

**REPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF SIAYA**  
**FIRST ASSEMBLY (THIRD SESSION)**

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**REPORT OF THE COMMITTEE ON PUBLIC WORKS,  
ROADS, TRANSPORT AND COMMUNICATION ON THE  
ANALYSIS OF THE DRAFT ROADS SECTOR POLICY  
DOCUMENT**

**CLERK'S CHAMBERS  
COUNTY ASSEMBLY OF SIAYA  
ASSEMBLY BUILDINGS, SIAYA**

**NOVEMBER, 2015**

## **PREFACE**

**Mr. Speaker Sir,**

1. On behalf of the members of Committee on Public Works, Roads, Transport and Communication, reviewing the Draft County Roads Sector Policy. I am pleased to present this report to the House.
2. On Tuesday, 22<sup>nd</sup> September 2015, during the afternoon Siting of the House the Hon. Majority Leader tabled the Draft Roads Policy Document in the House for requisite action by the House.
3. The Hon. Speaker directed that the matter be handled by the Committee on Public Works, Roads, Transport and Communication on the fact that Standing Orders no. 192 (Second Schedule) of the Hon House has domiciled all matters pertaining to Roads and Transport under the committee on Public Works, Roads, Transport and Communication.

## **COMMITTEE MANDATE**

The Committee on Roads, Public Works, Transport & Communication is established under The Standing Order No. 192 and is mandated to oversight on all matters related to;

County transport, including County roads, street lighting, traffic and parking, public road transport and ferries and harbours, excluding the regulation of international and national shipping and matters related thereto; County public works and services including storm water management systems in built up areas, Fire fighting services and Disaster management.

## **SITTINGS HELD**

**Mr. Speaker Sir,**

4. The Committee held a two day retreat in Kisumu between the 18<sup>th</sup> and the 19<sup>th</sup> of November 2015 to critically analyze the Draft Policy Document. The committee further invited the CEC Member for Public Works, Roads, Transport and Communication together with the County Engineer to a meeting on 20<sup>th</sup> November 2015 to shade light on various sections of the policy that the committee had been at pain to comprehend, the outcome of this meeting are well captured in the succeeding sections of this report.

## **5. PROCEDURE ADOPTED**

The Committee had oral submissions from the C.E.C Member for Public Works, Roads, Transport and Communication and the County Engineer. In addition the committee did a technical analysis of the Draft Policy Document with a view to evaluate its efficacy in solving the myriad of challenges bedeviling the Roads sector.

## **SUMMARY OF FINDINGS**

The key findings of the committee were that; The Draft Roads Sector Policy does not provide a solution/set of solutions to the myriad challenges in the Roads Sector. Consequently, the policy documents is jam-packed with many irrelevancies and is missing in both form and substance since very critical chapters as have been indicated in the observation below have not been taken cognizance of.

### **Mr. Speaker Sir,**

I wish to record the Committee's gratitude to the House for having entrusted us with the execution of the important duty of contributing to the efforts of restoring the image of Siaya County. I also thank the Honorable Members of this Committee for their immeasurable effort and the secretariat that made this report a reality.

### **Mr. Speaker Sir**

Finally, it's now my duty on behalf of the Committee on Public Works, Roads, Transport and Communication to present and commend this report for immediate consideration and adoption by the House. The Committee also requests the House to adopt the resolutions proposed in this report.

**THE HON. CHRISTOPHER APIYO APIYO**

**CHAIRPERSON, COMMITTEE ON PUBLIC WORKS, ROADS, TRANSPORT  
AND COMMUNICATION**

**Dated this    day of    , 2015**

**SIGN.....**

**CONSIDERATION AND ADOPTION OF THE REPORT BY THE COMMITTEE**

We, the undersigned Members of the committee on Public Works, Roads, Transport and Communication having considered this report on the analysis of the Siaya County Roads Sector Draft Policy; do hereby confirm our agreement with the content of the Report and request the Chairperson to present the report to the House.

The Hon. Christopher Apiyo	Chairman	
The Hon. Murray O. Asewe	Member	
The Hon. Booker Minami	Member	
The Hon. Pamela Midumbi	Member	
The Hon. Helida Otieno	Member	
The Hon. Andrew Omwende	Member	
The Hon, Shaban Omar	Member	
The Hon. Joannes Andiego	Member	
The Hon. Pius Ombiyo Ogutu	Member	
The Hon. Edwin M. Otieno	Member	
The Hon. Margaret Olongo	Member	

## **FINDINGS OF THE COMMITTEE**

### **SECTIONAL ANALYSIS OF THE POLICY DOCUMENT**

#### **1.0 INTRODUCTORY STATEMENTS**

The document gives a foreword section which contains a paragraph on the importance of road sector in the economic development of the county. It also explicates policy objectives in general.

The introduction reviews the roads sector in Siaya County in one paragraph under “overview of the roads sector”. The importance of road sector is revisited in this section vis-à-vis that of the policy guidelines. The nature and requirement of stakeholder involvement in policy development is exposed in the first part of the overview.

The introduction concludes with an analysis of the core mandate of the roads department in road infrastructure development and challenges being experienced in the sector. The challenges fall widely under budgetary, administrative, human resource and transitional constraints.

#### **Committee’s observations and Comments**

Although the importance of roads sector is explained, the document should present a stronger case for adequate infrastructure in the county. The statements supporting development in this sector should be unique to Siaya County instead of the documented generalities.

The introductory statements should also anchor the policy on other county supportive plans like County Integrated Development Plan (CIDP), Roads Department Strategic Plan, National Road Development Plan among others – because Siaya County is part of the whole and must fit into the wider National Development Plans.

