

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Thursday 16th February, 2017

The Assembly met at the Assembly Chamber (P.C.E.A Hall) at 2:30 P.M

[The Speaker (Hon. Ndegwa Wahome) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(There is no quorum as confirmed by the Clerk-at-the-Table)

Speaker: Hon. Members, quorum having not been achieved, pursuant to Standing Order No. 34, I direct that the bell be rung for an initial ten minutes or until such time within the ten minutes that quorum will have been achieved.

(The bell is rung for one (1) minute and quorum is achieved as confirmed by the clerk-at-the-table.)

Quorum having been achieved, we shall proceed to transact the business for today
First order.

COMMUNICATION FROM THE CHAIR

NYANDARUA RECREATION AND ENTERTAINMENT SELF HELP GROUP

Hon. Members, I have two communications to make:

The first one is that I would like to bring to the attention of the House that I have received a petition submitted pursuant to the provisions of Part XXIII of the Standing Orders. The said petition is by the Nyandarua Recreation and Entertainment Self Help Group for the Amendment of the Nyandarua County Alcoholic Drinks Control Act, No. 1 of 2014; and Standing Order 193 provides for the manner of submission of a petition. It states that

A petition to the Assembly shall be:

- a) Submitted to the Clerk by the petitioner and reported to the Assembly by the Speaker, or
- b) Presented by a Member on behalf of the Petitioner, with the consent of the Speaker.

Hon. Members, it thereby falls that the foretated Petition has been submitted to the Assembly pursuant to the provision of Standing Order 193 (1) (a).

Further, Standing Order 198 (2) (a) and (b) reads as follows:

(2) When the Order "Petitions" is read, the Speaker shall;

- a) in case of a Petition presented by a Member, direct that the Member presents the Petition to the Assembly; or
- b) in case of a Petition presented through the Clerk, report the Petition to the Assembly.

In compliance with the Standing Order 198 (2) (b), I hereby report the petition to this House (but I will read the petition again once the order on petitions is called out). I further direct that the aforesaid petition be committed (I will read this after the petition but this is the communication as pertains the petition itself) to the relevant Sectoral Committee pursuant to Standing Order 200 as follows;

That the aforesaid Petition by the Nyandarua Recreation and Entertainment Self Help Group for the Amendment of the Nyandarua County Alcoholic Drinks Control Act, No. 1 of 2014 is hereby committed to the Justice, Legal Affairs and Public Service Committee; and the Committee shall thereby for not more than sixty calendar days by way of a report addressed to the petitioners and laid on the table of the Assembly, conclusively deal with all the matters as contained in the petition.

I will give further directions pertaining the petition; I wanted first to report the petition to the House. Much of what is in the communication on the petition will follow hereafter. Hon. Members, the second communication is as follows:

APPOINTMENT OF COUNTY ASSEMBLY CLERK

Hon. Members, this is to notify you that the Acting Clerk and Secretary to the County Assembly Service Board Mr. Stephen Muriithi Wairimu has by a letter of instant date communicated to my office the appointment of Hon. Godfrey Nderi Ndiani as the Clerk to this Assembly by County Assembly Service Board (CASB) pursuant to Section 13 of the County Government Act No. 17 of 2012.

The said communication also contained all the relevant information relating to the Appointee including and not limited to the interview process, his resume leading to his eventual appointment.

Hon. Members, it will be remembered that there has been a previous appointment into that same office by the Board. In that particular instance, the County Assembly Service Board did vet the Appointee to the Office of the Clerk and the Assembly under Section 13 of the aforesaid Act approved the same.

However, Hon. Members, different circumstances do inform this process at this material time in view of the enactment of the Nyandarua County Public Appointments (Approval) Act, 2016. This law under Section 4 provides that;

An appointment under the Constitution or any other law for which the approval of the County Assembly is required shall not be made unless the appointment is approved by the County Assembly in accordance with this Act.

Hon. Members, the initial vetting was done by the County Assembly Service Board but following the enactment of the Nyandarua County Public Appointments (Approval) Act, 2016 it is mandatory that any approval to be done by the Assembly must be done through an approval process conducted by a committee of the House.

