A REPORT OF THE LIAISON COMMITTEE ON THE ASSEMBLY SECTORAL COMMITTEES' CONSIDERATION ON THEIR RESPECTIVE DEPARTMENTAL ANNUAL REPORTS FOR THE FINANCIAL YEAR 2013/2014.

Dated 18th August 2014.
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1.0. PREFACE

1.1. MEMBERSHIP.

1. Hon Peter Kimondo - Chairman
2. Hon Beth Waithira - Member
3. Hon Mwangi Maruga - Member
4. Hon Dann Ndegwa - Member
5. Hon Charombo Kaparo - Member
6. Hon Peter Thomi - Member
7. Hon Joseph Suge - Member
8. Hon Joseph Kabaci - Member
9. Hon Michael Kinyua - Member
10. Hon Jacob Endom - Member
11. Hon Ephraim Wachira - Member
12. Hon Paul Leshuel - Member
13. Hon Paul Lebeneiyo - Member
14. Hon Francis Mukuria - Member
15. Hon Wilson Wakahiu - Member
Mr Speaker Sir, this is a report of the Liaison Committee on the observations and recommendations of the Assembly’s Sectoral Committees following a receipt of the annual reports for the year 2013-2014 submitted by the following departments:

- Department of Agriculture, Irrigation, Fisheries, Livestock Development, environment and Natural resources.
- Department of Gender, Culture, Social Development, Sports, Children and Youth Affairs.
- Department of Trade, Commerce, Tourism and Enterprise Development.
- Department of Roads, Transport, Land, Housing, Energy and Public Works.
- Department of Finance, Planning and County Development.
- Department of Health and Sanitation.
- Office of the Governor, County Administration, Public Service, Special Programmes, Security, Disaster Management, Cohesion and Intergovernmental Relations.

The County Assembly Sectoral Committees invited the respective CECM’S from the above department through the Interim County Secretary for a meeting at Three Steers Meru between 13th-14th August 2014. The purpose of the meeting was for the CECMS to take the respective committees through the Annual Reports for the year ended.

2.0 BACKGROUND

a). Committees Mandate.

The mandate of sectoral Committee in that respect relates to the subject matter assigned under the second schedule of the Standing Orders and shall only be exercised within the limits contemplated under part 2 of the fourth Schedule to the Constitution.

Pursuant to the Standing Order 191(5) the functions of the Committees shall be to;

1. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
2. study the programme and policy objectives of department and the effectiveness of the implementation.
3. study and review all county legislation referred to it.
4. study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives.
5. 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.
6. to vet and report on all appointments where the Constitution or any law requires the assembly to approve, except those under Standing Order 184.
7. make Reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

b) The Kenya Constitution 2010 Article 183(3) The County executive committee shall provide the county Assembly with full and regular reports on matters relating to the county.

c) The Kenya constitution 2010 Article 185(1) Gives the county assemblies legislative authority over a county is vested in, and exercised by, its county assembly. Under Article 183(3) A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.

d) The County Government Act Section 39(2). A committee of the County Assembly may require a member of the Executive Committee to;
   a) Attend or appear before the committee, and
   b) Answer any questions relating to the members responsibilities.

Pursuant to Standing Order No. 191(5)a, and all other enabling provisions of the law, the County Assembly Sectoral Committees between 13th and 14th August 2014 inquired into the 2013-2014 annual reports submitted to them by the Laikipia County Government CECM’S. The respective committees were taken through the reports by the respective CECM’S and came up with their observations and recommendations. The committees resolved to refer the observation and recommendations delivered from the Annual reports to the Liaison Committee. The Liaison Committee is mandated to;
1. guide and co-ordinate the operations, policies and mandates of all committees.
2. deliberate on and apportion the annual operating budget among the committees.
3. consider the programmes of all committees including their need to travel and sit away from the precincts of Assembly.
4. ensure that committees submit reports as required by these Standing orders.
5. determine, whenever necessary, the committee or committees to deliberate on any matter.
6. the Liaison committee shall consider reports of committees that have not been deliberated by the Assembly on the consideration of such reports.

Pursuant to Standing Order 192(2)a and (3) the Liaison committee met on 18th August 2014 at Old House Nyeri where it went through the various committee reports on the Departmental annual reports for the year 2013-2014. The Liaison Committee upon going through the Sectoral Committees reports adopted the same and hereby submits the following individual committee observations and recommendations.
3.0. COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.1. HEALTH AND SANITATION COMMITTEE ANNUAL REPORT

Committee Observations.
1. The committee had the following observations to make; The initial budget for generator purchase was Kshs. 6M meant for two generators. The Health department purchased only one generator at a cost of Kshs 4.9M. The committee had a view that the cost for the generator was exaggerated and also observed that the same was paid for before full installation and commissioning yet a certificate of completion had been issued before installation.

2. The department’s performance was assessed to be below acceptable standards.

Committee Recommendations.
1. The Health department and specifically the procurement department needs to be thoroughly investigated on the purchase of Ndindika health centre generator.

