REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 25th August, 2020

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (Hon. Patrick Waigwa) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk to confirm whether we have quorum.

(Lack of Quorum confirmed)

Speaker: Serjeant at Arms, kindly ring the bell.

(The Quorum bell was rung for five minutes)

Speaker: The Serjeant at Arms can stop the bell.

NOTICE OF MOTION

STATUS OF INCOMPLETE PROJECTS

Hon. Peter Thomi: Thank you, Mr. Speaker. I have this notice of motion;

THAT AWARE THAT part 2 of the fourth schedule of the Constitution of Kenya 2010 outlines the devolved functions to the County Government and as further stated in Article 185(2) that a County Assembly, while respecting the principle of separation of powers, may exercise oversight over the County Executive and any other County Executive organs.

APPRECIATING THAT there are projects that were undertaken between the 2017/18, 2018/19 and 2019/20 Financial Years by the County Government.

NOTING THAT there are incomplete projects from the said Financial Years.

This House strongly URGES the County Government to provide a detailed report to this House on the following;

1) All complete projects undertaken per department.
2) Status of the projects.
3) Plans by the County Government to complete the pending projects.

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STATEMENT

Hon. Stephen Ndiritu: Bwana Spika, tulikuwa na majibu ya taarifa tuliyofaa kurudisha leo lakini naona kama mpango uko kesho. Asante.

Speaker: The statement will be responded to tomorrow morning at 9.00 a.m.

MOTION

STATUS OF INCOMPLETE PROJECTS

Hon. Peter Thomi: Mr. Speaker, Sir, I beg to move the following motion;

> THAT AWARE THAT part 2 of the fourth schedule of the Constitution of Kenya 2010 outlines the devolved functions to the County Government and as further stated in Article 185(2) that a County Assembly, while respecting the principle of separation of powers, may exercise oversight over the County Executive and any other County Executive organs.
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> This House strongly URGES the County Government to provide a detailed report to this House on the following;
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> 1) All complete projects undertaken per department.
> 2) Status of the projects.
> 3) Plans by the County Government to complete the pending projects.

Mr. Speaker, Sir, I have come up with this motion so that my colleagues, who are Members of this House, may also see its importance. Bearing in mind, we have talked of the 2017/18, 2018/19 and 2019/20 Financial Years. Those are the years that we have been here since we were given the authority by the people we represent to be in this House. It is not a joking matter when somebody trusts and sends you all the way from your home to Nanyuki to represent thousands of people. When we combine here as Members of the County Assembly, we represent over 500,000 Laikipians.

This motion talks of those Financial Years that we have been here. This is simply because we are here, we then have an oversight role. There are projects that have been carried out when we are in this House. There are those that we promised our people when we were looking for votes or seeking for permission to be in this House from them. We promised them good roads, ablution blocks and so many things. As I stand here, there are projects out there in Umande Ward, Mukogodo, Githiga, Ol Moran, call them. They were all fifteen wards. Sometimes some of us may even not know what is there in Tigithi or Salama.

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I have asked the concerned to give us a list of all the complete projects undertaken per department. Whenever we go out to the people, other than just talking of what is in your ward, you are able to say that our government which we are part of, has done A, B, C, D in other places. This is so that we may be honest to our people on the promises we made. As a result, we need to know these projects. Some are white elephants. They are just there. We will be given names that will shock us because those projects are not functional.

Mr. Speaker, from the ward that I come from, I can tell you on the toilets that have been done. This is the third year running. They could be complete but they are not functioning or that they cannot be used. It means that there is a problem somewhere. Those who are on the ground do not really understand us. How can we spend millions of shillings to do a project that is not used by our people? What was it for?

This is something that I am not only saying is there in Githiga Ward but all over in the fifteen wards. Since we have an oversight role, we need to know the projects done by the various departments. This is so that we can even ask ourselves when we are in this House to know whether these projects are functional or if they have any benefits to our people. How much was used on that project? Of what benefit was that project?

This has been my thinking. I know that it will really shock us because it is already a problem to our people. Some of us are people who fear and believe in God. We would really hate to mess or cheat our people. At times we are seen by our people as if we are crooks. We cannot move out of our wards, come to this House and projects are done by some people out of this House and they mess all of us.

I am talking of something in mind. I have seen a project that is not functional and not used. It is of no value. I do not see the reason of it being there. A project that was complete, and now the people have started removing the doors. That is something very serious. It is the truth of the matter.