Also of critical importance, Hon. Members, is the provisions of Section 7 (1) to 7 (10) of the Act which I would request to quote verbatim. The same provides;

1. Within three days of the receipt of a notification of appointment that requires the approval of the County Assembly, the Clerk, in consultation with the Speaker shall invite the Committee to hold an approval hearing.
2. The Committee shall determine the time and place for holding of the approval hearing and shall inform the Clerk.
3. The Clerk shall notify a candidate of the time and place for the holding of an approval hearing.
4. The Committee shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing.
5. A notice to the public under Sub-Section (4) shall comply with the requirement of the law governing public notices under the public participation framework in the county.
6. Subject to this Act, all Committee proceedings on public appointments shall be open and transparent.
7. Despite Sub-Section (5), and subject to Article 196 of the Constitution, a Committee may, on its own motion or on the application of a candidate or any other concerned person, determine that the whole or part of its sittings shall be held in camera.
8. The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.
9. Any person may by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated at least twenty-four (24) hours prior to the approval hearing.

10. A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall thereupon lapse.

Hon. Members, this appointment having been reported to my office today Thursday the 16th day of February, 2017, it then informs that the Assembly must conclusively complete this process by the 8th day of March, 2017 before midnight.

The House must be alive to the reality that in the event of none compliance with the strict statutory timelines, then Section 12 of the Act would take effect and the Appointee would take office on operation of the law. Section 12 provides thus;

If, after the period for consideration specified in Section 11, the County Assembly has neither approved nor rejected a nomination of a candidate, the candidate is deemed to be approved.

Hon. Members, in view of the above, it therefore follows that a Committee of this House is delegated to conduct this process. Article 45 (1) of our Standing Orders provides that;

Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the Assembly for consideration.

Further, Section 2 of the County Public Appointments (Approval) Act, 2016 defines a Committee as;

The relevant committee of the County Assembly or such other committee as the Speaker may, for good reasons, direct.

Our Assembly has among its Committees, one, for Justice, Legal Affairs and Public Service. It handles all matters relating to Justice, Legal Affairs and (of importance as per the definition in the Standing Orders) County Public Service.

A Clerkship of a County Assembly is an employment in the County Assembly Service, which is part of the County Public Service. In essence, the Approval of an Appointee to the office of the Clerk should always, except on good reasons given by the Speaker to be committed to the Assembly Committee of Justice, Legal Affairs and Public Service. However, Hon. Members, in view of the huge task bestowed on the said committee by this House to superintend the Approval hearing of the nominee to the office of the County Secretary, I am of the opinion that the present approval hearing be conducted by the House Business Committee.

(Applause)

This is not without good reasons and the said is founded on the grounds that;

- i. The said Committee is on another duty which has strict statutory timelines and might not therefore be in a position to also effectively discharge the duty herein; and
- ii. The position of the Clerk is a very critical position in the Assembly and with the composition and ranking of the House Business Committee in the pecking order of the County Assembly Committees, it is best positioned to conduct this all important business.

I therefore direct so and wish the Committee the wisdom and resource to effectively and expeditiously reach conclusions on the matter guided by total fidelity to the law and taking into account the larger interest of the County and its people.

Next order.

Speaker: Hon. Members, as I had earlier communicated, there is a petition serialised as petition no. 1 of January 2017 and I will read as In the matter of section 88 of the County Government Act (No. 17 of 2012) (Citizens Rights petition the county government on any matter under the responsibility of the county governments) and article 192 of the Nyandarua County Assembly Standing Orders.

Petition by the Nyandarua Recreational and Entertainment SGH for the Amendment of the Nyandarua County Alcoholic Control Act No 1Of 2014.

