



REPUBLIC OF KENYA  
NYANDARUA COUNTY ASSEMBLY  
1<sup>ST</sup> ASSEMBLY- 4<sup>TH</sup> SESSION  
OFFICIAL REPORT



(The Hansard)

Wednesday 29<sup>th</sup> June, 2016

*The Assembly met at the Assembly Chamber (P.C.E.A Building) at 2.30 p.m.*

*The Hon. Speaker, Ndegwa Wahome, in the Chair.*

Prayer

**QUORUM CALL AT THE COMMENCEMENT OF THE SITTING**

*There is quorum as confirmed by the clerk-at-the-table*

**Speaker:** Very well we can proceed with the business for this afternoon session. First order

**PAPER(S) LAID**

COUNTY GOVERNMENT OF NYANDARUA MONTHLY RETURNS FY 2015/2016 FOURTH  
QUARTER

Yes member for Murungaru and the Leader of Majority, Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to lay the County Government of Nyandarua Monthly Returns FY 2015/2016 Fourth Quarter with the clerk.

**Speaker:** The County Government of Nyandarua Monthly Returns FY 2015/2016 Fourth Quarter is duly laid. The vice chairperson budget and appropriations committee, when do you think you will have looked at the paper and reported back to the House? Member for Mirangine

**Hon. David Ndirangu (Mirangine):** Thank you Mr Speaker, one month will be enough.

**Speaker:** Clerk note that we shall have the report by the budget and appropriations committee tabled in the next thirty days.

**NOTICE(S) OF MOTION**

1. VIREMENT OF KSHS. 3,000,000 FROM THE VOTE ON GATUKA-INI BRIDGE

Yes member for Murungaru and the leader of majority Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to give notice of the following motion

That this house does approve the virement of Kenya Shillings Three Million (Kshs. 3,000,000) from the vote on Gatuka-ini Bridge to the vote on Bladder Bridge such that the vote of Bladder Bridge will have Kenya shillings six million (Kshs. 6,000,000)

Thank you Mr Speaker sir.

**Speaker:** The notice is duly given and I can tell that the county member for Wanjohi is alert but I am surprised that the member for Wanjohi is not here. Next order

Yes member for Murungaru and the Leader of Majority Hon. Kariuki Muchiri

2. VIREMENT OF NYANDARUA COUNTY SUPPLEMENTARY BUDGET OF  
FINANCIAL YEAR 2015/2016

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to give notice of the following motion

That this House does resolve to approve the virement of the Nyandarua County Supplementary Budget Financial Year 2015/2016 by reallocating Kenya Shillings Two Million Hundred and Thirty Thousand (Kshs 2,330,000) allocated to the Department Of Lands Housing and Physical Planning, vote of Goodfall Sinjui Road Connectivity in Gathanji ward to the vote head on Acquisition of Land for Road Connectivity within Engineer ward such that the vote head will have an equal amount to the sums so vired

Thank you Mr Speaker.

**Speaker:** The notice is duly given. Next order

## MOTIONS

### PROCEDURAL MOTION

Yes member for Murungaru and the Leader of Majority Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr speaker, I beg to move that with the leave of the assembly article 46 (5) (b) of the Standing Orders requiring that a notice of motion be given at least one day before the motion appear on the order paper be exempted to the motions that **‘That this house does approve the virement of Kenya Shillings Three Million (Kshs. 3,000,000) from the vote on Gatuka-ini Bridge to the vote on Bladder Bridge such that the vote of Bladder Bridge will have Kenya shillings six million (Kshs. 6,000,000)’**

We are asking that we be exempted from one day so that it appears on the order paper such that this matter is discussed today. This has been approved by the House business committee. There is need for that exemption. Since this is a procedural motion and we shall be coming to the substantive motion, I call upon Hon. Kirumba to second.

**Speaker:** Yes the Deputy Leader of Majority and the member for Kipipiri Hon. Michael Njoroge Kirumba

**Hon. Michael Kirumba:** Thank you Mr Speaker, as the MCA bordering the said ward I appreciate that if this virement is not done this will spill over to the neighbouring county. I second the Procedural Motion.

