Sub County?
2. What is your highest level of academic qualification?
3. How does the Public Finance Bill 2019 affect you in your nature of work?
4. Have you ever participated in policy formulation? If yes, how long have you participated?
5. How did the County Government enhance access of information to the public on formulation of public finance Bill 2019?
6. How did participants get the county Finance Bill 2019 information? and was the information relevant to you? And was it at the appropriate time?
7. What would you say about the level of Information Access from County Government on Public Finance Bill 2019 and other public bills?
8. Which Media Channels were effective to communicating to the public about policy formulation and why?
9. What are some of the challenges that participants face in policy formulation process and how can their participation be enhanced?
10. How did the public participation process enhance relationship between the local community and the Nairobi County government?
11. Explain how you rate Community Involvement by Nairobi County government in formulation of Public Finance Bill 2019?

12. How did you participate in formulation of Public Finance Bill 2019? And was the process empowering to you and the community?
13. Has Nairobi County government done well in Community awareness on policy formulation? and what else can be done to raise the level of awareness?
14. What are some of the perceptions participants have on the policy formulations?
And How do those perceptions affect their participation in policy formulation?
15. What's your views on citizen engagement on policy formulations? Is citizen engagement meaningful in the policy formulation?
16. How can participatory communication be enhanced on public Bill formulation?

Appendix V: Stakeholders Matrix

Matrix of Stakeholder Comments and Final Committee Proposed Amendments to the Nairobi City County Finance Bill, 2019 and

Justification

CLAUSE/SCHEDULE/SECTION	PROPOSED AMENDMENTS BY STAKEHOLDERS	COMMENT BY STAKEHOLDERS ON PROPOSED AMENDMENT	FINAL PROPOSED COMMITTEE AMENDMENT	JUSTIFICATION
Kenya Association of Manufacturers				
4.1 Nairobi City County Emergency and Disaster Management Act	<p>The charges for Occupation Certificates for the medium buildings be reduced from Kshs. 15,000 to Kshs. 5,000, for Large be reduced from Kshs. 30,000 to Ksh. 5,000.</p> <p>The charges for Professional Bodies for medium category be reduced from Kshs. 6,000 to Kshs.0, for Large be reduced from Kshs.20,000 to Kshs.0</p> <p>The charges for Insurance Companies for medium</p>	<p>To minimize the implication on cost of doing business</p> <p>To promote environmental protection.</p> <p>To avoiding oppressing small scale business people.</p> <p>Despite the high charges and exploitation by private contractors the city has remained to be dirty</p>	<p>The charges for Occupation Certificates for Medium Buildings were reduced from Ksh. 15,000 to Ksh. 5,000, for Large and Small buildings be retained.</p> <p>The charges for Offices of Professional bodies were retained.</p> <p>The charges for Insurance Companies were retained.</p> <p>The charges for Commercial/institutions per ton were retained.</p>	<p>To ensure high compliance</p> <p>The Charges were reasonable</p> <p>The charges were reasonable</p> <p>The charges were reasonable</p> <p>The charges were rational</p>

<p>6.1 Transportation Unit Services</p>	<p>category be reduced from Kshs.12, 000 to Kshs.4, 500, for large be reduced from Kshs. 25,000 to Kshs. 12,000. The charges for Commercial/institutions per ton be reduced from Kshs.600 to Kshs.0 The charges for Collection and tipping of Construction waste be reduced from Kshs.2,000 to Kshs.0 The charges for Collection and tipping of demolition waste be reduced from Kshs.2,000 to Kshs.0 The charges for Nontoxic and nonhazardous per ton be reduced from Kshs.1,000 to Kshs.0 The charges for Disposal of expired foodstuff be reduced from Kshs.800 to Kshs.0 The charges for CBO solid waste collection and transportation per ton 1-7 be reduced from Kshs.3,000 to Kshs.0</p>	<p>To ensure high compliance</p>	<p>The charges for Collection and tipping of construction waste per ton were retained. The charges for collection and tipping of demolition waste were retained. The charges for Nontoxic and nonhazardous per ton retained. The charges for Disposal of expired foodstuff were retained. The chargers for CBO solid waste collection and transportation per ton 1-7 were reduced from Kshs.3,000 to Nil The charges for permit for private service providers per truck/annum 1-7 were retained The charges for Cleansing labor hire per head/day for non-skilled were reduced from Kshs.600 to Kshs.500, for professional were reduced from Kshs.2,000 to Kshs.500.</p>	<p>The charges were rational The Charges were rational The charges were rational To promote uptake of waste collection by CBO The charges were reasonable Charges too high for low income earners To decongest the city boost Revenue collection.</p>
---	--	----------------------------------	--	---

