REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 21st August, 2024

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

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk, do we have quorum?

(Lack of quorum confirmed)

Speaker: I direct that the bell be rang for ten minutes.

(The quorum bell was rung for 10 minutes)

Speaker: Clerk, confirm whether we have got quorum now.

(Lack of quorum confirmed)

Speaker: I direct that the bell continues ringing for the next five minutes.

Hon. Salim Edung: Mr. Speaker, we have got quorum now.

Speaker: Clerk, confirm to that effect.

(Clerk confirmed achievement of Quorum)

Speaker: Thank you. Now that we have got quorum, let us move to the business of the day.

PAPERS LAID

TRANSPORT COMMITTEE OVERSIGHT VISIT REPORT ON ROADS & WORKS IN LAIKIPIA WEST

Hon. Catherine Kihika through Hon. Benson Kuria: Thank you, Hon. Speaker. I want to lay report on an oversight visit to Nanok Junction- Action praise road, Oljabet Hospital- PCEA Chemi chemi Road in Igwamiti ward, grading and graveling of mairo saba-kwa bega road in Marmanet ward and drainage & culvert installation works in Rumuruti township ward by the Transport and Public Works Committee dated 18th June, 2024.

(Hon. Benson Kuria laid the Papers on the Table)

NOTICE OF MOTION

TRANSPORT COMMITTEE OVERSIGHT VISIT REPORT ON ROADS & WORKS IN LAIKIPIA WEST

Hon. Catherine Kihika through Hon. Benson Kuria: Thank you, Hon. Speaker. I beg to give notice of the following motion;

THAT this Assembly adopts the report on an oversight visit to Nanok Junction- Action praise road, Oljabet Hospital- PCEA Chemi chemi Road in Igwamiti ward, grading and

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graveling of mairo saba-kwa bega road in Marmanet ward and drainage & culvert installation works in Rumuruti township ward by the Transport and Public Works Committee dated 18th June, 2024.

STATEMENTS

ACTING STATUS OF CHIEF OFFICER FOR DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES.

Hon. Irene Wachuka through Hon. Catherine Umija: Thank you, Mr. Speaker. This is in regards to the extension of time to the response of statement of the acting Chief Officer in the Department of Agriculture, Livestock and Fisheries.

Mr. Speaker, a statement was tabled in the Assembly by Hon. Catherine Kibue on 21st, May, 2024 requesting for a response regarding the status of the acting Chief Officer for Department of Agriculture, Livestock and Fisheries.

Mr. Speaker, the Labour, Social Welfare and Community Services has sent several letters to the Executive through the Office of the County Secretary seeking for response on the same, however, the response received has not been satisfactory.

Mr. Speaker, Sir, the committee hereby wishes to carry an intensive inquiry to the statement raised and responded thereto by the way of a report to this House on 27th August, 2024. Thank you.

Speaker: Since Hon. Catherine is not present and the committee on Tuesday, 27th August, 2024, has requested to undertake an extensive inquiry on the statement raised and respond to the same, the request granted.

NOTICE PAPER

NOTICE PAPER

Hon. Salim Edung: Mr. Speaker, I wish to read the tentative business for next week.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Morning) August 27th, 2024

A. **PAPERS -** Report by the Sectoral Committee on Labour, Social Welfare and Community Services on the Acting Chief Officer in the department of Agriculture dated 21st August 2024.

B. **NOTICES OF MOTIONS -** Report by the Sectoral Committee on Labour, Social Welfare and Community Services on the Acting Chief Officer in the department of Agriculture dated 21st August 2024.

C. **STATEMENTS TO BE REQUESTED -** Member of County Assembly representing Mukogodo West Ward (Hon. Nicholas Lempaira) to request a statement from the Chairperson, Finance and County Planning Committee pertaining to conversion of public land to private land in Salama, Segera, Sosian and Rumuruti wards.