*(Question on the procedural motion proposed)*

*(Question on the procedural motion put and agreed to)*

**Speaker:** The leave is granted. Next order

### SUBSTANTIVE MOTION

1. VIREMENT OF KSHS. 3,000,000 FROM THE VOTE ON GATUKA-INI BRIDGE

Yes member for Murungaru and the Leader of Majority Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to move the following motion

That this house does approve the virement of Kenya Shillings Three Million (Kshs. 3,000,000) from the vote on Gatuka-ini Bridge to the vote on Bladder Bridge such that the vote of Bladder Bridge will have Kenya Shillings Six Million (Kshs. 6,000,000)

Thank you Mr Speaker sir.

This motion was necessitated by the fact that Gatuka-ini Bridge, I am made to understand by the member for Wanjohi that this bridge was done by KERRA. That is why there is need for virement so that this money can be utilized on another infrastructure.

This is a very important motion because Bladder Bridge will be able to utilize that fund that it was allocated as well as the fund that will be vired from that vote. Those funds will finish the bridge. If this money is not vired it will go back to the Treasury and, when put in the next supplementary budget, it might not be re-allocated for Wanjohi ward. But if the money is vired to the votes for Wanjohi ward it will benefit the people of that ward.

Without much ado I wish to call upon the County Member from Wanjohi to second the motion.

Thank you Mr. Speaker.

**Speaker:** Yes County Member from Wanjohi, Hon. Jane Mwathe

**Hon. Jane Mwathe:** Thank you Mr. Speaker. I support the re-allocation of Kshs. 3 million to be used for the construction of Bladder bridge instead of Gatuka-ini Bridge. This will increase the allocation for Bladder Bridge to Kshs. 6 million. Gatuka-ini Bridge is being constructed by KeRRA. Kshs. 6 million will be enough to construct Bladder Bridge.

I beg to second. Thank you Mr. Speaker.

*(Question proposed)*

**Speaker:** Yes Member for Kipipiri and the Deputy Leader of Majority, Hon. Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker. I rise to support the virement. As the mover has said Gatuka-ini Bridge is being constructed with Kshs. 3 million by KeRRA, yet the same bridge was allocated Kshs. 3 million in the County Government's budget. So it is

only fair to transfer the Kshs. 3 million allocated for Gatuka-ini Bridge to the vote on Bladder Bridge.

Remember the case on CDF is in court and therefore many projects that would be funded by the money from CDF may stall.

It is unfortunate that the elected Member for Wanjohi is not in the House now. Members of this House has maintained that Wanjohi ward is faced by a challenge of money allocations especially for implementation of projects.

*(Hon. Mumba Gichini, Member for Wanjohi, enters the Debate Chamber)*

Even the Kikuyu say that “*Ndindikuo i maguru.*” So the Member for Wanjohi ought to have been in the House. It is only fair to put this on record. It is very unfortunate, for example, if I do not appear in the House when the latter is discussing a matter affecting Kipipiri. We would fail if we do not put a statement to the effect that if a Member has a motion...

*(Hon. Mwangi Gichuki rises on a point of order)*

**Speaker:** What is it Member for Engineer, Hon. Mwangi Gichuki?

**Hon. Mwangi Gichuki:** Mr. Speaker, it is unfortunate that the Member for Kipipiri is talking of the absence of a Member who has already entered the House and he does not seem to know that. So I wish to put it right that the Member for Wanjohi has been in the House for quite a while and the Member for Kipipiri did not seem to know that. That is for purposes of record Mr. Speaker. Thank you.

**Speaker:** I believe the Member for Engineer saw that the Member for Wanjohi walked into the House when the Member for Kipipiri was on the floor of the House. Remember I registered my concerns that the issue at hand came up when the Member for Wanjohi was not in the House. But I indicated that the County Member from Wanjohi was on high alert when the issue on Wanjohi came up.

Proceed Member for Kipipiri

**Hon. Michael Kirumba:** Thank you Mr. Speaker. It is important that the Member for Engineer has raised that point.

It is good to align the re-allocation of vote heads with the necessary procedures to avoid future audit issues. It would be prudent to prove in future that virement done was approved by this House.

I beg to support the virement.