Mr. Speaker, let the concerned give us a list of all the complete projects undertaken per department. We need them so that we may ask queries as from now. We know that we are here for five years. This is the third year. How will we go back to the ground to talk of things as if we did not know the Executive? I will ask the Members that it is time to stand firm and demand that if it was a project then let it be completed.

Mr. Speaker, secondly I talked of the status of the projects. You cannot believe that an Agricultural Department has what is in their department. The Department of Trade moves from their office, goes and construct a toilet in an area that is governed by the Agricultural Department. Total confusion. You cannot know exactly what was taking place. Sometimes we feel let down very much.

I can put it clear here. There is a water project in Githiga Ward where I come from. I am mentioning Githiga because I have evidence and proof of what I am saying. The water that we need even if the water borehole is dug in another ward, there is no problem, we shall get the water.

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Does it mean in the area I come from or in my ward there is no water so that we can go for water in Ol Moran Ward?

The people of Ol Moran will demand that that is their water. We shall then use so many pipes to get that water from that ward to Githiga ward. This is something that is at times letting us down. It is making some of us feel like we have not represented our people in the best way. It is not our problem because the Executive is here. They have not done their work the way they are meant to do.

I will ask Members let us wake up. We demand to know what exactly these people are doing when they are in their offices. I do not know what to say. There are so many problems. I know of a CECM who is in charge of a department. I can tell you for sure, if I mention to him of a certain area where a road is being done, I am sure he will not know whether that is Githiga or Ol Moran Ward.

Mr. Speaker, it is not fair, not in order, and very wrong for people to spoil our names while we know that we are very good to our people. If you go to point number three that plans by the County Government to complete the pending projects. There are projects that were not completed by the first Governor who was there, that was between 2013 and 2017. We have projects which up to today have been left as white elephant projects.

Mr. Speaker, my reasoning is that we need to get this information as I have asked. I have put it that I strongly urge the County Government provides a detailed report to this House on the following projects. It is of importance as we approach to go and tell our people again that despite asking for votes we promised for water and the water is there. We promised good roads, we did this and it is there it can be seen. This is other than going there to be told that you promised an ablution block and you did it halfway for five years. Before we reach there we need to teach some people a lesson before we are taught that lesson by the people on the ground.

I urge the Hon. Members to check on this motion, address it keenly and see whether we can save the situation because we are the representatives of the people. The people know we Members more than they know the Executive because the Executive people are not known on the ground. They have nothing to lose while we have something to lose.

We are elected from where we come from because that is our home, it is where we come from and our parents, children and friends are there. The Executive are people who have come all the way from other counties or have come from very far. These are people who can only let us down. If we do not check on them, they will bring a problem to us. I have said what I thought but I will call my learned good friend, Hon. Peter Matunge to second this motion. Thank you, Mr. Speaker.

Hon. Peter Matunge: Thank you, Mr. Speaker. I wish to thank the Hon. Member from Githiga for bringing this motion and moving it with a lot of passion. It is very true since we came here and passed the budget and allocated resources, a lot of projects have been done in this county

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across all the fifteen wards. A number of them are still pending and are not finished. If they are finished, they are not functional.

It is very true as Members of this House and as Members assigned by the constitution the issues of oversight and representation. The voice of the people is us to do the representation and because we need services and we allocated resources to be delivered. A project can only be meaningful if it serves the purpose that it was intended to. A number of projects all across the wards have been done even in the previous government.

In the current government, a lot of them are not serving the purpose. The people of Laikipia are not getting the value for their money. By providing this House and these Members with this whole list of pending projects and complete projects it will serve as information. We know information is power and again it is going to ease the work of all our committees on the issues of oversight.

We can be able to question people why these projects are not serving the people of Laikipia and why the people of Laikipia are not getting the value for their money. What we are doing is because we are trusted to do it. We are doing it because our people and citizens of Laikipia and Kenya are paying taxes for them to be served and given services. When you do a theatre because all across we have done a number of them and they are not serving the people of Laikipia. That is then just a building like any other.

Mr. Speaker, when you do a road that is not complete it is just another part that is not serving the people of Laikipia. If you do a borehole that is not producing water, it is another project that is not serving the people of Laikipia. If you do anything or an ECD classroom that is not finished, it is just another structure and it is not serving the children of Laikipia.

With all these I think there are a lot of issues that we need to make a follow up. Through getting this information it can enable us to do our work effectively. With those few remarks, Mr. Speaker, I beg to second the motion from the Hon. Member. Thank you.