2. The department should invest more in capacity building for its staff.

3. The department should come up with work plans and establish a proper administrative and operational structure.

3.2. EDUCATION AND ICT SERVICES COMMITTEE ANNUAL REPORT

The committee made the following observations
1. That the benchmarking trip to Kirinyaga on 2nd October 2013 was not relevant as the same should have been for ECDE teachers and vocational teachers whose dockets have been devolved.
2. That ksh 1 million for Bustani primary school could not be accounted for thus raising the possibility of the same having been misappropriated.
3. That ksh 2 million meant for dormitories construction was not accounted for.
4. That ksh 4.6 million meant for teaching and learning materials was not accounted for.
5. That D.E.B Rumuruti primary school classroom construction was not provided for in the budget but construction is already complete.
6. That there was rampant misuse of County government vehicle assigned to the CEC.
7. The department’s performance was assessed to be below acceptable standards.

Committee Recommendations;
1. The committee noted that there was misuse of public funds and called for further investigation on the following areas;
a). the benchmarking trip to Kirinyaga County by Head teachers on 2nd October 2013.
b.) the kshs.1 million meant for the Bustani primary school.

c.) the kshs 2 million meant for construction of dormitories.

d) the kshs 4.6 million meant for teaching and learning materials.

e). the source of funds for construction of classrooms at D.E.B Rumuruti primary school.

2. The department should invest more in capacity building for its staff.

3. The department should come up with work plans.

4. The department should establish a proper administrative and operational structure.

3.3. ROADS, TRANSPORT, LAND AND PUBLIC WORKS COMMITTEE ANNUAL REPORT

The Committee observed that the report submitted by the CECM transport and public works was not comprehensive.

RECOMMENDATION.

The Committee resolved that the CECM be required to submit a more comprehensive report by the end of August 2014.

3.4. AGRICULTURE AND NATURAL RESOURCES COMMITTEE ANNUAL REPORT

OBSERVATION.

The Committee was not satisfied by the report submitted by the CECM as it did not have any financial report of the year 2013-2014.

RECOMMENDATION.

The Committee resolved that the CECM be required to submit a more comprehensive report by the end of August 2014.
3.5. GENDER AND SOCIAL SERVICES COMMITTEE ANNUAL REPORT

OBSERVATIONS

1. That the report on expenditure misrepresented the figures contained in the 2013/2014 approved supplementary budget and that there was no explanation on the variance on the following items:

<table>
<thead>
<tr>
<th>Item of expenditure</th>
<th>Approved budget</th>
<th>CEC Budget</th>
<th>Variance</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEDC Children home</td>
<td>3,000,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
<td>None</td>
</tr>
<tr>
<td>Cultural day-competition &amp; promotion &amp; Identification of talent</td>
<td>3,500,000</td>
<td>3,000,000</td>
<td>500,000</td>
<td>None</td>
</tr>
<tr>
<td>Renovation of stadium</td>
<td>5,000,000</td>
<td>4,500,000</td>
<td>500,000</td>
<td>None</td>
</tr>
<tr>
<td>Operation cost</td>
<td>5,000,000</td>
<td>4,500,000</td>
<td>500,000</td>
<td>None</td>
</tr>
</tbody>
</table>

2. That the department made no impact on the nurturing of talents in the county despite having spent public money on the same.

3. That the CEC should ensure that every effort was made to facilitate the teams to represent the Laikipia County in the fourth coming KICOSCA games scheduled to commence on 18/8/2014 in Nakuru County.

4. That capacity training for women and youth should be initiated and conducted in every ward. Members observed that the training ought to have been

5. On the management of CEDC the members noted that the number of children in the institution was declining despite having a large committee that draws allowances after every meeting.

6. On the issues of the Governor’s tournament, the members noted that the distribution of footballs was unfairly done and that the exact amount of money spent on the tournament was not clear and also the teams to participate in the tournament paid a registration fee through the sports officers office which was not right.

7. On how the department spent ksh. 2,978,310 on cultural activities members noted that the explanation was not satisfactory.
8. The department’s performance was assessed to be below acceptable standards

9. The quality of renovation works on Nyahururu stadium is unsatisfactory while the ongoing works on Nanyuki Stadium is equally poor.

RECOMMENDATIONS.

1. That the expenditure incurred in observation one on page 8 herein should be investigated.
2. That the following activities be investigated
   a) Governors tournament
   b) Renovation of the nanyuki and Nyahururu stadium.
   c) Amount spent on cultural activities
3. That the report failed to meet the threshold required.
4. That the amount for registration paid by various football teams be refunded.
5. That the number of children in CEDC institution is declining and that the CEC needs to check on the management of the same and that the committee be reduced.
6. That in future any training on youth and women should be done in each ward.
7. That the department should invest more in capacity building for its staff.
8. That the departments to come up with work plans.
9. That the department establish a proper administrative and operational structure.