The content under “overview of the roads sector” is inadequate. It does not give factual and complete background to past and present situation of the road sector in the county.

The overview should contain some brief historical perspectives of road network development from the previous to present constitutional arrangement subject to availability of data. It should then give factual details of current road coverage per class per sub-county. This would give a desirable build-up to identification of challenges and gaps that this policy document is meant to address.

## **2.0 POLICY GOALS AND OBJECTIVES**

Broad Goals, Long term and short term objectives are elaborated in this section.

### **Committee’s observations and Comments**

The committee observed that the stated policy objectives are not aligned to the challenges cited in the document.

There is no clear boundary between the long term and short term objectives. Some of the short term objectives are and can as well pass as long term. For example, “To make road connectivity as the engine of economic growth in the county by developing mechanisms of sustainable road development”, should be a long term objective.

The stated objectives are general and good, but they should be re-defined to address documented challenges.

## **3.0 INSTITUTIONAL RELATIONSHIPS FOR THE ROAD SECTOR**

The policy document classifies roads based on the Roads Act, 2007.

It gives functions and duties of KENHA, KERRA, and KURA. It also proposes an organizational structure for the department of Roads, Public Works, Transport and Infrastructure.

### **Committee's observations and Comments**

Committee felt that this section, as it is, should be put as annex because it does not add value to the policy document. It merely states the roles of the other institutions as they are. It could have been more informative if the roles of the stated institutions were linked to the policy objectives.

The classification of roads based on the Roads Act, 2007 is in order. However, the drafters must take cognizance of the proposed Roads Bill, 2015 which has clear specifications of the categories of roads and once enacted into law the policy document should be realigned to conform to the law.

### **GUIDELINES FOR DESIGN OF NEW ROADS**

This section gives specifications for designing new roads. These guidelines do not seem to address any of the objectives of this policy. They should be put as annex and referred to from the body of the document.

#### **4.0 ROAD MAINTENANCE PLANNING DATA**

Duties of the Survey department are well outlined in this section.

These are normal day to day duties of the staff in the Survey Department, and they do not need to be encapsulated in the policy document, they can be well documented in a manual and the departmental work plan.

#### **5.0 GUIDELINES ON INTERVENTION MEASURES AND LEVELS**

These intervention measures are not specific to Siaya County. They are not aligned to the challenges and objectives of the policy. The timelines are not clear especially when the timing starts. Lines of responsibility are not stated.

## **6.0 COST ESTIMATION AND WORKPLAN**

This section is irrelevant as it serves no function of importance to the documented challenges and does not seem to offer any solution.

## **7.0 GUIDELINES FOR PROCUREMENT OF CONSTRUCTION SERVICES**

Procurement of services should be a function of the department of procurement and is not relevant to this document. It was not also cited as a policy objective.

### **SECTIONS THAT ARE MISSING BUT SHOULD BE PART OF THE POLICY DOCUMENT**

Below are chapters that were missing from the draft Roads Policy that **MUST** be captured in any standard Policy Document;

#### **1. Executive summary**

To give a brief on each important section of the policy

#### **2. Supporting Existing Regulatory Framework**

A policy document cannot exist in isolation. It must be anchored on existing laws and regulations. This policy could be anchored on Roads Act, 2007, Kenya Roads Board Act, 1999, and any other relevant Act that can be cited.

#### **3. Scope**

A policy document should specify the scope of administration of the objectives. This policy is about the county roads and should state so.

#### **4. Policy Implementation Guidelines/ Implementation Matrix**

Each policy objective should have an outline of how it will be achieved, responsibility lines, institutional arrangements and possible timelines. This should form the core of the document

The implementation framework must have strong guidelines on achieving Public Private Partnerships

### **5. Monitoring and Evaluation Framework**

This section should give directions on how the policy implementation progress will be measured against the set objectives.

### **6. Policy Review Guidelines**

This section should give timelines as to when the policy document should be reviewed. This is because priorities change and targets get achieved

### **7. References and Annexes**

This should be included for connected purposes and to avoid plagiarism occurrences.

## **MEETING BETWEEN THE COMMITTEE MEMBERS AND CEC ROADS AND THE COUNTY ENGINEER**

Members of the committee met the two officers mentioned on 20<sup>th</sup> November 2015.

The purpose of the meeting was to share the observation of the committee with the officers on the contents of the policy document and to give the drafters an opportunity to shed light in parts which the members had found to be ambiguous.

The county engineer took time to respond to members concern on the following sections;

1. Overview – He agreed that the overview and general background information needed more content, especially the status of road network in the county. This would eventually enable stakeholders gain valuable insight into to the origin of policy gaps.

There was a consensus that the challenges should be derived at after a substantive documentary analysis and consultation with key stakeholders in the county.

2. Policy Goals and Objectives – The two officers supported the members on the nature of the objectives, which were not responsive to the challenges. They upheld the members’ view that the objectives must be aligned to the challenges.
3. The engineer and CEC concurred with the members that technical aspects of road design, maintenance and institutional arrangements in sections 3, 4, 5, 6, and 7 be part of the annex. However they informed the members that the proposed procurement guidelines would assist the procurement department in addressing challenges that the roads department have perennially experienced. It was hence agreed that the proposals be shared with the procurement department for re-alignment with the regulations as per the relevant Acts.
4. The committee suggested a policy document format which was agreeable to the two officers.

## **OVERALL RECOMMENDATION**

Following the deliberations and analysis of the content and the format of the draft policy document, the committee referred back the policy to the drafters and asked for the redrafting of the document incorporating the proposals by the committee and any other information that may be relevant to the policy document; and submit the document after a period of one month.