REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 14th March, 2022

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

Speaker: Clerk kindly confirm if we have quorum.

(Lack of quorum confirmed)

Speaker: I direct the bell be rung for five minutes.

(The bell was rung for 2 minutes)

Speaker: Confirm whether we have quorum?

(Clerk confirmed achievement of quorum)

COMMUNICATION FROM THE CHAIR

MEETING WITH GOVERNOR ON AD HOC COMMITTEE REPORT

Speaker: Hon. Members, I have received a letter from the County Secretary dated 15th March 2023 inviting all Hon. Members to a meeting to be held on Wednesday, 15th March, 2023 at the County Hall, Governor's Compound. We shall witness the handing over of the Ad Hoc Committee Report recommending Nanyuki town for establishment as a municipality.

Hon. Members I urge the Finance and County Planning Chair to be at the stated venue on time as the other Members will be joining later after the morning plenary session. I humbly urge all Hon. Members to attend. Thank you.

NOTICE OF MOTION

PROTECTION OF LIVESTOCK HOLDING GROUNDS

Hon. Paul Leshuel: Honourable Speaker, I beg to give notice of the following motion;

THAT, AWARE THAT County planning and development, including land survey and mapping and that Agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and fisheries are functions of County Government as stipulated in Part 2 of the Constitution of Kenya 2010;

FURTHER AWARE THAT article 67 (2) (a) stipulates that the National Land Commission is established in order to manage public land on behalf of the national and county governments;

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CONCERNED THAT there exist a number of known and unknown public holding grounds and livestock routes in the County which might be irregularly acquired by private developers or any other entity;

NOTING THAT Good infrastructure (roads, livestock holding grounds, stock routes for livestock, outspans, livestock sale yards, slaughterhouses, abattoirs, collection centres, cooling facilities, marketing information systems, tanneries and processing plants) ensures efficient market and trade performance and positively affects producer prices;

This House URGES the County Government to liaise with the National Land Commission in order to:

i. Conduct the inventory of all holding grounds and their status of existence;

ii. Conduct the inventory of livestock routes and their status if they are available for public use;

iii. Ensure protection of holding grounds, outspans, and livestock stock routes and develop strategies for their economic utilization;

iv. Conduct awareness of the Community Land Act, 2016 to the community in order for them to understand what is required of them;

MOTION

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iv. Conduct awareness of the Community Land Act, 2016 to the community in order for them to understand what is required of them;

Mr. Speaker, I am aware that Members understand that in this county we have many livestock routes, which was allocated so that our animals can pass through. The importance of us understanding those livestock routes, where they are, and if they are still under the government or grabbed. The reason we need those stock routes is a lot. One of the purposes is it will create a good route that will avoid conflict with other interested parties.

The reason we need those livestock routes is a lot. One of the purposes is it will create a good route that will avoid conflict with other interested parties. For instance, if you get a livestock route between Nanyuki, Olpejeta and BATUK, our animals cannot cross the town. We shall be having a route that will pass there to Mt. Kenya and other areas. Mr. Speaker, livestock routes are very important to help us identify and know exactly who is holding those holding grounds. I know many holding grounds have not been grabbed, but people have fenced the areas inside their land.

Mr. Speaker, we need to identify and map them. I know almost all of them in Laikipia North but if the government comes up with a way to map them, we will be able to understand how many they are and where they are. As we understand, we have experienced a persistent drought of four years and we are expecting rains today or tomorrow. What will happen if the rains come today yet the other days we shall have dry spells.

What measures did we put in place to make sure that after the rains, we have the future of our pastures? One of the areas we can identify, as a government and plan to make sure we have hay, are the holding grounds. If you go to a certain group ranch or private land, some areas are potential for farming and having abettors. Some areas have very high potential for deep spray and many other things.

Economically, if we identify those areas and map them we can be able to know what we are going to do and how it can help the communities. Mr. Speaker, this will create economy and it will give us peace because if we do not get fruits for our animals, you expect affliction between the two communities especially the pastoralists and the farmers. If they do not get a proper route through the public land like forest, you will realise when we are moving to Mt. Kenya or Aberdare, we are having conflicts.

Mr. Speaker, you cannot put all the animals in vehicles and definitely, they must step on and pass through somewhere. It is important we identify those livestock routes for many reasons. One of the reason is to get a way to go out whenever they want and the other reason is that it is very economical. Even if you want to have milk coolers in some areas where planning was done wrongly, you cannot get a public land to build that coolant.