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

**Hon. Mumba Gichini:** Thank you Mr. Speaker. I apologize for not being in the House when the issue concerning my ward came up, although my colleague, Hon. Jane Mwathe represented me.

**Speaker:** Actually the County Member from Wanjohi ably represented you by seconding the motion on virement.

**Hon. Mumba Gichini:** I thank her. Through my request, Gatuka-ini Bridge is being constructed by KeRRA. So it would be prudent that the Kshs. 3 million allocated for construction of Gatuka-ini Bridge be re-allocated for construction of Bladder Bridge. So I urge this House to allow that the Kshs. 3 million allocated for construction of Gatuka-ini Bridge be re-allocated for construction of Bladder Bridge.

Thank you Mr. Speaker.

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

**Hon. Dorcas Kihara:** Thank you Mr. Speaker. I rise to support the virement in view of the fact that construction of water bridges is quite expensive. Considering that Gatuka-ini Bridge is being constructed by KeRRA it is fair to transfer the Kshs. 3 million allocated for construction of the said bridge to the vote on Bladder Bridge. This will be for the benefit of the people as well as school children who would use the bridge, especially during rainy seasons.

I urge the County Executive to be holding consultations with authorities that are engaged in roads and bridges constructions to avoid double allocations of money on the same. KeRRA, for example, should give the County Government its plans on roads and bridges constructions within the County, and vice versa. This would ensure that no double allocation happens and this will help attain prudent use of public money. To ensure that value for public

money is attained, the County Government's departments should agree on their various budgeted for activities. This would reduce re-allocations of vote heads by this House.

The member for Wanjohi was sincere enough to disclose that Gatuka-ini Bridge is being constructed by KeRRA. If he never proposed the virement in question no other Member of this House would have known that KeRRA is constructing the said bridge.

There have been conflicts between two authorities or entities claiming to have implemented a certain project. This is mostly as a result of not upholding accountability.

I support the virement of Kshs. 3 million from the vote on Gatuka-ini Bridge to the vote on Bladder Bridge to make the allocation for the latter be Kshs. 6 million.

I support the virement and call the mover to respond.

Thank you Mr. Speaker.

**Speaker:** Yes the mover, the Member for Murungaru and the Leader of Majority, Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr. Speaker. Before I thank the Members for supporting the motion, let me say that the Member for Wanjohi should play his oversight role well to ensure that the total allocation for Bladder Bridge is well utilized. If the money is more than enough, it should be used for gravelling part of the road on which the bridge lies.

I wish now to thank my fellow Hon. Members for supporting the motion whose resolution will allow construction of Bladder Bridge to completion. It is important to construct the said bridge to completion considering that no project should be left pending at the end of this term. We do not know what will happen with the next Assembly Mr. Speaker. With those many remarks, I wish to thank all the members for their support of this motion and I beg to move.

*(Question put and agreed to)*

**Speaker:** Hon. Members, I think I don't have much to comment on this but to take up the sentiments as expressed by the Leader of the Majority Party. It is upon the Member for Wanjohi Ward to follow up and ensure that not only is the bridge done but also several works are done because the money that has been added is quite a lot.

Next order.

### PROCEDURAL MOTION

**Speaker:** Yes, the Leader of Majority Party and Member for Murungaru, Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr. Speaker. I beg to move that with the leave of the Assembly, Article 46 (5) b of the Standing Orders, requiring that a notice of motion be given at least one day before the motion appears on the order paper be exempted to the motion that this House does resolve to approve the virement of Nyandarua County Supplementary Budget of Financial Year 2015/2016 by reallocating Ksh.2,330,000 allocated in the Department of Lands, Housing and Physical Planning vote head of Goodfall Sunjui connectivity road in Gathanji ward to the vote head on acquisition of land for road connectivity within Engineer Ward such that the vote head will have an equal amount to the sums so vired.

Mr. Speaker, this is the second procedural motion where we are requesting the leave of the Assembly for Article 46 (5) b of the Standing Orders to be invoked. As aforementioned, the article requires that a notice of motion be given at least one day before the motion appears on the order paper. This motion is very important considering that the timelines especially now that the Financial Year is coming to an end.