PETITION

We the undersigned, members and officials of the Nyandarua County relational and entertainment S.G.H. an organization composed of members carrying out business within Nyandarua County, do hereby seek the attention of the county assembly to the following issues in relation to the Nyandarua county Alcoholic Drinks control Act No.1 of 2014 that require amendments;

1. THAT the Nyandarua County Alcoholic Drinks Control Act No.1 of 2014 failed to incorporate the public views during public participation which required that members of the beer business community be included in the sub-county Alcoholic Drinks regulation committee.
2. THAT one of the tenants of good governance is involvement of all stakeholders in decision making which in this case has not been observed.
3. THAT the Nyandarua County Alcoholic Drinks Control Act No.1 of 2014 failed to take into consideration the national law and standards of packaging of alcoholic drinks in 250ml containers by requiring that alcoholic drinks should be packaged in 500ml containers.
4. THAT the national packaging standards in the alcohol industry is 250ml and in the interest of best business practices and business competition with the neighbouring counties, the packaging used should be the industry standard.
5. THAT the packaging of alcoholic drinks in 500ml containers will be detrimental to the business interests of the alcoholic drinks business community in the county.

6. THAT some of the fines outlined are too punitive with the net effect of putting many traders out of the business hence they should be reviewed downwards.
 7. THAT the aim of the fines should not be punitive rather than corrective as the main aim of the Act is to Control consumption of alcohol within the county.
 8. THAT the Act introduces several license namely; trade license, liquor license and health license.
 9. THAT the several licenses in relation to one trade are bureaucratic and cumbersome which hampers alcoholic drinks business in Nyandarua County.
 10. That the alcoholic Drinks business community in the County feels that there is need for harmonization of all licenses in relation to alcoholic drinks business.
 11. THAT the Act provides for that the hours of selling alcoholic drinks in the county as from 5pm to 11pm which is about six hours.
 12. THAT the six hours of engaging in alcoholic drinks business is too short for any meaningful business and fall way short of the 8 working hours that are outlined in labour laws.
 13. THAT the Act restricts the hours of selling alcoholic drinks in restaurants within the county.
 14. THAT restaurants should be allowed to sell alcoholic drinks during any hour as is the practice the practice worldwide in the industry.
 15. THAT we petitioned H.E. the governor on the matter in March 2015 but we have not received any satisfactory response.
 16. THAT the former county attorney and county executive committee member for ICT and e-government wrote to us informing us that they would consider amending the Act but nothing has been done since then
 17. THAT the issues raised herein by this petition are not pending before any court of law or ant tribunal or a-quasi-judicial body of the matter
 18. THAT the constitution bestows the legislative powers in counties and with county assemblies includes amendments and repealing acts.
 19. THAT the prayers sought by the petitioners are within the mandate of the Nyandarua County Assembly and can be granted
- THAT our humble prayers to the county assembly are as follows:
1. THAT the county assembly does conduct a stakeholder's forum within the county with the aim of reviewing the nyandarua county alcoholic drinks control act no.1 of 2014
 2. THAT the county assembly does review the nyandarua county alcoholic drinks control act no.1 2014.
 3. THAT the Nyandarua County Assembly does make amendments to the Nyandarua County Alcoholic Drinks CONTROL Act, 1 of 2014 to address the concerns of the Nyandarua County Recreational and Entertainment SGH . This is dated 10TH /01/2017, Signed by the Chair John Kairu Ng'ang'a and the Secretary James Muchengo Mwaura.

Hon. Members, as I had indicated earlier, this matter falls squarely under our jurisdiction of the committee of Education and social services and they will have to look at the petition within the next sixty days .They will have to bring it to the house purely for notification of what they have done and the outcomes will be communicated to the petitioners whether we will be able to carry out an amendment bill act or not. And as the tradition we have set, although I cannot see the proponent, the person indicated as the proponent, the Minority Leader and the

member for Magumu Hon. Peter Githinji, I would have invited him to make some comments on this petition that would have required us to make some changes but anybody with any comment on this to the chairman of the committee on Education and the committee itself to look at but in case there is anybody with any comment on this, the matter is with the committee on education. Next order.

What is it member for Kipipiri, Hon Michel Kirumba.