<p>The Kenya Alliance of Resident Associations</p>	<p>The charges for permit for private service providers per truck/annum 1-7 be reduced from Kshs. – 0 The charges for Cleansing labor hire per head/day (professional) be reduced from Kshs.2000 to Kshs.600</p> <p>Seasonal Tickets (Online Application Taxis)</p> <p>The charges for private vehicles 1 month be reduced from Kshs.7,000 to Kshs.3,500 The charges for private vehicles 3months be reduced from Kshs.18,000 to Kshs.9,000 The charges for private vehicles 6Months be reduced from Kshs.32,000 to Kshs. 16,000 Then charges for private vehicles 12 months be</p>	<p>It is the Constitutional responsibility of the County to offer fire services to the residents. To avoiding oppressing small scale business people</p>	<p>The charges seasonal tickets for private vehicles 1 month, 3 months, 6months and 12months were retained</p> <p>The charges for Off street parking loss of ticket (per ticket) were retained. The charges for lorries 3-10(on street Parking CBD) per day were retained. The charges for Trailer (On Street Parking CBD) per day were retained.</p> <p>The charges for the Fire Certificates per households per household per year were reduced from Kshs.2,000 to Nil</p>	<p>The Charges are reasonable</p> <p>The charges are reasonable and would also help decongest the CBD</p> <p>Charges were punitive</p> <p>Charges were punitive</p> <p>The Charge was reasonable</p> <p>The charges are optional</p>
--	---	--	--	--

	<p>reduced from Kshs.55,000 to Kshs. 27,500 The charges for Off street parking Loss of ticket(per ticket) be reduced from Kshs.1,000 to Kshs.500 The charges for lorries 3-10 (On street Parking CBD)per day be reduced from Kshs.1,000 to Kshs.500 The charges for Trailer (On street parking CBD) per day be reduced from Kshs.3,000 to Kshs. 1,500</p> <p>The charges for Fire Certificate per household per year be reduced from Kshs.2,000 to Kshs.0 The charges for Fire inspection fee per visit be retained at Kshs.4500</p> <p>The charges for Occupation Certificate for small, medium, large buildings be a flat rate of Kshs. 10,000</p>		<p>The charges for the Fire Inspection fee be scrapped off The charges for Occupation Certificate for Small building were retained, for Medium Buildings were reduced from Kshs. 15,000 to Kshs.5,000 and for large were retained. The charges for residential households per house per month for informal settlements were retained</p>	
--	--	--	--	--

	The charges for residential households per house per month for (informal settlements) be reduced from Kshs.100 to Kshs.0			
Dagoretti North Small Scale Traders				
4 schedule 9.2 Rental Markets Monthly rent per stall	<p>The charges for Modern Stalls per Month be reduced from Kshs.750 to Kshs.250</p> <p>The charges for Fish and Chips for small be reduced from Kshs.4,500 to Kshs.3,000</p> <p>The charges for Small Scale Gas seller be reduced from Kshs.30,000 to Kshs.4,500</p> <p>The charges for Retail shop (food and Other item) low be reduced from Kshs.1,000 to Kshs.0.</p> <p>The charges for Wine and Spirit per month be reduced from Kshs.5,000 to Kshs.0</p> <p>The charges for Groceries per month for low</p>	<p>To avoiding oppressing small scale business people</p> <p>Most slaughters houses will pass the additional charges to consumers increasing the cost of living</p>	<p>The charges for Modern stalls per month were reduced from Kshs.750 to Kshs.500</p> <p>The charges for Fish and Chips for small were reduced from Kshs.4500 to Kshs.1500, for large were reduced from Kshs. 12,000 to Kshs. 10,000.</p> <p>The charges for small-scale gas sellers(flat rate) were reduced from Kshs.30,000 to Kshs.4,500</p> <p>The charges for Retail Shop(Food and Other Item) low were retained</p> <p>The charges for Wine and Spirits per month were retained</p>	<p>The charges would burden the consumers by increasing cost of living</p> <p>To promote small business</p> <p>To promote small business</p> <p>The Charges were reasonable</p> <p>The Charge were reasonable</p> <p>To boost revenue performance</p> <p>The Charges were reasonable</p> <p>The Charge were reasonable</p>