Mr. Speaker, if this motion is approved alongside the substantive motion, then, the concerned Member will have to move with a lot of speed so that he can utilize the funds. It is important that this motion is not delayed so that we can give the Member for Engineer time to utilize the funds because they have agreed on this.

I would not wish to go to the substantive motion at this juncture because this was just but a request that the motion be exempted from the provisions of Article 46 (5) b of the Standing Orders. I wish to call upon the Hon. Member for Gathanji to second the motion.

**Speaker:** Yes, Member for Gathanji, Hon. Samuel Mwangi Thuita.

**Hon. Samuel Thuita:** Thank you Mr. Speaker. I stand to second the motion owing to the fact that we only have a day to the end of the Financial Year and some of these matters especially those concerning finances require some hurry. It is for that reason that I second that the motion be exempted from the one day notice. Thank you, I second.

*(Question proposed)*

*(Question put and agreed to)*

Next order.

## SUBSTANTIVE MOTION

### VIREMENT OF NYANDARUA COUNTY SUPPLEMENTARY BUDGET OF FINANCIAL YEAR 2015/2016

**Speaker:** Yes, the Leader of majority Party and Member for Murungaru, Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr. Speaker. I beg to move:

That this House does resolve to approve the virement of Nyandarua County Supplementary Budget of Financial Year 2015/2016 by reallocating Ksh.2, 330,000 allocated in the Department of Lands, Housing and Physical Planning vote head of Goodfall Sunjui connectivity road in Gathanji ward to the vote head on acquisition of land for road connectivity within Engineer Ward such that the vote head will have an equal amount to the sums so vired.

This motion Mr. Speaker has been generated as a result of an agreement between the Hon. Member for Gathanji and his Engineer counterpart. This was prompted by the reason that it was not possible to buy the said land in Gathanji Ward because of certain complications.

It is important to note that most of the pieces of land that are acquired, and, land being a very emotive issue not only in this County but all over the Country, are never short of complications. The complication in this case could be as a result of people increasing the initial price such that the amount initially allocated in the budget is not enough. Other complications emanate from disagreements that arise when it comes to the actual selling of the land. The disagreements might be within the family such that time elapses and the Member concerned has no more time to purchase the land.

These lands are important and I can really understand why the surveyors of those days did not consider these road reserves when the land was being sub divided. I don't why they did not provide enough connectivity. You will find that on one side of the road the ridge is not directly connected to the ridge on the other side. This is why we have so many issues of connectivity in this County today and we also have to bear in mind that the acreage of these parcels of land is large. For instance, if you consider five pieces of land and one piece is about 60 acres and it is therefore approximately covering five kilometres of road. Therefore, adequate connectivity was not provided for when the settlement schemes were being created.

My only issue is that the issue of virement has come at the close of the financial year. I don't know at what speed the Member for Engineer will operate with because I will be calling upon him to second the motion. What mechanisms will he put in place to make sure that by the end of tomorrow he will have utilized this amount of money? I am also waiting for the answer because he must be sure that he will utilize the money in the next few hours.

Without much ado, I wish to call the Hon. Member for Engineer, Hon. Mwangi Gichuki to come and second this motion.

**Speaker:** Very well, yes member for Engineer, Hon. Mwangi Gichuki

**Hon. Mwangi Gichuki:** Thank you Mr. Speaker, I am becoming acquainted to using the microphone from the opposition side. I rise to support this motion

**Speaker:** Just a minute member for Engineer, what have you risen to do?

**Hon. Mwangi Gichuki:** To second this motion, Mr. Speaker and I wish to first and foremost thank the member for Gathanji most sincerely because there occurred a unique situation when we were doing the supplementary budget. The allocation that was meant for the land in question was under a specific vote which was scrapped off during the preparation of the supplementary budget for reasons unknown to us only to realize this far much later. I want to assure the member for Gathanji that in the 2016/17 budget, there is an allocation for the acquisition of land for Engineer ward and we have principally agreed that the amount I have so vired from Gathanji will be replenished by my budgetary allocation in the 2016/17. This is a promise I intend to keep. I will not dwell much on the issue because I am eagerly awaiting the resolutions of the House which I will communicate to the executive as soon as possible.