Hon. Michel Kirumba: Mr Speaker, while still you're on the second order of the paper, I would like to bring your attention to the matters of yesterday where the Deputy Speaker made a communication of a petition that really boggled this House, touching on the casual labourers and impeachments and so on, where the membership of the county were in this house and got the communication that in two weeks or fourteen days, they would have gotten a response, but the members beseeched the workers to resume duty awaiting the assemblies role, so it was on record that the substantive Speaker would make a communication today. So I thought maybe you can have that to be on record so that if you wish we can address it at a later date or give an indication so that we do not appear not to have it on record as per the Speaker then directed. Thank you Mr Speaker.

Speaker: Hon Members, I got extensively briefed by the Speaker then on the happenings of yesterday and on further deliberations, together with the Chairman on the committee on Justice and Legal affairs, together with several other members and we agreed on the correct way the House should take on this matter. Unfortunately, it has not been indicated that I am supposed to make a communication, which I would have done.

The understanding, so that we move with a common purpose, was that there was no need for this Assembly to make any other resolution concerning that matter as we have already unequivocally cleared ourselves on it and said that the casual labourers should be employed and the Governor himself has publicly pronounced that they would be employed. What has not been done is the due process to employ them, which has not been followed, and his Excellency the Governor, promised to move a vote in the cabinet to employ this people.

After this then the departments where this casuals are deployed, through the chief officers, should write to the board so that the board can employ them. The board shall then write to the executive committee and afterwards, the executive committee should resolve to employ them. If that was the resolution of the House on Tuesday, I am going to give a comprehensive report on that.

Yes the deputy Speaker and the member for North Kinangop Hon. Edinald Wambugu King'ori.

Hon. Edinald Wambugu: Thank you Mr Speaker, I would like to air my concerns about the petition you have just read on the Alcoholic Act, the bill was dealt with by two committees, which are the committees on Education and Delegated County Legislation. Out of what you have already read, there are some petitions that are already petitioned by some members that touch on statutory instruments in that petition. With your guidance, out of your discretion, you can decide whether the Delegated committee will accompany the Education committee.

Speaker: Hon. Members, you will find that we are trying to streamline how things are done. I have said here that we have committed the issue of the County Secretary to the Committee on Justice, legal Affairs and Public Service. This was not according to previous precedence and as the member for Kipipiri has always said, that we cannot purport that we have not learned when we are four years into the Assembly. As of now, we are trying to streamline things so that they are always be done in the right perspective. You agree with me members, that there are no legal instruments in the Alcoholic Bill. Under the definition, statutory instruments,

an Act of an Assembly is not a legal instrument in view of the mandate of the Delegated Committee. Therefore, according to the directions I gave, I had actually looked into it and knew that the matter had been carried out by House Business Committee but it is a matter that lies exclusively within the mandate of the Committee on Education.
Next order!

MOTION

REVENUE AND EXPENDITURE REVIEW FOR THE HALF YEAR ENDED 31ST DECEMBER, 2014

Yes, Member for Githioro and Chairman of the Committee on Public Accounts and Investment, Hon. Silvester Kagiri Mwangi.

Hon. Silvester Kagiri: Thank you Mr Speaker. I beg to move the following motion:

That this House does adopt the Report of the Public Accounts and Investments Committee on the Nyandarua County Government Revenue and Expenditure Review for the half year ended 31st December, 2014 as a report of this House and the recommendations therein as the resolutions of the House.

Mr. Speaker, I wish to first acknowledge the work that has been done by the Committee members and as you can see, all the members of the committee are present in this session. We also acknowledge and appreciate their commitment so that the committee could have a successful report writing exercise.

I acknowledge the secretariat and also your office (Office of the Speaker) for the support you have accorded this Committee.

This report entails expenditures of various votes that have been appropriated. It is after the review by the Controller of Budget that he made some observations through a report which he forwarded to this Hon. House. We scrutinized the report of the Controller of Budget carefully and invited the relevant departments to give us the information that we needed so that we could make recommendations from an informed point of view.