It is very important because the government can utilise that area and make people benefit in one way or the other. Mr. Speaker, it is important for us to identify and know areas where the holding grounds are so that we can be able to know whether the areas are productive and important

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to the farmers, livestock and pastoralists. We can be able to understand and we can be able to plant those areas.

Mr. Speaker, if you go to other areas, I remember in 2013, I was intending to build a dispensary in Ethi but surprisingly, there was no public land for building a dispensary because the plan had not included the public land for a dispensary. It forced us to engage the public lands for primary schools so that we can get a piece of land where we can build the dispensary. If you go round today and plan where we can get an abattoir apart from Rumuruti, you will realise some areas do not have land to build abattoirs which is a big thing and very important economically. Those are the areas we can get good meat which will make it possible to export to other countries.

Mr. Speaker, it is important for us to know those areas. For those who understand Laikipia North who are few of us, if you go to Isiolo we have ranches on both sides. Between Laikipia East and Laikipia North is full of ranches. Where are the routes to go to the other side? There is a tarmac road that takes you to Isiolo and for me to access my ward I have to travel to Isiolo so that I get to my area, which is at the end of Laikipia.

From there you will get another route in Ethi, which is next to Timau, go through Lewa and go through half of Borana for you to get to the public land. When you get there, the other public land is on your way to Doldol. The third one is on your way to Maralal. There are no other public routes there. Other areas are occupied by ranches. Economically, if you do not get access to other needs, if my people want to come from Sanga to other areas, they will have to travel for four days to come to Timau and go back.

Economically, that is very unfair. The reason I am happy to see the stock routes is many reasons. One of the reasons is that our animals should not travel. They have the rights to access where pastures are. Mr. Speaker, if you go to a group ranch without proper planning, you may not get an area to build what you want to build. Mr. Speaker, livestock routes are very important and they were allocated purposely for those reasons. It is there because of those reasons.

Mr. Speaker, I want to urge the National Government. The National Lands Commission are the custodian of all the land in the country. Mr. Speaker, the County Government have the mandate to map the areas and inquire the information from the Land Commission. We may not know exactly where some of the holding grounds are and who is owning them today but if you go to the Lands Commission you can be able to know all the holding grounds and stock routes.

I urge Members to support this motion and not only to support this motion but push to make sure that the National Government and the County Government (Executive) have pushed this for it to be effective. With those few remarks, I urge Hon. Member for Umande Hon. Mugweru to second this motion.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I second this motion brought by Hon. Leshuel from Mukogodo East who happens to be my neighbour and a friend. Hon. Speaker, one thing I am happy about him is that he has stated specifically that "why I am happy about the holding grounds is because my animals…" That was so good and myself why I am happy about the holding grounds is because his animals and his friends' animals, as they move around, illegal grazing will reduce.

Therefore, I am happy about the holding grounds Mr. Speaker. Everybody has his interests and this is quite a good motion brought at this time whereby Laikipians only complain about illegal

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grazing, bandits and all that. Hon. Speaker, some of the causes of these things are the grabbing of these holding grounds. This is common sense that when we encroach on the holding grounds and the livestock routes, we as humans we turn to interfering with animals.

Honourable Speaker, you cannot move animals all the way from Sosian to Olpejeta in one hour or one day. That is why the government had specifically set aside holding grounds. There are so many benefits that we can get from holding grounds. Apart from holding the animals, we are saying clearly that those are the grounds whereby we can even have slaughterhouses where I will be able to purchase good, fresh meat at a cheaper price because Hon. Shuel is travelling elsewhere.

Hon. Speaker, these grounds that are there are the areas where we are going to have tanneries. That is where Hon. Karuiru who is good at skins will be able to benefit. So this one is not about where you come from, it is benefitting all of us. So many holding grounds have been grabbed, and when we say they have been grabbed, it is not just imagination. We have seen so many of them being fenced especially by the white men who came and settled in Laikipia. Most of them have fenced those holding grounds.

Hon. Speaker, on this one concerning routes, I will give a good example. Yesterday I happened to sit down with somebody whom I will not mention, but is white. He was trying to convince me on how we were going to do a fence to prevent wildlife from coming to the community of Umande. The way the fence was drawn is how to fence his land of over one hundred acres, and be enjoined with Loldaiga. In the same land that is being fenced, he is openly saying that this is a route for animals to go to the river; this is another route and this is another.

