



# **UGANDA LOCAL GOVERNMENTS ASSOCIATION**

**PRESENTATION BY THE SECRETARY GENERAL, ULGA**

**AT THE**

**NINTH WATER AND ENVIRONMENT JOINT SECTOR REVIEW**

**26-28<sup>TH</sup> SEPTEMBER 2017**

**LOCAL GOVERNMENT RESPONSE**

# Back ground to the paper

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This presentation is developed from Local Governments concerns shared with ULGA in Financial Year 2016/2017 and for FY 2017/2018 during a number of forums and consultative meetings held. They include:

1. The Local Government funding as per the 2016/17 National Budget
2. Sector Conditional Grant negotiations for FY 2016/2017 and 2018/19.

# Introduction:

On behalf of all Local Governments, we applaud this Sector for its efforts in ensuring active participation of key Local Government officials in the annual Sector review. The Ministry has indeed continued to make us, the Local Governments proud by delivering the services required by our population.

Due to the Ministry's continued support to the Local Governments, through the Technical Support units, implementation of the agreed annual sector negotiations agreements, ULGA Recognized the Ministry at its 23<sup>rd</sup> Annual General Meeting in Mubende on 16<sup>th</sup> September, 2017 by the award passed on the Ministry of Local Government for onward delivery to the Sector.

Once again, thank you.

# Legal justification of the Conditional Sector Negotiations

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Article 193(3) of the Constitution of the Republic of Uganda and Section 83(3) of the Local Governments Act Cap 243 provide that “

***Conditional grants shall consist of monies given to Local Governments to finance programmes agreed upon between the Government and Local Governments; and shall be expended only for purposes for which it was made in accordance with the conditions agreed upon”.***

The above provision requires the expenditure of the conditional grants in accordance with the conditions agreed upon and this necessitates for the local Governments to sit together with the Sector ministries (Government) to agree upon the conditions



Legal provision for the Sector Negotiations and focus of presentation

# Conduct of the FY 2016/2017 Conditional Sector Negotiations

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Local Governments under Uganda Local Governments and Advocacy Team UNAT met and negotiated with Ministry of Water and Environment MoWE on 12<sup>th</sup> October 2016.

The Ministry delegation was represented by Eng. Joseph Oriono Eyatu



Conduct of the Sector Negotiations and focus of presentation

# Obligations of MoWE in meeting the sector conditional grant agreements

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- MoWE shall prepare and disseminate the sector guidelines which will become effective at the commencement of the year for which the negotiation is targeting (FY 2017/2018).
- The Ministry shall also include the signed agreement for the financial year 2017/18 as an annex to its Ministerial Policy Statement.
- Communicate through circulars addressed to the Chief Administrative Officers and Town Clerks, the issues agreed upon in the negotiations for Local Governments to implement in the Water and Environment Sector.
- Ensure timely response to issues raised by the Local Governments, Local Government Associations and Local Government Finance Commission.
- Liaise with MOFPED to ensure that all funds for capital development are released to Local Governments by the third Quarter.
- Ensure adequate involvement and participation of the Accounting Officers of Local Governments in the sector reviews.
- Invite and provide a slot to the LG Associations (ULGA and UAAU) to make a presentation on the key issues affecting service delivery in the Water and Environment Sector Review.



## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

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### Environment and Natural resources

#### **1. Environment and Natural Resource Grant:**

- It was agreed that the MoWE will carry out internal reallocation of funds to operationalise the tree fund and establish the forestry, as well as increase the conditional grant for wetlands.

#### **2. District Environment and Natural Resources:**

- The LGs shall allocate at least 40% of the local revenues generated from forestry products back to the forestry subsector

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

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### Environment and Natural resources

#### **3. Staffing –District Natural Resources Officers.**

- The LGs should always seek for technical support from the MoWE when recruiting District Natural Resources Officers, Wetland Officers, District Forestry Officers, and Forestry Rangers etc.
- The LGs that have not yet attracted substantive Wetland Officers at sub county level should assign or designate other qualified officers the role to manage wetlands at sub county level.



## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

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### Environment and Natural resources

#### **4. Restoration of degraded eco-systems**

- It was also agreed that the MOWE should disseminate the National Sustainable Mountain Development Strategy to LGs when it is prepared, by April 2016.

#### **5. Restoration of degraded forests, green belts in urban Councils and sustainability of forest resource productivity.**

- MoWE should distribute the guidelines on Greening Uganda Economy programme by April 2016

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

### Water Sanitation and Hygiene

#### **6. Promotion of Rainwater Harvesting activities under the DWSCDG**

- It was agreed that when Rain Water Harvesting guidelines are completed, they will be disseminated to all LGs.

#### **7. Water for production Activities under the District Water and Sanitation Conditional Development Grant.**

- It was agreed that the MoWE should submit the list of Local Governments that have deviated from the grant guidelines without authority to the MoLG for appropriate action.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

### Water Sanitation and Hygiene

#### 8. Staffing in District Water Offices

- The MoWE shall continue to second staff to LGs that have failed to attract competent staff and priority will be given to the newly created districts.
- LGs shall regularize the seconded staff after a two years contract if found competent to manage the water office.
- The MoWE in liaison with MoPS shall consider the new qualifications that are applicable to the Water Engineers and guide the District Service Commissions accordingly.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

### Water Sanitation and Hygiene

#### **9. Consideration for Environmental Impact Assessment Aspects/ Protection of Water Sources.**

- It was agreed that any district that wants to implement a piped water project should seek approval from NEMA but go through the MoWE for support.