D. **STATEMENTS TO BE REQUESTED -** Member of County Assembly representing Segera Ward (Hon. Salim Edung') to request a statement from the Chairperson, Finance and County Planning Committee pertaining to status of occupants of animal holding grounds and corridors in Laikipia County.

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E. STATEMENTS TO BE REQUESTED - Member of County Assembly representing Tigithi Ward (Hon. Mwaniki Muturi) to request a statement from the Chairperson for Trade Tourism and Cooperatives Committee pertaining to Rumuruti aggregated industrial park.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Afternoon) August 27th, 2024

A. MOTION - Report by the Sectoral Committee on Labour, Social Welfare and Community Services on the Acting Chief Officer in the department of Agriculture dated 21st August 2024.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) August 28, 2024

A. MOTIONS - Motion urging the County Government to establish a tourism policy by Hon. Salim Edung'

Speaker: Thank you very much for giving the House the tentative business for next week.

MOTION

TRANSPORT COMMITTEE OVERSIGHT VISIT REPORT ON ROADS & WORKS IN LAIKIPIA WEST

Hon. Caroline Kihika through Hon. Daniel Mugweru: Thank you, Hon. Speaker. I am Daniel Mugweru but I am representing Hon. Caroline Kihika as I move this motion on her behalf. Hon. Speaker, I beg to move the following motion;

> THAT, this Assembly adopts the report on an oversight visit to Nanok Junction- Action praise road, Oljabet Hospital- PCEA Chemi chemi Road in Igwamiti ward, grading and graveling of mairo saba-kwa bega road in Marmanet ward and drainage & culvert installation works in Rumuruti township ward by the Transport and Public Works Committee dated 18th June, 2024.

Hon. Speaker, as all Members know, it is our responsibility especially on matters pertaining to oversight; it is a committee of this House which works on behalf of the Assembly on issues of infrastructure. It is chaired by Hon. Caroline Kihika and has several other Members such as myself, Hon. Muturi Nicholas Mwaniki who is the Vice-Chair, Hon. Simon Kanyutu Kimani, Hon. Lekopien Parleto, Hon. Benson Kuria Mwangi and Hon. Nicholas Lempaira Korkole who are members.

Hon. Speaker, one of the issues that affects this county is infrastructure. It is also one of the issues that causes Members of this House to either be re-elected or not re-elected. So, when we talk about infrastructure, we do so with a lot of seriousness because we know that it can cost us. We know it can give us a plus or a minus. So, this is one of the most important reports to be discussed by this House. Some of these roads that we are talking about are in Igwamiti, others in Marmanet and others in Rumuruti. The most unfortunate part is that the Members of those respective wards have engagements so for one reason or another they are not present today.

As I move this motion and take Members through this report, I request that, if possible, you do not put the question because the Members who are not here are affected by infrastructure directly or indirectly. So, it is a report that needs to be discussed by almost every Member who is concerned about matters of Laikipia.

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Hon. Speaker, today we are discussing a report about Igwamiti, Rumuruti and Marmanet but in future, we will go to Githiga, Segera, Umande and every other ward and will find almost the same challenges. It is a report that needs input from every Member because we as the seven-Member committee are just there as representatives of the whole House. We are just there on behalf of the more than five hundred residents of Laikipia. So, it is important to get diverse reactions from different Members on different capacities.

We managed to go to those wards and in future, it would also be prudent that such reports touching on almost everyone be produced in hard copy. If there was a hard copy, I would just ask every Member to turn to the report and see the culverts that are in Rumuruti so that no one thinks that we have an ill motive. They would be seeing what I am seeing here and understand why we make the recommendations that we make.

Hon. Speaker, when it comes to oversight, we always ought to see the roads that will be worked on before the work starts so that we can be able to show how they look like before and after construction. Secondly, it is important that when the contractor is on site, we as Members need to visit the site because you cannot inspect a road that was constructed two years ago and claim that you are doing inspection. That road will have already become dilapidated. That is why I am saying that it is one of the most important reports in this House.