	<p>category be reduced from Kshs.2,000 to Kshs.0 The charges for Bars per month for low category be reduced form Kshs.3,000 to Kshs.0 The charges for butcheries per month for low be reduced from Kshs.2,000 to Kshs.0 The charges for pharmacy/chemist per month for low category be reduced from Kshs.2,000 to Kshs.0 The charges for Church/mosque/temples (small) be reduced from Kshs.5,000 to Kshs.0</p> <p>The charges for Private day primary, Nursery/daycare be reduced to a flat rate Kshs. 3,000.</p> <p>The charges for Cattle be reduced from Kshs.500 to Kshs.200</p>		<p>The charges for Groceries per month for low category were retained The charges for Bars per month for low category were retained The charges for Butcheries per month were retained The charges for pharmacy/chemist per month for low category were retained The charges for Church/Mosque/temples per month (small) were reduced from Kshs.5,000 to Nil and for large were reduced from Kshs.10,000 to Nil The charges for private day primary, Nursery/daycare were retained</p> <p>The charges for Cattle (Slaughter Services) were reduced from Kshs.500 to Kshs.200, for Sheep/goats from Kshs.200 to Kshs.100.</p>	<p>The charges were punitive</p> <p>The Charges were optional</p> <p>Provide relief to small scale traders</p> <p>The Charge was reasonable</p> <p>The charges would have been double taxation</p> <p>The Charge was reasonable</p> <p>The Charge was reasonable</p>
--	---	--	---	--

	<p>The charges for Sheep/goats be reduced from Kshs.200 to Kshs.70</p> <p>The charges for Poultry be reduced from Kshs.50 to Kshs.20</p> <p>The charges for Cattle (Health Inspection) be reduced from Kshs.500 to Kshs.300</p> <p>The charges for Sheep/goats(Health Inspection) be reduced from Kshs.150 to Kshs.50</p> <p>The charges for Pigs(Health Inspection) be reduced from Kshs.250 to Kshs.100</p> <p>The charges for Poultry(Health Inspection) be Kshs.200per flock</p> <p>Charges for Issuance of permits for carriers/container per year be reduced from Kshs.1,000 to Kshs.100</p> <p>Charges for registration of premises licenses(leather</p>		<p>The charges for poultry were retained.</p> <p>The charges for Cattle (Health Inspection Fee) were reduced from Kshs.500 to Nil, for Sheep/goats were reduced from Kshs.150 to Nil, for pigs were reduced from Kshs.250 to Nil and for poultry were reduced from Kshs.25per bird to Nil</p> <p>The charges for Issuance of permits for carriers/container per year were retained</p> <p>The charges for registration of premises licenses(leather sector) were retained</p>	
--	---	--	---	--

	sector) be reduced from Kshs.3000 to Kshs.500.			
Users and Patrons of City Park				
	The charges for Use by Organized groups less than 100 people per group be reduced from Kshs.5,000 to Kshs. 1,000 The charges for Use by Organized groups more than 100 people be reduced from Kshs.5,000 to Kshs. 2,000		The charges for use of Organized groups less than 100 people per group were reduced from Kshs.5,000 to Kshs.2,000, for the organized groups more than 100 people per group were reduced from Kshs.10,000 to Kshs.4,000	To ensure high rate of compliance
Nairobi County Citizens Assembly				
7 Schedule 3.3 Amusement/recreational services	The charges for License to operate plant nursery per annum be reduced from Kshs.10,000 to Kshs.0 The charges for Collection and tipping domestic	The Charges on tree nursery would hinder combating of climate change. Increased domestic waste tipping would	The charges for License to operate plant nursery per annum were reduced from Kshs.10,000 to Kshs.2,000 The charges for collection and tipping domestic	To encourage Tree planting To boost revenue performance

