

REPUBLIC OF KENYA



MURANG'A COUNTY ASSEMBLY  
CLERK  
28 FEB 2023  
FORWARDED TO THE  
HON. SPEAKER FOR APPROVAL

COUNTY ASSEMBLY OF MURANG'A

THIRD ASSEMBLY – FIRST SESSION

SECTORAL COMMITTEE ON PUBLIC WORKS, ROADS AND  
TRANSPORT

COMMITTEE LEGACY REPORT

FOR

THE PERIOD 2017 – 2022 – SECOND ASSEMBLY TERM

Paper laid on  
28/2/2023  
AMM

Clerks Chambers  
Murang'a County Assembly  
**MURANG'A**

22<sup>nd</sup> January, 2023



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## **1.0 PREFACE**

The Committee legacy report has been prepared based on an assessment of all the committees activities in line with its mandates of oversight, representation and oversight. This report contains the summary of the committees' activities for the second Assembly which commenced in 2017 to 2022.

## **1.1 COMMITTEE MEMBERSHIP**

Members of the Public Works Roads and Transport Committee are as follows:

1. Hon. Samson Mukora Ngigi	Chairperson
2. Hon. Laban Chomba Njaramba	Vice Chairperson
3. Hon. Moses Gachui Mungai	Member
4. Hon. Alex Ndunda Makau	Member
5. Hon. Grace Nduta Wairimu	Member
6. Hon. Gerald Wambugu	Member
7. Hon. John Kamwaga Mwangi	Member
8. Hon. Isaac Chefman Njoroge	Member
9. Hon. Dinah Muthoni Kagiri	Member
10. Hon. Liz Muthoni Mbugua	Member
11. Hon. Simon Mwaura Wamwea	Member
12. Hon. James Karanja Kabera	Member
13. Hon. Bernard Ruiru Njeri	Member
14. Hon. Priscilla Njeri Mwangi	Member
15. Hon. Peter Munga Njuguna	Member

## **1.2 COMMITTEE SECRETARIAT**

The secretariat supporting the committee comprises of the following officers of the County Assembly;

1. Jane Nduta Njeri – **Senior Clerk Assistant and Head of the Secretariat**
2. Naomi Wanjiku Maina – **Hansard Reporter**
3. Caroline Karugo – **Research Officer**
4. Zachary Waithaka – **Serjeant-At-Arms**

### **1.3 ESTABLISHMENT AND MANDATE OF THE COMMITTEE**

The Departmental Committee on Public Works, Roads and Transport is established pursuant to provisions of Standing Order 204.

As a sectoral Committee under these provisions, the Committee is mandated to:-

- (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- (c) study and review all county legislation referred to it;
- (d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly;
- (f) to vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 198 (Committee on Appointments) ; and**
- (g) make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

Pursuant to the fourth schedule of the Constitution of Kenya 2010 and the second schedule of the County Assembly standing order (204), the Committee is also mandated to look into all matters related to;

- a. County transport,
- b. Including county roads,
- c. Street lighting,
- d. Traffic and parking,
- e. Public road transport
- f. Storm water management systems in built-up areas

## MEMBERS OF THE PREVIOUS COMMITTEE

The previous committee comprised of the following members;

- |     |                               |                  |
|-----|-------------------------------|------------------|
| 1.  | Hon. David Irungu Macharia    | Chairman         |
| 2.  | Hon. Eunice Nduta Kariuki     | Vice Chairperson |
| 3.  | Hon. Peter Murigi Ngugi       | Member           |
| 4.  | Hon. Peter Mweri Maina        | Member           |
| 5.  | Hon. Flasia Nduta Chege       | Member           |
| 6.  | Hon. Simon Mwaura Wamwea      | Member           |
| 7.  | Hon. Anne Wangari Kigo        | Member           |
| 8.  | Hon. Alex Ndunda Makau        | Member           |
| 9.  | Hon. Caroline Wairimu Njoroge | Member           |
| 10. | Hon. Dinah Damaris            | Member           |
| 11. | Hon. James Karanja Kabera     | Member           |

### 1.4 ACKNOWLEDGEMENT

This Report was considered at length by the Committee in a workshop held from 16<sup>th</sup> to 18<sup>th</sup> February, 2022 in Nairobi, and the resolution to adopt this Report was reached unanimously by members of the Committee.