There are many Members here who can confess that contractors who did works three or four months ago and before they were paid or received completion certificates, the rains carried away the roads. To be honest, the contractor will definitely lose because the rains found you on site before you completed. On humanitarian grounds, however, it is unfair. That is why I am speaking about the importance of this report.

The road that we went to, which is the Nanok Junction- Action praise road; the Department of Infrastructure had already reported eighty percent completion of it. The works was awarded to a company which I will not mention, but we found the work to be only fifty percent complete yet they had reported eighty percent. That is the importance of going to the ground and seeing what exactly is there. I am saying this so that Members know that we went to those roads physically and found the work to be fifty percent complete, or even below. If the Members had copies, they would see that the work is less than fifty percent complete.

Hon. Speaker, these are just three wards but the work was done in fifteen wards. Therefore, there might be a Member who is here who is still waiting for that one day or soonest, we are going to go and inspect the roads that were done in their area and we are at 3 out of 15. We have a long journey.

Reason I am saying this is it is the importance of even the head of this House. Some of these committees need to be extremely active and they need serious facilitation to make sure that they visit all corners of this County. The road that we were able to see is that of Igwamiti and Members can see.

The ones who can check from the gadgets they'll see how the roads are. You know how infrastructure damages our images and damages our names as politicians. I hope you can see it all over social media, I don't know, it is the ambassador of somewhere; it is maybe from Europe, I don't know. I have been seeing a name ambassador Igwamiti chemi chemi, Igwamiti Ward, Sosian. These things you see here, can damage the names of the Members and when the Member's name is damaged, the entire institution is also endangered, it is in problems.

That is why I am saying the importance of everyone giving their opinion in regards to what we are seeing here. The one that is in Marmanet Members can also see. That is the grading

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of Maili saba Kwa bega. We found that the road at least that one was almost done. The report that was given by the Executive was close to truth. Still the storm water is still flowing alongside the road because the drainages were poorly done. Some of these things that we say here, it's important you do at least one kilometre than doing 10 kilometres that cannot last for one year.

My belief is that when I do a road, it should remain there, at least for the next I don't want to say elections come but that is it. When you do a road today then after 3 years to come there is elections, you will go down because of that road yet you did it. Nobody will understand that you had done it 2 years ago. They will say you have done nothing. You better do one kilometre that can sustain you for the next maybe three or four years until the time when the *wanjiku* will be marking for you. We can't say that we are doing bad but also need to improve on this.

If you go to that of Rumuruti, that is why I was saying I wish the Honourable Members were here, they could understand there is no malice. The Culverts that were done there, I don't think that the person that awarded that tender qualified for such works. The works this person is doing, either he was not qualified or The Executive Arm of Government that was responsible in supervision is so weak or poor. They don't even understand what is expected of them. On this drainage work in Rumuruti, there is nothing you can even discuss about.

The roads are not passable. The culverts have the height of over One Meter. There is no vehicle that can move that one-meter part. Even if you say that you are back filling. You cannot backfill one meter yet you had the opportunity to get the base of that culvert, at least make the trench deeper to facilitate even the vehicles to move smoothly. Some of these things are also important we push The Executive Arm of Government, the Engineer who is in charge of Laikipia West.

I don't know who he is but there must be a problem, either the Engineer has a problem or the contractor or both. By the look of things, there is nobody even a layman, a common citizen will tell that this person was not even close to qualifications. I wish the Honourable Members because they have the responsibility of oversight, be going to the site and see what exactly the contractors are doing. Otherwise, such shoddy works are supposed to even cost someone a job. The engineer I was supervising here, I don't think there is compromise on the same.

So as a committee, when we went there, we found the contractor in Maili saba did not construct score checks which were in the BQ. It was overlooked because if it's an item in the BQ then it must be done unless you don't want to get payment for it. As a County Government, we should pay for work done. We also found that the scope of the works was to gravel and install culverts of OlJabet Hospital to Chemi chemi. We also found that the roads need additional culverts.