<p>5 schedule 6.1 Transport unit Services</p>	<p>waste per ton be reduced from Kshs.300 to Kshs.200 The charges for CBO solid waste collection per ton for 1-7 be reduced from Kshs.3,000 to Kshs.0 The charges for Garbage collection for retail outlets for low category be reduced from Kshs.1,000 to Kshs.500 The charges for Garbage Collection day primary school, Nursery/day care for all categories be reduced to Kshs.0 The charges for residential (informal settlements) be reduced from Kshs.100 to Kshs.0.</p>	<p>lead to illegal dumping. Charging CBO would push the organizations out of business. Charging basic education for waste collection would lead to increased fees. Charging household for garbage collection will lead to high rents</p>	<p>waste per ton were retained The charges for CBO solid waste collection per ton for 1-7 were reduced from Kshs. 3,000 to Nil The charges for Garbage Collection day primary school, Nursery/day care were retained. The charges for residential(informal settlements) were retained</p>	<p>To encourage uptake of waste collection by CBO The Charges are optional The Charges are optional To decongest CBD</p>
<p>4 Schedule 4.1 Public Health Services</p>	<p>The charges for Parking Zone I and II be reduced from Kshs.400 to Kshs.200 The charges for Parking Zone III be reduced from Kshs.200 to Kshs.100</p>	<p>The parking increment would be exploitative</p>	<p>The charges for parking Zone I were retained The charges for On-street parking Zone II(per day saloon car) were reduced from Kshs.300 to Kshs.200, for Zone III were reduced from Kshs.200 to Kshs.100 and for Zone IV were reduced from Kshs.100 to Nil The charges for Medical Examination Booklet per booklet were reduced from Kshs.1000 to Nil</p>	<p>To avoid exploiting the residents To avoid exploiting Nairobi residents.</p>

	<p>The charges for Medical Examination Booklet be reduced from Kshs.1,000 to Kshs.100</p> <p>The charges for Yellow Fever certificate be reduced to Kshs. 1,000</p> <p>The charges Pumwani Maternity Oral GTT, Stool O/C, Urine Analysis, Occult Blood in stool, KOH preparation tests be Kshs.0</p>	<p>Make Medical services more available</p> <p>Ensure full implementation of free maternity</p>		
CECM –Commerce, Tourism and Cooperatives				
Schedule 12 betting, Gaming and Lotteries charges	<p>The charges for Gaming Casino Grant Fee be increased from Kshs100,000 to Kshs. 1,500,000</p> <p>The charges for Gaming Casino annual fee be increased from Kshs.300,000 to Kshs. 500,000</p> <p>The charges for Betting Premise Annual Fee be</p>	To correct errors noted in the Finance, bill.	All charges were retained as proposed by the CECM for Commerce, Tourism and Cooperatives	To correct errors noted in the Finance, bill.

	<p>increased from Kshs.30,000 to Kshs. 300,000</p> <p>The charges for Totalizator premise grant fee be increased from Kshs.200,000 to Kshs. 500,000</p> <p>The charges for Totalizator premise annual fee be increased from Kshs.100,000 to Kshs.300,000</p>			
Kenya Taxi Cab Association (KTCA)				
6.1 Transportations Unit Services	<p>The charges for Zone I (On- street parking) per day saloon car be reduced from Kshs.400 to kshs.200.</p> <p>The charges be Seasonal tickets Kshs.2,000</p> <p>Saloon cars be categorized under transportation Saccos.</p>	Charges too high and punitive	The charges for Zone I (On-Street Parking) per day saloon car were retained.	To decongest CBD
The Institute for Social Accountability(TISA)				