The Committee wish to sincerely thank the Offices of the Honorable Speaker and the Clerk of the County Assembly for the cordial support extended to the members to enable the Committee complete this report.

I applaud members of the Committee for their diligence and commitment as well as the secretariat for their competence in the completion of this task.

On behalf of the sectoral Committee on Public Works, Roads and Transport it is my pleasure and duty to present to the House, the Committee's Report for noting.

**Thank you.**

Signed:  ..... Dated this; 18<sup>th</sup> Day of February, 2022.

Hon. Samson Mukora Ngigi  
**CHAIRPERSON, PUBLIC WORKS, ROADS AND TRANSPORT COMMITTEE**

## **2.0 BACKGROUND**

Legacy reports of committees are envisioned to provide information related to the undertakings, achievements and challenges of the committee during the period under review. They serve as Institutional memory and provide guidance on successive committees in execution of their mandates. At the commencement of any new Assembly and appointment of members to various committees, these legacy reports are relied upon to provide a review of the past and are instrumental during planning. Committees while preparing their annual workplans, make reference to the legacy reports especially during prioritization of activities, taking into consideration activities not undertaken. They provide an informed basis on how to address the challenges cited during the period under review and how to further mitigate the shortcomings. They assist the committees in putting in place modalities of implementing recommendations made for the better execution of the committees mandate.

### **2.1 Terms of Reference**

The committee set out the following objectives in preparing the legacy report for the second Assembly;

1. To report on all the business transacted by the committee in terms of reports, motions, statements, field visits and Bills and in accordance with its mandate.
2. To highlight the achievements of the committees.
3. To identify the challenges of the committee.
4. To make recommendations on how to address the challenges hindering accomplishment of committees' activities.

### **3.0 BUSINESS TRANSACTED BY THE COMMITTEE FOR THE PERIOD 2017 – 2022.**

#### **3.1 Benchmarking Tours, Trainings and Workshops Undertaken**

As part of implementation of its workplan, the committee has undertaken the following activities;

	<b>VENUE</b>	<b>DATE</b>	<b>OBJECTIVE</b>
1.	<b>Nairobi City County Assembly</b>	1 <sup>st</sup> - 2 <sup>nd</sup> August, 2019	<ul style="list-style-type: none"> <li>▪ To identify the challenges encountered by the Nairobi City County Public Works, Roads and Transport Committee in discharging its mandates;</li> <li>▪ To establish the strategies of engagement and Cooperation between the County Government and stakeholders in the Roads and Transport Sector;</li> <li>▪ To establish the extent of implementation of the Nairobi City County transport and roads development projects as contained in their County Integrated Development Plan (CIDP);</li> <li>▪ To make recommendations on based on the findings of the benchmarking visit.</li> </ul>
2.	<b>Kenya Institute of Highways and Building Technology (KIHBT)</b>	14 <sup>th</sup> August, 2019	<ul style="list-style-type: none"> <li>▪ To learn about labour-based road rehabilitation and Road Maintenance</li> </ul>
3.	<b>Meeting with the CEC on Transport Legislation.</b>	1 <sup>st</sup> -2 <sup>nd</sup> November, 2019	<ul style="list-style-type: none"> <li>▪ To discuss the Murang'a County Transport Bill, 2019.</li> </ul>
4.	<b>Nairobi Metropolitan Transport</b>	11 <sup>th</sup> November, 2019	<ul style="list-style-type: none"> <li>▪ To learn about the Nairobi Metropolitan Transport Authority (NaMATA);</li> </ul>

	<b>Authority (NaMATA)</b>		<ul style="list-style-type: none"> <li>▪ To learn about the strategies of decongesting the Nairobi Metropolitan Area;</li> <li>▪ To understand the collaboration between the Nairobi Metropolitan Counties and NaMATA;</li> <li>▪ To make recommendations of the educational Visit;</li> </ul>
5.	<b>Joint Workshop with the CEC and Chairperson Youth, Culture and Sports Committee .</b>	20 <sup>th</sup> -24 <sup>th</sup> February, 2020	<ul style="list-style-type: none"> <li>▪ To discuss Infrastructure development of the Museum and Mukurwe wa Nyagathanga shrine;</li> </ul>
6.	<b>Stakeholders Awareness Meeting by The Nairobi Metropolitan Transport Authority (NaMATA)</b>	3 <sup>rd</sup> March, 2021.	<ul style="list-style-type: none"> <li>▪ Sensitization meeting on Implementation of the Bus Rapid Transit (BRT) Line 2 Pilot on 3<sup>rd</sup> March, 2021 at The Tamarind Tree Hotel In Nairobi.</li> </ul>
7.	<b>Joint Workshop with the Youth Committee</b>	14 <sup>th</sup> to 17 <sup>th</sup> August, 2020.	<ul style="list-style-type: none"> <li>▪ To discuss consideration of Youth engagement in Labour Based road works across the County.</li> </ul>