(Question proposed)

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I stand to support the motion by the Honourable representing the people of Githiga. This should act as a guidance for us to be able to even oversight the on-going projects. We have taken time because we ought to have had the already completed projects with us and we be able to make a follow up for those that have not been done. It may be a tedious process because the projects must be many.

I would wish that if it is possible they be separated per department. If it is the Department of Health to outline all the projects that they have been able to implement. The Department for Agriculture should do the same, Water and all the departments to give detailed reports as per what they have done for the period we have been in this House. It will also assist us to gauge on how

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they have been able to implement in each and every corner of our county and the distribution mode. Mr. Speaker, it is a good motion and I wholly support.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I also rise to make my contribution on this report because it is a motion that touches everyone in this House and also the community that we represent. Having said that, it is also our responsibility as Members before we even get this report and information from the CECM's or the Executive side.

It is also our responsibility because we are the representatives of the people. We come from the same villages where projects have not been implemented. Projects that are not done are well known to us as individual Members. We even need to go a step further of each and every Member who represents a certain area to list the projects that have not been done because we are expecting to get a report from the people who failed to do the projects.

I do not know why I am seeing as if there will be no hope from them because they are the ones who failed to implement these projects after we as a House set a budget for them. There was money to do those projects and time was also there and then out of ignorance or whatever they chose not to do. Now we are here calling upon them to give us a comprehensive report on the projects that they have not done unless we point out and say this is Tigithi Health Center that was not done and we need it done. We also need a report on why it was not done. This is a borehole in Umande that has not been done and we expect it to be done because there was money for this.

We are also supposed to offer guidelines to them as the representatives of the fifteen wards. We need to come up with a big list that indicates clearly that in Umande this and that project was not done. In Githiga this and that project was not done and then from there they give us a report on why those projects were not implemented irrespective of having budgeted for that. We need to see every single coin that has been set in the budget being used appropriately. As the Hon Member who seconded the motion said we need to see value for money. We do not just need to do the projects but the projects that we do need to be active and serve the purpose. We can just do a project that does not serve the purpose because having a dispensary that does not have nurses and anybody working there means there was no point of even having it there.

We need to first list the number of projects that have not been done in different areas. From there we give them and now get reports from them as to why the projects were not implemented. The reason I am saying this is because we as representatives know everything about our areas and we even know the person who did not perform his duties properly. The Hon. Member, as he was moving the motion, has said clearly that he knows of a CECM. There is a road going on in Githiga and he knows of a certain CECM who does not even know whether the road is in Githiga or elsewhere. It means we even know the people who have not implemented and the weak CECMs. It is only that we do not want to mention their names as he has skipped to mention the names because that person who is doing a project and does not know where he is doing it means even the projects that were not done he does not even know them. He may just know that all projects were done.

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As a House and representatives of the people we need to come up with a big list from each and every ward for those years and even those that were not done by the previous government. From there we should tell the Executive Government that we need all these projects done and know their status. We also need to know whether there are plans to do them or not but first we need to highlight the same projects. Thank you, Mr. Speaker.

Speaker: Member for Tigithi you can use the next one to you. What is not happening?

Hon. Mutahi Muritu: Ninafikiri mitambo yetu imekuwa na shida. Asante Mheshimiwa Spika. Nitajielekeza tofauti kabisa kwa sababu Bunge letu tunalo jukumu la kufanya kazi. Tunapoongelea kuhusu makadirio katika fedha za serikali, kunazo taasisi ambazo zinatupa mwongozo kama Bunge. Kwanza ni Msimamizi wa Bajeti. Kila robo ya serikali tunastahili kuwa tunapata ripoti kutoka kwa mkaguzi na mdhibiti wa bajeti katika nchi hii. Pia huwa tunapata ile kitu inaitwa *Budget Outlook Paper* ambayo hutoka kila robo ya mwaka kwa sababu katika hii serikali kunayo mushkili kidogo. Tunaweza tukamlaumu waziri na afisa mtendaji katika ile wizara.

Ninafikiri miaka miwili iliyopita kuna mawaziri tuliowaleta kwenye Bunge hili letu tukitaka kujua mienendo yao na utekelezaji wa miradi. Tulikuja kugundua ya kwamba sisi kama Bunge tunapouliza maswali kuhusu mradi katika, tuseme kwa mfano, Githiga, Tigithi, Ngobit na Marmanet, unakuta kati ya waziri na afisa mtendaji walishawahi kuwa na mawasiliano na kutumia nafasi ya kanuni za sheria zetu haswa za *Devolution Act.* Unakuta alimwandikia waziri akibadilisha ile miradi. Akibadilisha hiyo miradi hanielezi mimi lakini wanasema ni kutokana na mahitaji.