	<p>The charges for Fire Certificate Per Household be reduced from Kshs.2000 to Kshs.0</p> <p>The charges for CBO Solid waste collection and transportation per ton 1-7 & above 7- Kshs.0</p> <p>Parking fees introduction and adjustments should be modest to respect the principles of predictability.</p> <p>Informal traders fees be charged weekly</p>		<p>The charges for Fire Certificates per households were reduced from Kshs.2000 to Nil</p> <p>The charges for CBO Solid Waste collection and Transportation per ton 1-7 & above 7 were reduced to Nil</p>	<p>To avoid exploiting the residents</p> <p>To encourage uptake of waste collection by CBO</p>
<p>Women Domestic Workers & Women Small Scale Traders From Korogocho</p>				
	<p>The charges Small scale gas sellers be reduced from Kshs.30,000 to Kshs.4,500</p> <p>The charges for Low level Retail shop(food & other items) be reduced from Kshs.1,000 to Kshs.0</p> <p>The charges for Low level wines & spirit per month be reduced from Kshs5,000 to Kshs.0</p> <p>The charges for Low level groceries per month be</p>		<p>The charges Small scale gas sellers were reduced from Kshs.30,000 to Kshs.4,500</p> <p>The charges for Low level Retail shop(food & other items) were retained</p> <p>The charges for Low level wines & spirit per month were retained</p> <p>The charges for Low level groceries per month were retained</p>	<p>To Promote small business</p> <p>To boost revenue performance</p> <p>To boost revenue performance</p> <p>To boost revenue performance</p> <p>To boost revenue performance</p>

	<p>reduced from Kshs.2,000 to Kshs.0</p> <p>The charges for Low level bar per month be reduced from Kshs. 3,000 to Kshs.0.</p> <p>The charges for Low level butchery per month be reduced form Kshs. 2,000 to Kshs.0.</p> <p>The charges for Low level pharmacy/chemist per month be reduced from Kshs. 2,000 to Kshs.0.</p> <p>The charges for Small churches/mosques/temples per month be reduced from Kshs.5000 to Kshs.0.</p> <p>The charges for Private day primary/Nursery/day care with 1-300pupils be reduced from Kshs.6,000 to Kshs.3,000</p> <p>The charges for Low informal settlement (residential houses) be reduced form Kshs.100 to Kshs.0</p> <p>The charges for Pitching of tents per day</p>		<p>The charges for Low level bar per month were retained.</p> <p>The charges for Low level butchery per month were retained</p> <p>The charges for Low level pharmacy/chemist per month were retained</p> <p>The charges for Small churches/mosques/temples per month were reduced from Kshs.5000 to Nil</p> <p>The charges for Private day primary/Nursery/day care with 1-300pupils were retained</p> <p>The charges for Low informal settlement (residential houses) were retained</p> <p>The charges for Pitching of tents per day in all category were retained</p> <p>The charges for Modern stalls per month were reduced from Kshs.750 to Kshs.500</p>	<p>To boost revenue performance</p> <p>To boost revenue performance</p> <p>The charges are punitive</p> <p>The charges are optional</p> <p>The charges are optional</p> <p>To boost revenue performance</p> <p>To boost revenue performance</p>
--	---	--	--	---

	<p>(Kshs.2,500 for 1-10seats; Kshs.5,000 for 11-49seats;Kshs.10,000 for 50-99seats;Kshs.15,000 for 100-199 seats and Kshs.20,000 for 200 and above seats) be reduced to Kshs.0</p> <p>The charges for Modern stalls per month be reduced from Kshs.750 to Kshs.250.</p>			
CBO & Youth Groups Engaged in SWM				
The Nairobi City County Solid waste Management Act	<p>The charges for residential households per house per month (informal settlements) be reduced from Kshs.100 to Kshs.0</p> <p>There is need for solid waste management policy that will ensure proper solid waste manager in Nairobi County.</p> <p>The CBOs be recognized as Solid Waste Management Stakeholders and always be involved in all County Matters concerning Garbage.</p>		The charges for residential households per house per month (informal settlements) were retained	The charges were optional

