

**Third Assembly**  
**(O.P 008)**

**First Session**  
**(022)**



**THE COUNTY ASSEMBLY OF THARAKA NITHI**  
**THIRD ASSEMBLY – (FIRST SESSION)**  
**ORDER PAPER**

**TUESDAY, NOVEMBER 8<sup>TH</sup>, 2022 AT 9.30 A.M.**

**PRAYERS**

1. Communication from the Chair
2. Administration of Oath
3. Messages
4. Petitions
5. Papers (As listed in appendices)
6. Notices of Motion (As listed in appendices)
7. Statements
8. **MOTION- DEBATE ON THE SPEECH ON OPENING OF THE THIRD COUNTY ASSEMBLY BY HIS EXCELLENCY THE GOVERNOR**

(Hon. S. Nderi Justin Kithinji – Leader of the Majority Party)

THAT; the Thanks of the Assembly be recorded for the exposition of public policy contained in the Address of the Governor delivered on the opening of the Third County Assembly on 4<sup>th</sup> October, 2022.

**PAPERS**

1. Quarterly Report and Financial Statements on Tharaka Nithi County Youth Empowerment Fund for the period ended 30<sup>th</sup> September, 2022.
2. Quarterly Report and Financial Statements on Tharaka Nithi County Emergency Fund for the period ended 30<sup>th</sup> September, 2022.
3. Quarterly Report and Financial Statements on Tharaka Nithi County Municipality of Kathwana for the First Quarter ended 30<sup>th</sup> September, 2022.
4. Quarterly Report and Financial Statements on Tharaka Nithi County Bursary Development Fund for the period ended 30<sup>th</sup> September, 2022.
5. Quarterly Report and Financial Statements on Tharaka Nithi County Revenue Fund for the period ended 30<sup>th</sup> September, 2022.
6. Quarterly Reports and Financial Statements on Tharaka Nithi County Executive for the period ended 30<sup>th</sup> September, 2022.
7. Quarterly Report and Financial Statements on Tharaka Nithi County Receiver of Revenue for the period ended 30<sup>th</sup> September, 2022.
8. Consolidated Reports and Financial Statements of County Government of Tharaka Nithi for the financial Year ended 30<sup>th</sup> June, 2022.
9. Report of the Auditor-General on Nithi Water and Sanitation Company Limited for the Year ended 30<sup>th</sup> June, 2021.

**NOTICES OF 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