Hata sisi Bunge nilikuwa ninashauri kwanza hiyo *Outlook Paper* ya bajeti tunastahili kuiona. Ripoti ya Mdhibiti wa Bajeti inahitajika ili tuweze kuona jinsi mzunguko wa fedha ulivyokuwa. Mimi hata nimeshangaa na nimelipigia kelele sana hapa ndani ya hili Bunge kituo cha afya sio hata cha mwaka jana ila mwaka juzi. Kituo cha afya kilipewa fedha lakini utekelezaji wake unakuwa wa kuzua zua. Nikiingia hapa Bungeni nikitaka kutetea na kuuliza hilo swali baadaye sisi Wajumbe ambao ni wanachama katika kamati husika ninaonekana kama pengine ninayo vita na afisa fulani. Hilo limejitokeza sana katika hili Bunge. Nimelipigia sana mpaka ukatoa maagizo kuhusu kituo cha afya.

Sasa tumemshika huyu kwamba hakutekeleza miaka mitatu. Swali lingine hata kama tunaolisema hili, kama mradi haukutekelezwa hizi mabaki za fedha ziko wapi? Kama milioni tano miaka miwili iliyopita za kituo cha afya cha Solio. Nimekipigia kelele sana hapa lakini baadaye tunakuwa na ushabiki mwingine. Ninaomba Mungu sana kwa kuonekana kana kwamba ninakuwa mpinzani wa kamati ama mtu fulani kama yule afisa mtendaji ama huyo waziri asiyejua barabara. Tukijua hajui barabara na tumwasilishe hapa tunajitokeza na tunapata makundi hapa.

Ninawaomba Wajumbe walioko kwenye Bunge hili wajue jukumu tulilopewa. Ninapohoji miradi aina fulani sio kwamba ninaipinga serikali. Nikihoji kuhusu miradi sisemi kwamba

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simpendi yule afisa. Sasa hivi bajeti iwe huko kwenye raia wetu. Ukienda kwenye maeneo fulani unaambiwa kwanza wewe ni Mjumbe wetu, wapi hospitali yetu? Sitaki kuelezea kwamba ulibadilishwa.

Juzi tu tumekuja hapa sisi kama Wajumbe. Mheshimiwa kutoka Umande amesema ya kwamba kuwe na miradi ambayo inaeleweka. Mimi naona ikiwa vigumu sana kuenda kuwaambia wananchi wangu ya kwamba soko fulani au kituo cha afya hazikupatikana kwa sababu kulitokea janga la Korona na hivyo kukawa na bajeti ya dharura na kwa hivyo nikaweka hiyo miradi.

Mheshimiwa Spika, serikali yoyote duniani ikiondoka nyingine huja. Ukiangalia kuna miradi mingi sana ya maana ambayo ilifanywa na serikali ya awamu ya kwanza. Kama kwangu kuna barabara ambayo ilitumia fedha nyingi sana kutengeneza lakini hata leo baada ya miaka mitatu, serikali iliyoko madarakani hata kuifanyia marekebisho na sasa hivi mvua unaendelea kupatikana. Baadaye ni kama kwamba hizo miradi ziliyofanywa miaka iliyopita na awamu ya kwanza sio za Laikipia bali ni za watu binafsi.

Sana sana sisi kama viongozi inapofikia maswala nyeti sana inayohusiana na wananchi wetu, naomba Wajumbe hata kama tutajadili mtu fulani, asije akaelezwa eti anapingwa na fulani. Mimi hilo halinijalishi hata kama nitarudi kwenye hili Bunge au la, lakini kama kuna mradi iliyotengewa fedha, ndiyo tutaenda idara na wengi wetu ni Wenyeviti katika hizo kamati. Mimi najua ya kwamba kuna darasa ambazo hazijatengenezwa, vituo za afya na pia miradi ya soko. Hata leo kile ambacho kinauma zaidi ni ya kwamba utakuta ya kwamba kuna soko ambazo zilianzishwa na serikali iliyopita na hata leo haijaendelea.