Women Domestic Workers & Women Small Scale Traders From Kawangware				
<p>Schedule 3 Nairobi City County Solid waste Management</p>	<p>The charges Small scale gas sellers be reduced from Kshs.30,000 to Kshs.4,500 The charges for Low level Retail shop(food & other items) be reduced from Kshs.1,000 to Kshs.0 The charges for Low level wines & spirit per month be reduced from Kshs5,000 to Kshs.0 The charges for Low level groceries per month be reduced from Kshs.2,000 to Kshs.0 The charges for Low level bar per month be reduced from Kshs.3,000 to Kshs.0. The charges for Low level butchery per month be reduced form Kshs.2,000 to Kshs.0. The charges for Low level pharmacy/chemist per month be reduced from Kshs.2,000 to Kshs.0.</p>		<p>The charges Small scale gas sellers were reduced from Kshs.30,000 to Kshs.4,500 The charges for Low level Retail shop(food & other items) were retained The charges for Low level wines & spirit per month were retained The charges for Low level groceries per month were retained The charges for Low level bar per month were retained. The charges for Low level butchery per month were retained The charges for Low level pharmacy/chemist per month were reatined The charges for Small churches/mosques/temple s per month were reduced from Kshs.5000 to Nil The charges for Private day primary/Nursery/day</p>	<p>To promote small business The charges were optional The charges were optional The charges were optional The charges were optional The charges were optional The charges were optional The charges were optional The charges were optional</p>

	<p>The charges for Small churches/mosques/temple s per month be reduced from Kshs.5000 to Kshs.0.</p> <p>The charges for Private day primary/Nursery/day care with 1-300pupils be reduced from Kshs.6,000 to Kshs.3,000</p> <p>The charges for Low informal settlement (residential houses) be reduced form Kshs.100 to Kshs.0</p> <p>The charges for Pitching of tents per day (Kshs.2,500 for 1-10seats; Kshs.5,000 for 11-49seats;Kshs.10,000 for 50-99seats;Kshs.15,000 for 100-199 seats and Kshs.20,000 for 200 and above seats) be reduced to Kshs.0</p> <p>The charges for Modern stalls per month be reduced from Kshs.750 to Kshs.250.</p>		<p>care with 1-300pupils were retained</p> <p>The charges for Low informal settlement (residential houses) were retained</p> <p>The charges for Pitching of tents per day in all category were retained</p> <p>The charges for Modern stalls per month were reduced from Kshs.750 to Kshs.500</p>	<p>To boost revenue collection</p> <p>Promote small business</p>
--	--	--	---	--

Outdoor Advertising Association of Kenya (proposal amending the Outdoor Advertising Act)				
Billboards and Wall wraps				
First 2 square meters or part thereof	The charges be reduced from Kshs.36,400 to Kshs.15,000	Due to prevailing Market conditions	The charges were retained as in the Outdoor Advertising Act	The charges are out of the subject matter of the Bill
Additional area per square metre or part thereof per year	The charges be reduced from Kshs.3,000 to Kshs.2,000	The fee was highly prohibitive		
Digital Screen				
Application Fee	The charges be increased from Nil to Kshs.2000 payable once per site not annually	Due to prevailing Market conditions		
Charges for putting up advertisement on the digital screen	The charges be reduced from Kshs.36,400 to Kshs. 18,200 for first square meter The charges for additional area be reduced from Kshs.9,000 to Kshs. 7,000 per square meter annually	The fee was highly prohibitive		
Wall/ Window Branding				
Application Fee	The charges be reduced from Kshs.2800 to Kshs.2000 payable once per site not annually	Due to prevailing Market conditions		
Charges for wall/window branding	The charge for First 10 sq. meter be reduced from Kshs. 10,920 to Kshs. 5,000per sq. meter	Due to prevailing Market conditions		