#### **10. Sanitation and Hygiene Grant**

- The MoWE should expedite the construction of the planned lagoons to promote good sanitation and hygiene.
- LGs shall promote construction of lined pit latrines in all areas that are easy to empty.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS.

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### Water Sanitation and Hygiene

#### **11. Vehicles for District Water Offices .**

- It was agreed that the MoWE shall approve procurement of vehicles to water officers but to be used purposely for supporting water provision and should be labelled accordingly.

We really appreciate the Ministry efforts to implement the agreed positions

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

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### Water Sanitation and Hygiene for the FY 18/19

#### **1. Recurrent expenditure allocation and District Water and Sanitation Development Grant**

- Agreed - MoWE shall continue to lobby MoFPED on the increase of the proposed grant from 8.5% to 14% of the recurrent expenditure to a minimum of UGX. 7,411,599,999, so as to ease the operations under the Non-Wage recurrent budget.
- MOWE shall continue to engage MOFPED in regards to transferring the funds from development to recurrent.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

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### Water Sanitation and Hygiene

#### **2. Design of programmes.**

- MoWE shall have more involvement with the LGs from the design through to the implementation and evaluation of programmes.
- There should be capacity building for skills transfer to LGs which is sector specific, to prepare LG staff to manage the projects as they come.

#### **3. Staffing in District Water Offices.**

- MoWE shall continue to support LGs with Water Engineers on a case by case basis depending on the capacity needs and request by the LGs.
- LGs shall consider the DWOs employed on contract basis and the seconded staff for regularization into the local government structure.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

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- LGs shall prioritize the filling of the District Water Office positions or allow for secondment especially for districts where District Water Officers are doubling as District Engineers and those in acting position, when there is a budget provision.

#### **4. Borehole rehabilitation.**

- MoWE shall forward guidelines on this to the LGs so that they can follow up in the planning and implementation of water supply projects.
- The proposals above form part of the guidelines to be forwarded to the LGs.



## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

### **5. Inequitable distribution of water resources.**

- LGs shall prioritize construction of new water sources to only villages without water sources as guided by MoWE database.
- MoWE shall identify and disseminate information regarding these villages without safe water to the respective LGs during the regional LG budget consultative workshops for FY 2018/2019.
- MoWE shall continue to lobby for donor funding to cover water stressed areas as per the attached interventions under Rural Water; which also covers plans for the future.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

### **6. Vehicles for District Water Offices and construction of Water Offices.**

- LGs shall with sufficient justification request for the purchase vehicles for monitoring and supervision of water works on a case by case basis using the conditional grant.
- LGs shall continue to lobby other donors to fund vehicle purchase.

### **7. Borehole Designs and Specifications**

- LGs shall only design boreholes for solar systems with a minimum of 6 inches' diameter width and yield above 3 cubic meters per hour.
- MoWE shall disseminate the selection criteria for the design to all Local Governments through circulars and CAOs quarterly meetings.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

### **8 . Low District Absorption and Diversion of Funds**

- MoWE shall formally write to MOLG forwarding the districts that diverted the funds for investigation and action.
- LGs shall carry out early procurement to ensure that by December 31<sup>st</sup>, 2017, all procurement has been completed.
- Technical Support Units shall monitor and follow up to ensure that all Local Government procurement is completed by 31st December, 2017.
- UNAT shall communicate to its members on the December 31<sup>st</sup> deadline for completion of procurement for projects for FY 2018/2019.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

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### □ Environment and Natural resources

#### **9. Environment and natural resources grant allocation.**

- MoWE shall share information on the status of the amendment of the National Environmental Act through the Regional Budget Consultative Workshops and LG Association Secretariats.
- MoWE shall continue lobbying MOFPED for new resources to be mobilized for the environment sub sector.

#### **10. Poor Solid Waste Management:**

- MoWE shall support Urban Councils to procure land for the development of lagoons where there is a ongoing project.

## SUMMARY OF SOME OF AGREED POSITIONS OF WATER AND ENVIRONMENT SECTOR ON THE ISSUES AFFECTING LOCAL GOVERNMENTS FOR 18/19

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### **11. Cancellation of Titles in the Wetlands, Local and Central Forest Reserves, River Banks etc.**

- All land titles issued in wetlands and forest reserves shall be cancelled. LGFC shall write to Ministry of Lands, Housing and Urban Development to effect this position, by 30th, September, 2017.
- LGs shall direct the land boards to refrain from leasing forest reserves and wetlands for developments.

# CONCLUSION

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- We implore upon the Sector to lift the flames of implementing agreed positions to even beyond just the agreements.
- The 3% average increase in access to safe water in rural areas is a good indicator of steady progress
- However, the sector with support from stakeholders needs to tackle both the urban and rural challenges that still impede quality services to the people

# Contact ULGA

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Thank you for listening