Mr. Speaker, after doing that, we observed some concerns. The absorption rate of the Executive, for both the recurrent and development expenditure raised some concerns. While the absorption rate for the recurrent expenditure was at a hundred percent, the rate of absorption of development vote was below par. In fact, it was between 25 to 30 percent. We noted delays in implementation of projects and the start of the process of implementation whereby there are some B.Q.s to be formulated. We noted that the Executive is waiting for the eleventh hour to implement the projects as we have witnessed during this year, that some projects are yet to start. Keeping in mind that this was for the financial year 2014/2015, you can see the same scenario is recurring.

We also noted challenges that the government ought to deal with. They include the use of IFMIS and the IPPD. As at that time, many processes were done manually. However, we got the information that the Executive had tried its best to ensure that these systems are in place and I think things are now running smoothly.

Mr. Speaker, we also noted from the Controller of Budget and information that we gathered that some departments are spending more than the release from the ex-chequer. We tried to investigate where the excess amount is coming from. We found that there was some

virement of votes of which some approval was required. Clearly, they were not following the law because they didn't seek these approvals.

There are some challenges highlighted by the Controller of Budget and we tried as much as possible to see whether we could get cure for some of them. I don't want go through all this literature having in mind the concentration of members and I can see them streaming out of the House. I don't want to tire them.

I wish to be a bit brief and take the members straight to page 35 of the report. This is a section on the key findings on challenges. I would also like to take them through our recommendations so that they can have a true picture of what is happening in this county in terms of expenditure.

Mr Speaker, Sir, the total expenditure for the period under review was Kshs. 1,077,866,585. The absorption rate for the County Government was 29.11% of the annual budget.

The Controller of Budget observed that implementation of the Nyandarua County Budget during the half year ended 31st December, 2014 faced the following challenges:

- 1) Lack of policy framework on how to execute the incomplete projects that were being managed by the defunct LOCAL authorities. This has led to the abandonment of most of the defunct local authority project.

Mr. Speaker, on this one we tried to get why. These projects were started using public funds. They are still not being used even up to date because there is no policy that has been made that has been made by government to see how they are going to complete this projects. During that time, there were LASDAP and used LATIF money. These projects are still lying idle and they are not being used by the public. They are white elephant projects. I don't know what we are going to do although I had a conversation with the chairman of the Committee on Budget and Appropriations about setting aside some money so that we can complete these projects once and for all.

- 2) Inadequate human resource capacity in budgeting, accounting and procurement resulting to inaccurate reports and delayed preparation of budget documents.

Mr. Speaker, after we invited people from the department of finance we notice that things were now going well but as at 31st December 2014, there were those challenges.

- 3) Inadequate physical infrastructure or office space to accommodate the staff leading to disruption of service delivery.

We note that the county government is doing something to ensure that there is effective delivery of services.

- 4) Low absorption of development funds and the OCoB recommended that the county should enhance implementation of development projects.

Mr. Speaker, this where our concern is. We note that the development issues are not being taken seriously by the county government. They wait, as I had stated earlier, rush in the last minutes. They therefore keep on creating pending bills.

- 5) Lack of internal audit committee contrary to section 155 (5) of the PFM Act 2012.

In fact, this committee was supposed to be in place and we noted that it is still not in place to date. They need to adhere to the regulations that have been set so that we can have checks and balances.

- 6) Budget commitment by county entities exceeds budget allocations.

Mr. Speaker, I had stated earlier on that some departments are spending more than the exchequer releases. We noted that there were virement on some votes. They did not follow the laid down procedures to do virement the and therefore, it was contrary to the PFMA, 2012.

- 7) Failure to include FY 2013/14 pending bills in the FY 2014/15 budget.

It is in the knowledge of everyone that the pending bills were not included in that financial year and as per now, we know the county is struggling with these bills that were incurred in the FY2013/14. This is not the most prudent way to manage our resources.

8. Delay by the departments to surrender their expenditure returns (especially Health) to the county treasury to enable timely reporting to the oversight institutions.

I remember we passed here that we ought to be furnished with quarterly reports (every 3 months). The last time we received such reports was in 2015.