That is why I am saying instead of dumping murram 10 Kilometres, you'd rather do 3 kilometres with proper drainage because the community will at least enjoy. The three kilometres will help the same community. Instead of doing 10 which will not even help the community. We've found that the roads in future, very short time, those roads will be rendered unusable.

If they are not checked, if we cannot go back there, supply more gravel and do proper drainage, then the roads in the near future. Probably next year or even before the end of the year, the roads will not be used. They will be unusable. As a House because the people of Laikipia gave us that opportunity to do oversight on their behalf, then we should wake up and

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at least tell the engineers in charge that they must stand there on our behalf as we go and play our part.

Having said this, the committee recommended, because these are the recommendations of the committee on behalf of the House is that the Department of Infrastructure, Public Works and Urban Developments gives the contract of drainage and culvert installation in Rumuruti to another deserving contractor. Who can do the work with the same allocated budget. That is the only way to save those people of Rumuruti.

The unfortunate part is I really don't know because there is no other budget for the same because the same budget that was allocated is the one that was misused by this contractor. Probably if we say we are giving another contractor, I don't know whether the people of Laikipia are ready to lose money. Even if we have to give another contractor, then the engineer who was in charge should be answerable. Whenever you are doing any concrete work, the supervisor who is the engineer is supposed to be there before even you start the concrete work.

You cannot sit down here, the people of Laikipia to lose this amount of money. To install a culvert one meter, costs us between 20 and 30 thousand. So, if you see a culvert that is crossing a road, I have seen one of them that is 10 meters. That means it is between Kshs.250,000 and Kshs.300,000. We cannot sit down here as a County to lose all this money because there was an irresponsible supervisor. This is not a blame of the Honourable Member. This is a blame to the engineer; the technical person. We must wake up and stop defending civil servants who are working in this county, who are irresponsible.

This was very irresponsible because immediately he did the first culvert and the second, he was supposed to terminate the contract or stop him from working. Hon. Speaker, we cannot sit down here as supervisors and wait for the first line of culverts which is ten metres, another one of eight metres and seven metres. It means you do not go to the site. You may not also know what is happening in that site.

Hon. Speaker, as a House we need to call the engineers who are supervising these roads. They are answerable and we cannot lose because of them. Even if we are saying we give the scope of work to another contractor then we must be assured that the people of Laikipia will not lose a coin. If they will have to lose, then someone must bear that consequence.

Hon. Speaker, the Members also recommended that the contractor for drainage and culvert installation in Rumuruti should neither be paid nor issued with a certificate of completion. That is the only way that will help the people of Rumuruti and Laikipia. The one who did this shoddy work will lose so that we give another competent contractor to do the same work with the same amount of money. If we do not do that, we will lose.

Hon. Speaker, when the people of Rumuruti loose, I also lose because it is Laikipia that has lost. We cannot sit here and wait for the loss. The other recommendation is that culverts should be installed at kwa-stephano and the transformer in Maili saba kwa Mbega road. This is the road that I saw somewhere posted by someone from outside the country who is an ambassador. He said that there is something wrong there. It is the same road that I saw.

So, it is our responsibility to install a culvert to make the road passable during the rainy season and dry season. Hon. Speaker, the committee recommended that when making the budget, there is need to allocate a budget that is enough to complete road projects and any other additional work that may be required. So, Hon. Members, when we sit down as a House, when we are talking about budget and when you hear Hon. Gitahi saying that infrastructure need more money he has a reason.

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He has traversed his ward. He has seen the amount that is required. So, let us allocate enough money for specific projects. If we do not have enough money, let us do the little that we can with the little money that we have instead of doing a lot that will only last for one year or less. Hon. Members, when we say that we need more budget, some people are saying Kshs.380 million is a lot. Even if it was Kshs.600 million, still it will be less.