3.6. TRADE AND COOPERATIVES COMMITTEE ANNUAL REPORT

OBSERVATIONS
The committee observed the following:-
1. That the concrete machine budgeted for in 2013/2014 was not bought and the money was spent on Marura Primary School, Council of Governors, Lariak Day Secondary School, Nanyuki Youth Polytechnic and payment of allowances to County Executive Committee Members for Education, Trade, Health and Veterinary officer leading to misappropriation of funds
2. That the Kshs. 20 million was allocated for Investors Conference and so far Kshs. 11 million has been spent yet the conference has not taken place. The CECM was not able to account for the funds spent.

3. That there was a disparity on the amount spent on the construction of boda boda trading sheds as two of them costed Kshs. 353,000.00 (Thingithu and Nanyuki wards) and others Kshs. 179,000.00 (Rumuruti and Igwamiti).

4. That Miss Tourism event was allocated Kshs. 1.5 million. An amount of Kshs. 1,299,550.00 was used but the CECM was not able to account for the used and unused funds.

5. That the department CECM confirmed to have used government vehicle for unofficial purpose.

6. That Kshs. 4.0 million was spend on operational Cost. The CECM was unable to explain to the committee how the funds were spread across the departments.

7. That the department was allocated a total of Kshs. 30,500,000.00 in the 2013-2014 budget but the report stated that they had been allocated 48 Million. The CECM was not able to explain how she got an extra Kshs. 17.5 Million

8. That the County Branding was allocation Kshs. 3.0m and Kshs. 1,810,393 was spent on contract for synages. The CECM was not able to explain to the committee the activities that took place and what she did with the balance.

9. The department’s performance was assessed to be below acceptable standards.

RECOMMENDATIONS

The committee came up with the following recommendations out of the observations.

1. That misappropriation of funds should also be investigated in the following areas;
   a) the money spent on Marura Primary School, Council of Governors, Nanyuki Polytechnic among others stated above instead of purchasing of the concrete machine as budgeted for.
   b) the funds spent on the investors conference and whether the funds remaining are intact.
   c) the difference on the amount spent on the construction of different boda boda trading sheds.
   d) Government vehicle use for private and domestic purpose.

2. That the department should invest more in capacity building for its staff.

3. That the departments to come up with work plans and establish a proper administrative and operational structure.

3.7. OFFICE OF THE GOVERNOR COUNTY ADMINISTRATION AND COHESION

OBSERVATIONS
1. The County Executive member was not able to account for her department’s budget allocation.
2. The amount of money that was used for the purchase of the four dogs was exaggerated.
3. The estimated cost of solar powered street lights installation was unreasonably too high.
4. There is only one firefighting truck in the county that is based in Nanyuki.
5. The department’s performance was assessed to be below acceptable standards.

RECOMMENDATION

1. There should be a thorough investigation conducted in the Office of the Governor, Security, Internal Affairs and Co-Ordination department on the following areas;
   a). the unreasonable high cost of solar powered street lights installation.
   b) the amount of money used for the purchase of the four dogs.
2. The department should come up with proper work plans, administrative and operational structure.

3.8. FINANCE AND COUNTY PLANNING ANNUAL REPORT

OBSERVATIONS.

1. The CECM Finance was not able to account for the funds disbursed to his department from the exchequer.
2. All the rest of the CEC’s blamed Finance and County Planning department for not remitting their funds in time thus hindering service delivery.
3. The CEC Finance has constantly misused the County Government vehicle for non official duties.
4. The CEC Finance was alleged to have a tendency of dictating to other departments on the projects to be undertaken at the expense of others hence not delivering what is important to the common residents of Laikipia County.

5. The department’s performance was assessed to be below acceptable standards.

RECOMMENDATIONS.

1. That the department of Finance should be investigated on the following areas;
   a) on the amount of funds released from the exchequer.
   b) on the allegations by other departments of the Finance Department dictating on what projects to be undertaken.
c) on the use of Government Vehicles for domestic and private purpose.

2. That the department should come up with proper work plans, administrative and operational structure.

3. That the departments to come up with work plans and establish a proper administrative and operational structure.

4.0. OVERALL RECOMMENDATIONS BY THE LIAISON COMMITTEE.

1. That the sectoral committees to do further and thorough investigations on their respective portfolios. These investigations and reporting be done and reported back to the Assembly on or before 15th October 2014.

2. That due to the overall challenge on the governance structures, County Government should streamline its structural and governance processes to enhance effectiveness and efficiency in the government.

3. That there is an acute challenge of capacity among executive committee members. Therefore the Governor must urgently invest in capacity building for the CEC members.

4. That there is need for an urgent performance management framework that will guide the executive on performance.

5. That each executive Committee members must develop a policy masterplan and be clear on its implementation including evaluation and monitoring.

6. That each Executive Committee member must report to the relevant committee every quarter. This is an obligation and must be adhered to.

7. That it recommended that the Governor considers addressing the Assembly every six months on government policies and programmes and Pays specific attention to his achievements, challenges and future plans.

8. That the Chief Officers be quickly assimilated into their works and engagements to offer required support to the Executive committee members.

9. That the departments/portfolios should submit their work plans for Financial year 2014-2015 showing the projects they intend to carry out in all wards.