### 3.2 Request for statements

The committee received the following requests for statements during the period;

1. Request for statement on the condition of bridges, drifts and roads in Ithanga Ward.
2. Request for statement regarding the Footbridges and Access Roads in Kagunduini Ward.
3. Request for statement on cabro installation at Kiriaini market.
4. Request for statement on poor drainage system in Kabati Market, Kagunduini Ward.
5. Request for Statement on erecting barriers at strategic points of the roads leading to quarry mines to allow for collection of fees and levies from the lorries.
6. Statement on developing an affirmative action policy on roads development for Ithanga, Kakuzi, Makuyu and Kamiti Wards.



### **3.3 Reports and Petitions**

The Committee considered and dispensed with 28 reports including public petition reports and forwarded the reports to the County Executive for implementation. (Annex 1).

### **3.4 Committee Sittings**

The committee held a total of 198 sittings within the precincts of the Assembly.

### **3.5 Bills**

#### **The Murang'a County Transport Bill, 2019**

During the period, the committee introduced the Murang'a County Transport Bill, 2019 which was put on hold to allow for further consultations.

The following observations and recommendations were made on the Bill.

#### **1. Inadequate Public Participation**

In Accordance to Article 196 of the Constitution of Kenya, 2010, It was noted that Public participation was not comprehensively undertaken, since the Bill was presented to the public alongside three (3) other Bills. The public had decried that there was no sufficient notice hence they never had time to go through the Bill.

It was further noted that there was no profiling and engagement of major stakeholders of the sector including **Matatu Saccos Leadership, BodaBoda Leaders, Tuk Tuk drivers representatives, County Traffic Commander, National Transport and Safety Authority (NTSA), the Senate, Nairobi Metropolitan Area Authority (NaMATA), Kenya Law Reform Commission.**

## **2. Lack of a clear Governance Structure**

It was noted that the Bill lacks a clear Governance Structure since all powers and functions have been vested on the County Executive Committee Member in charge of the Roads, Public Works and Transport Department.

## **3. Integration of Urban Planning and Transport**

With formulation of the Nairobi Metropolitan Area Transport Authority (NaMATA) under the Presidential Directive, it was highlighted that Murang'a County is one of the Counties under the Nairobi Metropolitan Area.

In this regard, the need to engage them in formulating the legislation was paramount since it was crucial to integrate Urban Planning and Transport. One of the strategic priorities of NAMATA is to look into decongesting Nairobi and development of a Rapid Bus Transportation.

## **4. Additional Provisions**

The Committee noted that the Bill did not make clear provisions for the following critical areas;

- i. Formulation of a County Transport Master Plan
- ii. Formulation of a roads development plan.
- iii. Designation of road reserves
- iv. Road Maintenance Standards
- v. Identification and classification of County roads
- vi. Private roads
- vii. Footways on commercial buildings
- viii. Public Transport Vehicles terminals
- ix. Clear provisions for motorcycle transport, Bicycles, Tuktuks and Tricycles

## **Existing Regulations in Transport**

In spite of the above observations, the sector is not operating in a Vacuum and is utilizing the National Transport and Safety Authority (NTSA) regulations. However, the NTSA regulations need to be domesticated to the County.

## **Resolution on the Bill**

The Committee **Resolved** as follows;

1. **THAT** there should be a **repeat public participation** on the Bill to be done through stakeholder profiling. The Committee should engage the following stakeholders to have their input on the Bill;
  - a. Matatu Saccos Leadership;
  - b. Boda Boda Leaders, Tuk Tuk drivers representatives;
  - c. County Traffic Commander;
  - d. The OCPD;
  - e. National Transport and Safety Authority (NTSA);
  - f. The Senate;
  - g. Nairobi Metropolitan Area Authority (NaMATA);
  - h. Kenya Law Reform Commission (KLRC)
2. **THAT**, the Committee should put the Bill on hold until all the above mentioned stakeholders are engaged.
3. **THAT**, since the Bill has too many proposed amendments, it should be re-drafted with consideration of the stakeholders input and in conformity with other existing laws.

