

Third Assembly
(O.P 009)

First Session
(027)



THE COUNTY ASSEMBLY OF THARAKA NITHI

THIRD ASSEMBLY – (FIRST SESSION)

ORDER PAPER

TUESDAY, NOVEMBER 8TH, 2022 AT 2.30 P.M.

PRAYERS

1. Communication from the Chair
2. Administration of Oath
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements
8. **MOTION MAINTAINANCE AND IMPROVEMENT OF ROADS
LEADING/ACCESSING GOVERNMENT INSTITUTIONS**
(Hon. John Joseph Njeru, MCA)

AWARE THAT Article 43 of the Constitution of Kenya, 2010 provides for the Economic and social rights. It states that:

- (1) Every person has the right—
 - (a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

(b) to accessible and adequate housing, and to reasonable standards of sanitation;

(c) to be free from hunger, and to have adequate food of acceptable quality;

(d) to clean and safe water in adequate quantities;

(e) to social security; and

(f) to education

FURTHER AWARE THAT section 5 of part two of the fourth schedule of the Constitution of Kenya, 2010 provides for the County transport, including— (a) county roads; (b) street lighting; (c) traffic and parking; (d) public road transport as one of the functions and powers of the county.

COGNIZANT THAT the Tharaka Nithi County Road Asset Management Act, 2021 provides that The Tharaka Nithi County Roads Directorate shall have the following functions and duties—

(a)enforce all necessary rules and orders for the construction and maintenance of county roads;

(b)acquire, hire, lease the equipment needed to construct and maintain county roads;

(c)procure services and materials for construction, rehabilitation and maintenance of county roads;

(d)use any necessary material most appropriate to build, repair, or maintain county roads;

(e)constructing, upgrading, rehabilitating and maintaining roads and bridges under its control;

(f)controlling county roads and road reserves and access to roadside developments;

(g)implementing road policies in relation to county roads;

(h)ensuring adherence to the axle load limits in accordance to the relevant legislations.

- (i)ensuring that the quality of road works is in accordance with such standards as prescribed;
- (j)collecting and collating all such data related to the use of county roads as may be necessary for efficient forward planning under this Act;
- (k)monitoring and evaluating the use of county roads;
- (l)planning the development and maintenance of county roads;
- (m)preparing the road works programs for all county roads;
- (n)liaising and co-coordinating with other road authorities in planning and on operations in respect of roads; and
- (o)Performing such other functions related to the implementation of this Act as may be directed.

NOTING THAT many County roads leading to public institutions such as health centres, dispensaries, and schools among others are in bad condition and unmotorable leading to inaccessibility of critical public institutions and services thus impeding the social and economic rights of the residents of the County as provided for in Article 43 of the Constitution of Kenya, 2010.

For instance, the following access roads sampled from across the County;

- i. The roads accessing Nthoa, Karangare, Kamutwandu and Kathanga Primary School in Gatunga ward (Tharaka Constituency).
- ii. Roads accessing Mpangua and Karange in Kathanje Sub-Location Kamatanka primary in Igambang’ombe sub-location, Mikwani primary school in Kamonka sub-location, Kamugaa and Kiegoti primary school in Makanyanga sub-location, Mandugo and Mugumoni in Mutino sub-location (Chuka Igambang’ombe Constituency).
- iii. Nguruki_Kieni_Kaare road that accesses Kieni day, Kieni dispensary, Kaare dispensary, Nthintune Primary and day secondary school and Kaare day (Maara Constituency).

NOW THEREFORE the County Assembly resolves that the County Executive through the County Executive Committee Member responsible for Transport Roads and Public works gives priority in planning the development and maintenance of County roads leading to public institutions such as Health Centres, County and National Government Offices, Dispensaries and Schools.

KEY

- **** -Denotes a Majority/Minority Bill
- *** -Denotes a Committee Bill
- * -Denotes any other Bill