*(Question Proposed)*

**Speaker:** Yes member for Kipipiri, Hon. Michael Kirumba

**Hon. Michael Kirumba:** Thank you Mr. Speaker. Mine is to support this motion. The fact that the member for Gathanji seconded the procedural motion and now the member for Engineer has seconded this other motion is indicative of consensus between the two members. It is also important to note that we are talking about Kshs. 2.3 million and if you look at a standard road width of 9 metres, you get close to 3 kilometres of road and I am sure a lot of people will benefit. We have a challenge when it comes to connectivity in this county and

people have been forced to depend on the goodwill of land owners. Unfortunately, when such people die, the bequeathed are not as philanthropic.

When the allotment of these lands was being done, there was an ultimatum by the Survey of Kenya that they were to draw about fifty title deeds so that the founding father can issue them out on his visit here. In view of this, the titles were issued in a hurry and mistakes occurred. It is now difficult to correct the anomalies that occurred over fifty years ago. This is a common problem, I have it in my ward and it is further heightened by the fact that even when we identify land we can buy for connectivity, the landowners quote inflated prices. Our people hold this notion that the government will buy land at whatever price.

I do not want to belabor much on this because I also feel we need to give the Member for Engineer time to actualize the resolutions. Off course I am wondering what tactic he will use between today and tomorrow but we know he is very smart and he knows how he will meander his way through the offices which is very important. You will be surprised to find that tomorrow he will have the LSOs ready to start working. *Hongera!* Hon. Mwangi Gichuki. That is a commendable move.

**Speaker:** Yes member for Gathanji, Hon. Samuel Thuita

**Hon. Samuel Thuita:** Thank you Mr. Speaker, I rise to support this motion. The said road (GoodFalls) is in Gathanji and I know it looks strange to have the money moved from Gathanji to Engineer. However in all wisdom, the road in question cuts across three lands owned by three different families and in one of the families, the succession has not been finalized. The member for Engineer has a similar case in Engineer and when he approached the land owners were approached, they inflated the prices. If we do not put this money to use, it will go back to the treasury and none of us will benefit. With this kind of an arrangement, the people of Engineer will profit and so will the people of Gathanji in this coming financial year. Thank you Mr Speaker, I support.

**Speaker:** Yes member for Wanjohi, Hon. Joseph Mumba Gichini

**Hon. Mumba Gichini:** Thank you Mr Speaker, I rise to support this motion and congratulate the two Hon. Members for such a wise decision. I believe if we work like this, we

will go quite far. It does not make any sense to have the money returned to treasury while it can be used elsewhere. Thank you Mr. Speaker, I support.

**Speaker:** Yes member for Kiriita, Hon. Paul Maina Nderitu

**Hon. Paul Ndiritu:** Thank you Mr. Speaker; the agreement between these two Hon. Members shows that there is good will in this Assembly. However, we all know that Hon. Gichuki is good in some matters but in court... well let us just hope they have drawn an agreement and the Speaker will be their witness. I support and call the mover to respond

*(Laughter)*

**Speaker:** Yes mover, member for Murungaru and the Leader of Majority, Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr. Speaker, as I said earlier, there is need to approve this motion with speed so that we can give the member for Engineer time to work his magic and ensure that the money does not go back to the treasury. I wish to thank the members, most sincerely, for their support. It is a clear indication that there is unity and good will in this House and I believe there will be more virements to come. Thank you Mr. Speaker, I beg to move.

*(Question put and agreed to)*

**Speaker:** To allay the fears of the member for Kiriita, this issue has been properly captured in the Hansard and the member for Gathanji has nothing to fear. This money will be available to the member once the 2016/17 budget passes and we will make it happen although I have no doubt the member for Engineer will keep his word. I wish to thank the members for exhibiting such courage and confidence, I know most of us would be worried about what our constituents would say but this is pragmatism at its best. It is better and prudent use of financial resources or available resources within the county as enshrined in the Public Finance Management Act. Thank you very much for that. Next order

## ADJOURNMENT

Hon. Members, the business of this session having been exhausted the House stands adjourned to tomorrow Thursday 30<sup>th</sup> June 2015 at 2.30 pm

*The House rose at 3.24 p.m.*