9. Failure by the County Assembly to capture transactions in IFMIS and processing payroll outside the IPPD system.

Mr. Speaker, allow me to go to the recommendations:

1. The County Government should develop a policy framework on how to execute incomplete projects that were being managed by the local authorities.
2. The County Government should improve the capacity of technical departments to boost implementation of development activities.
3. The County Government should expedite acquisition of office space through lease or construction to accommodate county staff for effective service delivery.
4. The County Executive should enhance implementation of development projects in time. This having appropriate procurements, timely development of bills of quantities for constructions projects etc.
5. Both the County Assembly and the County Executive should establish an internal audit committee as per Section 155 (5) of the PFM Act, 2012 to enhance prudent public finance management.
6. That all the county entities should limit commitment to the budget ceilings based on the Nyandarua County laws in procurement processes.
7. The County should consider/ include pending bills whenever developing budget estimates for the ensuing year.

8. The Department of Health Services should surrender in time their expenditure returns to the County Treasury in order to avoid delays in reporting.
9. The County Assembly should comply with the IFMIS system of accounting and process its payroll through the IPPD.

In conclusion, the Committee concurs with the findings and recommendations of the Controller of Budget.

The Committee also noted that erroneous expenditure reports (in some aspects) were being submitted both to the OCoB and the Public Investments and Accounts Committee, hindering accuracy of the analysis made by the former and subsequent scrutiny by the Committee.

The County Treasury should enhance collection of local revenue by system automation. This will enable it continually improve collection and meet annual targets to ensure that there is no budgetary gap by end of the financial year. The county treasury should institute measures to ensure that collected revenue is deposited in the County Revenue Collection Account and promptly swept to the County Revenue Fund Account as per the set regulations. In addition, the county treasury should ensure that expenditure is charged to appropriate votes and sub-votes in the IFMIS to ensure adherence to the budget. The accounting officers should ensure that their departments do not spend above budgetary allocation in anticipation of a supplementary budget.

They should comply with established criteria that specify conditions when a spending entity can supplement its budget as per regulations 37 of the Public Finance Management (County Government) Regulations, 2015. The accounting officers must ensure that any reallocation of funds is duly approved by the County Executive Member responsible for Finance, the County Assembly and the CoB where appropriate.

The County Treasury should work on improving the financial framework so that accurate and reliable financial reports can be communicated to the various stakeholders. A reliable report helps to monitor budget implementation.

That is the committee's advice to the accounting officers of the various departments. Thank you Mr. Speaker, I beg to move and call the vice-chairperson to second.

Speaker: Very well. Yes, Member for Kanjuiri Ridge and Vice Chairperson Committee on Public Investments and Accounts, Hon. Suleiman Kihika Kimani.

Hon. Suleiman Kihika: Thank you Mr. Speaker, Sir, I rise to second this report. As the Chairman has said, the report did not have much. However, there are some recommendations I would like to place emphasis on: Recommendation number 3; The County Government should expedite acquisition of office space through lease or construction to accommodate county staff for effective service delivery. The department of roads, for instance, has inadequate space. They do not even have a place to store their documents. The other recommendation that is critical is recommendation number 4: The County Executive should enhance implementation of development projects in time. They should stop blaming the assembly because although we pass the budget in time, there are constant delays in the procurement, raising of L.S.O s and L.P.Os. Thank you Mr. Speaker, I beg to second.

(Question proposed)

Speaker: Yes, County Member from Engineer, Hon. Teresia Mwangi. Sorry, Hon. Tiziana Mwangi.

Hon. Tiziana Mwangi: Thank you Mr Speaker, for the correction, it is Tiziana, not Teresia. I rise to support this report. Recently, PIC/PAC has been having a lot of work and we are not all trained in accounts. What I would recommend is that the executive fast-tracks the implementation of these projects because this is where all our problems come from. When one arm of the government fails, it seems as if we have all failed. These are the same people that swore to serve the people. Service to man is service to God, Mr. Speaker. I support.

Speaker: Yes Member for Wanjohi, Hon. Joseph Mumba Gichini.

Hon. Mumba Gichini: I rise to support the report with particular emphasis on recommendation number 4;

‘The County Executive should enhance implementation of development projects in time.’