## **4.0 Committee Achievements**

Some of the committees achievements for the period were as follows;

1. The Committee was able to consider and dispense with over twenty-five (25) public petitions and forwarded them to the County Executive for implementation.
2. The committee introduced in the Assembly the Murang'a County Transport Bill, 2019.

#### **4.1 Committee Challengess**

Challenges encountered by the Committee during the period were;

1. Compliance with the safety guidelines of the Covid 19 pandemic hindered committee activities such as field/site visits and tours due to the lockdowns experienced.
2. Due to Covid-19 pandemic, technical officers were required to work from home and meetings held via Zoom were not effective due to network challenges and online access by Hon. Members.
3. The County Executive Department of Roads did not have a CEC for two years hence there was lack of cooperation from the technical officers who were in the department. Numerous correspondences from the Committee requesting for information on various sectoral issues from the department were never responded to.
4. Lack of goodwill by the Department of roads in implementing recommendations contained numerous public petition reports considered and approved by the Assembly.
5. Limited committee budget allocations hindered effective execution of committee operations especially site visits to various infrastructure projects.

#### **4.2 Committee Recommendations;**

The Committee made the following recommendations;

1. **That** with regards to public petitions, the Committee urges current MCAs to take up the petitions from their respective wards and consider allocating their Ward fund budgets towards addressing the issues.
2. **That** the liaison committee in consultation with the Budget and Appropriations committee should increase allocation towards local travel to enable accomplishment of scheduled activities.
3. **That** the CEC in charge of roads should initiate modalities for constant engagements with the committee for effective oversight. The committee anticipates better working relations with the CEC.

4. **That** the CEC should implement all recommendations contained in the reports of public petitions among other reports.
5. **That** CEC should submit quarterly reports to the Assembly to enable the committee deliberate on them.



MURANGA COUNTY ASSEMBLY

SECOND ASSEMBLY

(FIRST TO THIRD SESSION)

**PETITIONS TRACKER 2018 – 2020, 2021- 2022**

The Petitions Tracker provides an overview of the current status of all Petitions before the Murang'a County Assembly.

PETITION NO.	PETITIONERS	SUBJECT OF PETITION	STATUS
Petition No. 18 of 2021	A resident of Muguru Ward, Kangema Sub- County, Murang'a County a Kenyan citizen	Use of young men and women in repair of feeder roads	Paper Laid and forwarded to petitioners and CEC
Petition No. 15 of 2021	Resident of Kagumo-ini and Ngurue- ini in Gaichanjiru Ward	Poor state of road connecting Kagumo- ini shopping Centre to Ngure- ini shopping Centre via Mutoho river	Paper Laid and forwarded to petitioners and CEC
Petition No. 4 of 2021	Murang'a County Civil Society Network, Citizens of Kenya, residents of Murang'a County and members of Murang'a South Sub-County, Makuyu Ward, Makuyu Location, Milimani	Poor state of Milimani estate road.	Paper Laid and forwarded to petitioners and CEC

<b>Petition No. 3 of 2021</b>	Community members from the Mwituberia Farmers' Cooperative, residents of Murang'a County, Maragua Sub-County, Makuyu Ward and Mwituberia-Kirimiri village	Public petition on the poor state of roads in Mwituberia-Kirimiri village in Makuyu Ward	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 19 of 2020</b>	Civil Society Network and Residents on Kianderi Sublocation	Regarding Impassable state of the road connecting from NyokaNyoka – Kianderi shopping centre	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 18 of 2020</b>	Residents of Kanyenyaini /Rwathia Wards	Regarding destruction of Kiamugweru foot bridge	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 17 of 2020</b>	Mutithi Farmers Cooperatives in Makuyu Ward	Regarding Mithini Polytechnique bridge, Kaseve Kwa Mutuku bridge and Mithii Shopping Centre to Mbogo Village road	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 08 of 2020</b>	Petition by residents of Gathamba Village, Wanjengi Sub Location, Wanjengi Location.	Regarding the rehabilitation and construction of Gathamba Access Road.	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 04 of 2020</b>	Residents Muthithi Ward	A Public Petition on formation of a gully on PCEA to Gwa Gikobu Road Gikobu Road.	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 36 of 2019</b>	Residents of Gaichanjiru Town Murugu village	Partial grabbing of Gaichanjiru road by a private developer	Paper Laid and forwarded to petitioners and CEC