We are having Kshs.380 million and you will hear Hon. Mwaniki, Hon. Salim and I saying that he did 30 kilometres but at the end of the day, the people of Laikipia are still complaining of poor infrastructure. When I say we can double the amount, then there is no harm in that because all other departments lean on this department. Whether it is agriculture, you will hear the community saying that it is good that you gave us fertilizers and the seedlings but we cannot transport our produce to the market because there are no roads.

It is good you did a good hospital but we are not able to take our patients to hospitals because there are no good roads. So, in all departments, this is the key and the fulcrum of the County. So, when we say we need more money, even if we get a supplementary budget and request for more, the better for the people of Laikipia. Hon. Speaker, we also proposed that score checks be installed to prevent the washing away of soils on Chemi Chemi road.

If we do not do those score checks, the score checks are meant to reduce the speed of water. When the speed of water is reduced, then there is no erosion. That is the importance of having those score checks on that road. Hon. Speaker, we also recommended that we have additional culverts on the same road. If we do an additional culvert and score checks, we will not have that road any other day on social media.

Hon. Speaker, this is the report from this committee. I call upon Hon. Members to support this committee and to make contribution towards this committee even in relation to where you come from. Probably, the opinion that you are going to give us will trigger the committee to first move to your ward because we could be having the same problems in Umande, Ol Moran or Tigithi.

So, everybody's opinion is important and valid by this committee. Hon. Speaker, I call upon Hon. Benson Kuria Mwangi to second the motion on this report. Thank you.

Speaker: I call Hon. Benson to proceed as requested.

Hon. Benson Kuria: Asante, Mheshimiwa Spika kwa hiyo fursa. Ninajua ya kwamba mimi ni mmoja wa wanakamati wa Kamati ya Miundo Mbinu. Bila shaka, ninajua ya kwamba kwa hii tarehe niko kati ya wale ambao walihusika kushiriki uangalizi wa hizi barabara za Igwamiti, Marmanet na Rumuruti. Mheshimiwa Spika, ninaunga hii ripoti mkono nikijua ya kwamba tuliweza kuzunguka vyema na tukashuhudia vile wataalamu walikuwa wametengeza barabara. Naunga ripoti mkono na ninajua ya kwamba ni ya kweli. Asante.

Speaker: Thank you, Hon. Members. The motion has been moved and seconded.

(Question proposed)

Speaker: I would like to give Members a leeway to be able to contribute. I will begin with Hon. Gitahi.

Hon. Joseph Gitahi: Thank you, Hon. Speaker for this opportunity. I want to start by making it clear that I would urge the House to support the adoption of the report. Hon. Speaker, I want to state that over the rainy season, we have had ample time with the electorate because we have been invited to see with our own eyes. Let me quote what the public have been saying

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"to see with our own eyes" where they are expected to pass, to do trade, agriculture and other aspects.

Hon. Speaker, I want to state that just like the mover of this motion, Hon. Daniel Mugweru has stated, there is a lot that is missing in the durability of our roads and the way the construction is executed. Before I state this Hon. Speaker, I want to say that a reliable road network is essential in all spears of life be it in health, security, agriculture, trade and other issues.

Having said that Hon. Speaker, there is a lot that the people of Laikipia expect from this House and by extension, the Committee on Infrastructure. Hon. Speaker, it is important to state here that when it comes to the execution of the construction done, I have seen in Marmanet, Igwamiti and Rumuruti that two issues are very important.

The first thing is the timeliness of the construction of these roads. Hon. Speaker, you will notice that this Assembly will in a very timely manner, pass budgets and clearly indicate the areas that are supposed to be constructed. Hon. Speaker, we pray to God that we will be alive on that day. Next year, we will still be in this place arguing on the timeliness of the construction of these roads. Timeliness affects the quality of drainage and other issues that come with draining water because water is the structure of roads. So, timeliness is one issue.

Secondly Mr. Speaker, is competence. I want to say even though very few people would admit here that some Members are conflicted in the construction of these roads and oversight of the same. I want to state that we must ensure that there is competency in terms of engineers who do the work and the supervisors who supervise these projects.