Today I visited the department of Roads and I was shocked to find that not a single LSO has been raised yet we already gave them the names of the roads that should be constructed over a month ago. This is the greatest problem in development. As Hon. Tiziana Wanjiru has said, if one arm or department of the government fails, the whole government fails. We shall fail if we do not have the projects budgeted for this year done. Look at the timelines that we have. The contractors too should finish projects in time and the government will be able to pay them on time.

In Kipipiri, the sub-county office was locked yesterday yet this is one of the Nyandarua County Government Offices. All the government documents about Kipipiri Sub-County such as the bursaries cannot be accessed since they are inside that office. I support the motion.

Speaker: Very well, Deputy Leader of Majority and the member for Kipipiri, Hon. Michael Njoroge Kirumba.

Hon. Michael Kirumba: Thank you Mr Speaker. As a member of the committee, I appreciate the work done by the secretariat and particularly the lady that came to fit in the shoes of the former committee clerk, Bernard Gitonga. She is here referred to as an accountant and she is doing a good job. Initially we were not sure whether we would get a clerk for this committee who would do exactly what Bernard was doing but she has demonstrated that she has that capacity.

Mr Speaker I would like to refer you to page 24 where we have the comparison of the two arms of government. If the executive would work as the assembly, we would be above average in performance. We have about 45% while the County Executive has 20%. The County Assembly has put the benchmark.

Mr Speaker, the status of the Economic Stimulus Projects that were started before we came to office is annoying. As Hon. Mumba has said, it beats logic to have a project that is over 90% complete but the County Government goes ahead and rent an office in a trading centre. It would have made sense if the County Government would have liaised with the National Government to finish the buildings and get into those offices. It is a very humiliating situation we are in; to have a public office closed. This is playing around with the name of a government and I do not know how long this is going to continue. Even the offices for the MCAs would be

housed there and we would not be paying rent for them. For the places that we do not have such idle government structures we could pay office rent. This report is self-explanatory, the recommendations are there for all to see and I do not need to belabour more on it.

Speaker: Yes County Member from Githioro Hon. Dorcas Kihara.

Hon. Dorcas Kihara: Thank you Mr Speaker, I support this report. I want to talk about recommendation number 2 on increasing the capacity of the technical people. In this county we have experienced delay in preparation of the bill of quantities (BQs). This causes delays in implementation of the projects and hence returning the money meant for development to the treasury. It is good that there be a quantity surveyor so that he or she can assist in preparing the BQs. The weather is now every favourable to construct roads but the work on these roads have not started yet we know that the rains will start falling soon. What will happen? The work will not be done well.

Mr Speaker there is also the issue of recruitment of the audit committee. This committee will help in oversight. They can easily follow up the implementation of projects and as a result reduce the audit queries. If the contractors know that they are being followed by the auditor, they will do their best to complete their projects. The audit committee will be of great assistance to all the departments. This report has also mentioned about complying with IFMIS and accounts policies and the County Assembly has complied. Now that the County Assembly has complied then we need to follow up and see that the executive has done the same so that we can be on the same line especially in budget implementation. I support this report and call the motion mover to respond.

Speaker: Yes, motion mover and the Chairperson of the Public Investments and Accounts Committee, and the member for Githioro Hon. Silvester Kagiri Mwangi.

Hon. Silvester Kagiri: Thank you Mr Speaker, I thank the members that have contributed to the debate and I would wish that the recommendations that are there be adhered to by the executive as well as the assembly. We know that after the start of devolution, the County government were supposed to inherit even the liabilities of the defunct local authorities. The Government should take up these projects and it is good that they know that the contractors that did these jobs have not been paid. I thank the members for supporting this motion and I beg to move.

(Question put and agreed to)

Speaker: The motion is taken and the resolutions will be communicated to the executive for action. Where it concerns the assembly, it will be formally communicated. I can however assure the committee that the assembly has fully complied with the recommendations by the Controller of Budget.

ADJOURNMENT

Hon. Members the business of the sitting having been exhausted this House adjourns to Tuesday 21st February 2017 at 2.30 P.M.

(House rises at 3.40 P.M.)