<b>Petition No. 26 of 2019</b>	Residents of Makuyu Ward, Maragua Sub-County	Regarding the construction of Makufuri to Mugumo-ini bridge; construction of the roads connecting Maji-Kibokoto Kahiga-ini, Gakungu to Mugumo-ini and Megi pub to Mugumo-ini borehole.	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 23 of 2019</b>	Residents of Gitumba Kakuzi-Mitumbiri ward, Gatanga Sub-County	Bad condition of the Matunda Kawira road and Matunda hospital bridge.	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 20 of 2019</b>	Residents of Ithanga Ward, Gatanga Sub-County	Poor status of nearly all drifts, culvert and bridges in entire Ithanga Ward	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 13 of 2019</b>	Residents of Mabanda, Gatanga Ward, Gatanga Sub-County	Closure of the Gachode village and Mabanda shopping road by an individual	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 10 of 2019</b>	Residents of Kakuku town Ithanga Ward, Gatanga Sub-County	Poor condition of the Kakuku Cornerstone Ngamyone Kyamune road	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 05 of 2019</b>	Residents of Kakuku Town, Ithanga Ward, Gatanga Sub-County	Missing bridge at Mwanja river on Kirathani / Gwagituro – Ngurunga road serving children of St. Theresa and Ngurunga primary school respectively.	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 01 of 2019</b>	Residents of Kakuku Town In Ithanga Ward	Poor status of cornerstone-Nyamnyone-Kyamune Road	Paper Laid and forwarded to petitioners and CEC
<b>Petition No. 15 of 2018</b>	Residents of Maragua Sub County, Kimorori/Wempa Ward	Road construction from Katipanga, Gikono to Kang'ang'u	Paper Laid and forwarded to petitioners and CEC



<b>Petition No. 13 of 2018</b>	<b>Residents of Gachocho Location Kigumo Sub-County.</b>	<b>Construction of an all-weather bridge at Gacharage river bridge</b>	<b>Paper Laid and forwarded to petitioners and CEC</b>
<b>Petition No. 11 of 2018</b>	<b>One Hundred (100) residents of Kigumo Sub County Kinyona Ward, Kamukabi Location.</b>	<b>Road construction from Kamukabi tea buying center to Irati river.</b>	<b>Paper Laid and forwarded to petitioners and CEC</b>
<b>Petition No. 9 of 2018</b>	<b>Twenty-One (21) Residents of Kiwaihiga, Gatanga Ward, Gatanga Sub-County</b>	<b>Gachuha river bridge which poses danger to pupils as they go to school.</b>	<b>Paper Laid and forwarded to petitioners and CEC</b>
<b>Petition No. 4 of 2018</b>	<b>Twelve (12) residents of St. Mary village, Township Ward in Kiharu Constituency.</b>	<b>Failure to put a proper drainage system on the road neighbouring Mukami's plaza off Kangema road in Township Ward - Kiharu Constituency</b>	<b>Paper Laid and forwarded to petitioners and CEC</b>
<b>Petition No. 3 of 2018</b>	<b>Twenty Four (24) Residents of Kiharu Estate Township Ward in Kiharu Constituency.</b>	<b>Destruction of Kiharu tarmac road in Township Ward Kiharu Constituency by Murang'a University.</b>	<b>Paper Laid and forwarded to petitioners and CEC</b>

## Report Adoption

This report was adopted by the following members;

S/N	NAME	SIGN
1.	Hon. Samson Mukora Ngigi	
2.	Hon. Laban Chomba Njaramba	
3.	Hon. Moses Gachui Mungai	
4.	Hon. Alex Ndunda Makau	
5.	Hon. Grace Nduta Wairimu	
6.	Hon. Gerald Wambugu	
7.	Hon. John Kamwaga Mwangi	
8.	Hon. Isaac Chefman Njoroge	
9.	Hon. Dinah Muthoni Kagiri	
10.	Hon. Liz Muthoni Mbugua	
11.	Hon. Simon Mwaura Wamwea	
12.	Hon. James Karanja Kabera	
13.	Hon. Bernard Ruiru Njeri	
14.	Hon. Priscilla Njeri Mwangi	
15.	Hon. Peter Munga Njuguna	