We have to ensure that we award the best company to do these jobs. We also have to ensure we have competent staff within the department so that the people of Laikipia can get value for their money. Before Gen-Z Revolution, I remember I had stated here times without number on the importance of accounting hard earned taxes. When you look at the images, we have been presented with by the Transport Committee on the African location in Rumuruti, it is disheartening. Such people who live at the edge would actually contribute to the government revenue yet get the shoddy issues we have seen in this report. That is why we are saying competence must be there for us to get value for money.

Hon. Speaker, I also want to agree with the Hon. Member who have moved this motion that we need additional allocation for Infrastructure department. I happen to frequently visit Olmoran Ward because of some reason. I also visit Marmanet ward because that is where I do farming. If you look at the infrastructure as it is left by the current rains, it will need a lot of allocation. It will need a lot of integrity for us to do something that will be appreciated by the public.

It is my concern that as we state things here and when we go to the budgeting table, we do the right thing. The right thing is allocating the right money to ensure there is connectivity between one rural area to the other for the purposes of the things I have stated here. As I end, I want to congratulate the Transport and Infrastructure team for the work they have done. Mine is to ask we do more of these reports so that they are even able to visit the ward I come from and other wards so that we can be the eyes of Laikipia.

Mr. Speaker, I am borrowing from the training we have with Mr. Mutua. Oversight calls for cooperation of all of us in the committees that we work in. Otherwise, a Member will not do oversight alone. We must be able to utilize these committees so that we can be able to do that responsibility enshrined in our Constitution. Having said that, I ask the Members that

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we adopt the report and we let our conscious not get away from these issues as we budget and make policies in decision making tables. Thank you.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. Being a Member of the Transport Committee and having visited three wards of Igwamiti, Marmanet and Rumuruti, there arose a question and observations concerning the site visits and the engineers concerned in the work done in Laikipia County.

Having several engineers in this county, they should be inspecting the work done on the ground when the work is being initiated and on completion. That tells quite a lot. It is time we have a discussion with the said engineers because site visit is important when work is going on. Doing sub-standard work on the ground will translate to more budgets being allocated for repairs on those roads even before our five years term is over. We will be doing more repairs on roads that have been done in this term because the checks and balances that were supposed to be done by the engineers on the ground were not done.

That is why we say the culverts installed, even the levels were not checked. The site where culverts were kept was not done in a proper manner and the quality of gravel that was put on those roads was not in to standard.

A road should be able to last for more than five years. A road that cannot last for two years, it calls for the committee to have a sitting with the residents and engineers so that we can understand why they are not doing site visit in those three wards. Even the rest of 12 wards because having not done the three, shows the rest of the wards were not done. As I support the adoption of this report and its recommendations, it is pain that has been experienced in Laikipia County as a Whole. Thank you, I support.

Speaker: Thank you. I want to give the mover of this motion to give a reply.

Hon. Daniel Mugweru: Thank you Mr. Speaker. I want to take this opportunity to thank the Hon. Members who have given their opinions and their contributions which we are taking with a lot of seriousness. Hon. Mwaniki from Tigithi has reiterated on the importance of regular site visit from engineers of this County so that we may not find ourselves in the situation we are in.

Hon. Speaker, Hon. Gitahi has reminded us it is our responsibility to increase or decreases the budget in that department of infrastructure. As a committee, we are taking those notes with seriousness. He has also mentioned that it is a collective responsibility. You cannot say that Hon. Salim is the one doing the oversight alone in Segera. When one fails, the House has failed. We need to work as a team and anytime we get to any ward, we get the area MCA and work with them. We keep moving to different wards regularly until we make Laikipia great. I thank Hon. Members as they adopt this report. Thank you.

(Question and agreed to)

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until next week Tuesday, 27th August, 2024 at 10.00 a.m.

The House rose at 3.37 p.m.

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