	The charges for Additional sq. meter be reduced from Kshs.910 to Kshs.200per sq. meter			
Multi- Directional Signs				
Application Fee per structure	The charges be reduced from Kshs.14,000 to Kshs.2,000 payable once per structure sq. Metre	Due to prevailing Market conditions		
Annual License fee per slot	The charges be reduced from Kshs.10,500 to Kshs.5000	The fee was highly prohibitive		
Street Poles				
Annual Advertisement fee per pole	The charges be reduced from Kshs.36,400 to Kshs.24,000 payable annually per pole	Due to prevailing Market conditions		
Sky sign				
Application Fee	The charges be reduced from Kshs.14,000 to Kshs.2,000 payable once per site not annually			
Additional area per square meter or part thereof per year	The charges be reduced from Kshs.3,000 to Kshs.2,000 per square metre per year	Encourage market growth		
Advertisement on Road Reserve (Per Annum)				
Land rent for advertisement structures including billboards	The charges be reduced from Kshs.300,000 to Kshs.150,000 payable	Encourage more compliance		

	annually per site on road reserve.		
Sign Boards			
Application Fee	The charges be reduced from Kshs.1,400 to Kshs.1,000 payable once per site not annually	Should be included in the Bill	
1 square meter or less	The charges be reduced from Kshs.2,730to Kshs.2,500	Should be included in the Bill	
Additional square metre or part thereof	The charges be reduced from Kshs.1,456 to Kshs.1000	Should be included in the Bill	
Structures on Top of Building and Other structure			
Sky signs above canopy and over Properties			
Application	The charges be reduced from Kshs.11,200 to Kshs.2,000	Charges too high and punitive	
First 3 sq. metres of part thereof	The charges be reduced from Kshs.18,200 to Kshs.5,000	Due to prevailing Market conditions	
Additional Sq. metres	The charges be reduced from Kshs.2,800 to Kshs.1,000	Due to prevailing Market conditions	
Bus Shelter			
Application Fee	The charges be reduced from Kshs.15,000 to Kshs.5,000	Due to prevailing Market conditions	
Annual Fee	The charge be reduced from Kshs.50,000 to Kshs.20,000	Due to prevailing Market conditions	

Hoarding				
Application	The charges be reduced from Kshs.11,200 to Kshs.5,000	Charges too high and punitive		
First 3 sq. metres of part thereof	The charges be reduced from Kshs.18,200 to Kshs.10,000	Due to prevailing Market conditions		
Additional Sq. metres	The charges be reduced from Kshs.2,000 to Kshs.1,000	Due to prevailing Market conditions		
Sauti Sanifu Ya Wanjiku Organisation				
Nairobi City County Solid Waste Management Act	The charges for Day primary schools/Nursery/daycare for category 1-300(private) be reduced from Kshs.6000 to Kshs.5000 The charges for Day primary schools/Nursery/daycare for category 301-600(private) be reduced from Kshs.8000 to Kshs.7000 The charges for Day primary schools/Nursery/daycare for category 601-800(private) be reduced	Charges too high.	All the charges were retained as proposed by the County Executive	The Charges were optional

Amusement/ Recreation Services	<p>from Kshs.12000 to Kshs.8000 The charges for Day primary schools/Nursery/daycare for category over 800(private) be reduced from Kshs.20000 to Kshs.10000 The charges for Day secondary for category 1-300(public) be reduced from Kshs.2500 to Kshs.2000 The charges for Day secondary for category 1-300(private) be reduced from Kshs.4000 to Kshs.2500 The charges for Day secondary for category 301-600(private) be reduced from Kshs.5000 to Kshs.3500 The charges for Day secondary for category 601-800(private) be reduced from Kshs.7000 to Kshs.5000 The charges for Day secondary for category</p>	Charges too high.	All the charges were retained as proposed by the County Executive	The charges were reasonable and would boost revenue collection
--------------------------------	---	-------------------	---	--