Sasa inakuwa ni vigumu kuelewa na Mkaguzi wa Bajeti yuko na pia huwa tunaletewa ripoti ya robo mwaka kuhusu vile ambavyo huwa tunatumia fedha zetu. Kwa hivyo nimshukuru Kiongozi wa walio Wengi katika Bunge kwa kuliona hili lakini tuelewane kabisa kama Bunge ya kwamba tukihoji isionekane kama Mutahi Muritu anapinga. Hapana, ni jukumu langu ninalotekeleza tusije tukawa sisi kazi yetu ni kuwapigia makofi. Tutashindana kama Wabunge tuondokee jambo la kubishana kwa sababu hata tukibishana hapa ndani ya Bunge haipati tija kwa wale wananchi wetu ambao wanaoumia na kile ambacho kinapatikana cha wananchi wa Laikipia kinaondoka hivyo. Mheshimiwa Spika, Kwa hayo machache ni kushukuru kwa hiyo nafasi.

Speaker: May I now call upon the mover to give a reply.

Hon. Peter Thomi: Thank you, Mr. Speaker. I want to thank this Hon. House and all Members because they have supported this motion and they have seen what exactly is in the motion. Without adding much on this, something has to be done regarding this motion.

Mr. Speaker, it will remain in history that the year 2017/2022 the Members in this House were the ones who were responsible and those years will never be repeated. Therefore, the mess that we will have caused we shall live to be blamed. As a result we have to stand strong and push the Executive. When you hear of pending bills, this is simply because there are some people who

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are lazy at their work. Either the BQ's were not given in time or either the projects lacked follow up. All these problems have repercussion which is on our side.

So we as Hon. Members must know exactly that there are people who are out there to fail us. I have said that for the remaining time we have to push these people. Just to end, there is a Chinese Company who are constructing a road in Githiga Ward and it is very painful other than being happy because of the good work which they have done. You cannot imagine that we have a County Government here whereby the Chinese people are doing their work but the Infrastructure Department of this county cannot move to the ground because they have got their engineers so that they can also guide that contractor by showing them the need of flattening the site where the murram was dug. As we are talking that team has moved out and I have been left with problems after raising all those concerns.

Mr. Speaker, some people are really going to mess us here. I have talked and even made an attempt to talk to the Governor on the same. So there is a lot that we need to be assisted on. I once again want to thank the Members and the seconder because we have done the motion and I am grateful.

(Question put and agreed to)

CONSIDERED RULING

Speaker: I just wish to thank the Hon. Members for that contribution and in particular the Leader of the Majority Party for bringing this motion. As the mover was doing the reply he was talking of pending bills. The problem now is that we have got pending bills of some projects which have not yet been done but when you go you will find a pending bill for 2017/18 and the project is not done. There are also some projects which they are claiming that they are not yet done meaning that even what we have as pending bills may not be the project which we expect to be done.

Therefore, I wish to encourage Members to continue on our oversight role. Let us get these projects and look at them as per department. If the particular committees needs to go on the ground for confirmation, if these are projects from the Department of Trade let that committee also when we get that list go an confirm whether this was done and whether it was paid for. Not just whether it was done but also whether it was done properly because maybe there is a project that was done half way or even never done.

I believe that we have got the tools for oversight all the way from ADP, the budget and the list of the projects done as they are brought into this House. The committee going to the ground can use several documents to see what was done and what was not done. Also whether whatever was supposed to be done was properly done for the people to get value for the money. I think that if we do that we are going to give value to the people of Laikipia.

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The mover talked of people who would mess us but the problem is that we will also be counted as part of the mess. So if we can be able to escape the mess by doing our work, the sooner we can be able to do that the better. When we interact with the citizen down there, according to what they know of which it may not be true is that the buck stops with the MCA because that is the person they see on the ground. When you tell them that it is the Executive, they will say that it is the MCA.

The other day I went to some parts during the weekend and you would hear people asking why they have not been given opportunities for *Kazi Mashinani* and why they have not received certain youth projects and why the area MCA has not brought them certain roads. So people tend to blame the MCA and not mention the Executive or the Governor and the Deputy Governor who are equally elected everywhere. They tend to lay the blame which I don't know whether it is organized but it is important to keep on telling our people the truth so that we are also not blamed for what you should not be blamed for.

Let us do our oversight role because the only thing that can speak on our behalf will be the oversight that we have done. We should be able to rise up and say that this is the way that the road was supposed to be done and whoever did it should carry their own cross. If we are not seen doing that, they will keep on saying what they usually say on social media that the County Assembly has gone to bed with the Executive which is not a good thing to hear. We must do our oversight properly.

ADJOURNMENT

Speaker: The sittings of this House now stands adjourned until tomorrow Wednesday, 26th August, 2020 at 9.00 a.m.

The House rose at 3.20 p.m.

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