	<p>over 800(private) be reduced from Kshs.10000 to Kshs.7000</p> <p>The charges for Boarding Secondary for category 1-300(public) be reduced from Kshs.3000 to Kshs.2500</p> <p>The charges for Boarding Secondary for category 1-300(private) be reduced from Kshs.6000 to Kshs.5000</p> <p>The charges for Boarding Secondary for category 301-600(public) be reduced from Kshs.8000 to Kshs.6000</p> <p>The charges for Boarding Secondary for category 601-800(private) be reduced from Kshs.12000 to Kshs.7000</p> <p>The charges for Boarding Secondary for category over 800(private) be reduced from Kshs.20000 to Kshs.10000</p> <p>The charges for pitching tents per day for category 1-10 seats be reduced</p>		<p>The charges for lunch time preaching on lawns per hour(Uhuru park) were reduced from Kshs.1,500 to Nil</p> <p>The charges for rallies organizations using lawns per day were retained</p> <p>The charges for clearance certificates of vendors per annum were retained</p> <p>The charges for video shooting per day (uhuru park) were reduced from Kshs.5,000 to Kshs.2,000</p> <p>All charges for use of jevanjee were retained</p>	<p>The charges were too high for the Low income earners</p> <p>The charges were reasonable and would boost revenue collection</p> <p>The charges were reasonable and would boost revenue collection</p> <p>To promote local talent</p> <p>The charges were reasonable and would boost revenue collection</p>
--	--	--	--	--

	<p>from Kshs.2500 to Kshs.1000</p> <p>The charges for pitching tents per day category 11-49seats be reduced from Kshs.5000 to Kshs.2500</p> <p>The charges for pitching tents per day for category 50-99seats be reduced from Kshs.10000 to Kshs.5000</p> <p>The charges for pitching tents per day for category 100-199seats be reduced from Kshs.15000 to Kshs.7000</p> <p>The charges for pitching tents per day for category 200 and above be reduced from Kshs.20000 to Kshs.10000.</p> <p>Use of Uhuru Park</p> <p>The charges for lunch time preaching on lawns per hour be reduced from Kshs.1500 to Kshs.500</p> <p>The charges for rallies by charitable organizations using lawns per day be</p>		<p>The charges for religious rallies using lawns per day (Use of Kamukunji) were reduced from Kshs. 20,000 to Kshs. 5,000</p> <p>The charges for rallies by charitable organizations per day(Use of Kamukunji) were reduced from Kshs.10,000 to Kshs.5,000</p> <p>The charges for flagging-off ceremonies not exceeding 2hours were retained</p> <p>The charges for religious rallies using lawns per day were reduced from Kshs.20,000 to KShs.5,000</p> <p>The charges for rallies by charitable organizations per day were reduced from Kshs.10,000 to Kshs.5,000</p>	<p>To promote uptake of the grounds and raise revenue</p> <p>To promote uptake of the grounds and raise revenue</p> <p>The charges were reasonable</p> <p>To promote uptake of the grounds and raise revenue</p> <p>To promote uptake of the grounds and raise revenue</p>
--	---	--	---	--

	<p>reduced from Kshs.20000 to Kshs.10000</p> <p>The charges for clearance certificate of vendors per annum be reduced from Kshs.2000 to Kshs.1000</p> <p>The charges for video shooting per day be reduced from Kshs.5000 to Kshs.2000</p> <p>Use of Jevanje Gardens The charges for religious rallies using lawns per day be reduced from Kshs.20000 to Kshs.10000</p> <p>The charges for rallies by charitable organizations using lawns per day be reduced from Kshs.15,000 to Kshs.10,000</p> <p>Charges for flagging-off ceremonies not exceeding 2hours per hour be reduced from Kshs.3,000 to Kshs.0</p>			
--	---	--	--	--

	<p>Use of Kamukunji The charges for religious rallies using lawns per day be reduced from Kshs.20,000 to Kshs.10,000</p> <p>The charges for rallies by charitable organizations per day be reduced from Kshs. 10,000 to Kshs. 5,000</p> <p>The charges for flagging-off ceremonies not exceeding 2hours be reduced from Kshs.2,000 to Kshs.0.</p>			
--	---	--	--	--