That when we make the fence we will manage the routes, so that anybody crossing through the routes must sign a book. That is how crazy these people are. They have fenced the routes that animals use to go to the river and whenever animal routes are closed, those animals automatically come to the community. Therefore, the human-wildlife conflict can be reduced through this. When we open the holding grounds and routes for livestock it will help our community, and the big budgets that we would want to invest in making those fences.

Hon. Speaker, if you look at the motion, why I am saying it is so broad and can be of benefit to each of us, if we have cooling facilities in those areas… I can attest to this because two or three years ago we were able to get milk coolers worth over eight million. One milk cooler is between eight and nine million. We got them from the Ministry of Agriculture when the minister came from our county. The milk cooler that was brought to Mukogodo East where Hon. Shuel is, and I am sure that is why he has this pain; a milk cooler worth Kshs. 8.5 million, they could not get any land where they could place that milk cooler. The community was forced to do a fundraiser to get a house in a shopping centre to do such a big project.

Currently as we are speaking and Hon. Shuel can attest to this, that group is unable to pay even the rent. You are given Kshs. 8.5 million and you cannot get anywhere to place that milk cooler. You are forced to rent a house worth five thousand shillings per month, somewhere where there is no security, and you are placing a machine worth Kshs. 8.5 million. These are some of the things we should now be addressing; we should be discussing such issues. There are lands set for these but they are grabbed by individuals. Maybe that individual was senior in the government, maybe it is just a foreigner who came.

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Do not forget that these foreigners who come here are too proud. If you ask Hon. Gatati from Salama, he can measure the level of pride that they have. They even ask you whether you have seen any elephant written their names. They openly say that, yes, they are Kibuku, but have you ever seen any elephant with their name written on them? They are not mine, they are just animals here. They are too proud and are the ones who have encroached and grabbed these holding grounds.

You know people might mistake that a holding ground is an area of one or two acres. If you go to Segera you will find a holding ground of 33 acres grabbed as we talk now. They are big lands, big spaces. If you go to Olpejeta itself, a big ranch that touches Tigithi, that is why I am saying that this is cutting across the whole county. They have holding grounds amounting to over 400 acres. Yet they are here and there is no revenue that we are getting from them. They are just there, proud and enjoying themselves with those lands. Then we find that when the pastoralist communities want to move their animals from Juakali towards maybe Solio, they have nowhere.

That is why you are finding a young boy in Nanyuki town centre with two hundred cows who wants to go to Naromoru but there is no access route. They are using the town centre. You find them in Joskaki with two hundred cows. When night comes and they want to hold their animals somewhere and the nearest place they can hold them in is the Assembly. One day you will find them here in the Assembly holding their animals in here waiting for morning to come in order to move them to Naromoru. In our tradition, where I come from, during this dry season one day I found about a hundred animals at a place where we have placed our milk cooler in Umande.

When I found a hundred cows there, I am sure you know what I suspected. I called my village mates to wake up and not to sleep that day. That I have seen animals around our village. How do you find two hundred animals in Umande yet we do not have pastures. These people were moving to Mount Kenya, but now night has come and they have nowhere. So they held them just four hundred metres from my place, and because the biggest animal I have is a dog, I called my people and told them not to sleep. That I have seen over a hundred cows around our village and I am suspecting that the ones you have, that these people will come and pick your cows at night and merge them with theirs. In the morning, you find that there are no cows in the whole village.

That is the perception, I told them not to sleep and they woke up. Why are we finding ourselves in such situations? It is because a few selfish individuals grabbed the holding grounds in our area, they closed the livestock routes in the area, and so they find themselves in an awkward position. That is why I am saying that if you have animals in Mukogodo East and you want to make them go and feed in Naromoru, you have no choice but to pass through the town centre. Now imagine two hundred cows and three hundred goats crossing through the CBD of Nanyuki town. What do you expect?

So, Hon. Speaker, it is so serious, and if we can have our committees and our county government comes up and conducts an inventory of all those holding grounds without fear or favour; because the governments that we have, I do not know what happened to them. I do not know what happened to leadership in Africa. They bow before whites and forgot that they got independence. When you send the County Government of Laikipia to Olpejeta, immediately they see a white man I do not know what comes to their minds. They cannot even access there because of fear of the whites.

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Hon. Speaker, we need the County Government of Laikipia to stand firm. Conduct the inventory of the holding grounds irrespective of where they are. We get them, let us know them, let them the community know it is a holding ground. It is not an individual property. Let the community know that this is a route for livestock.

When they see livestock when I am not a pastoralist, I feel comfortable because they are on their route. When I see them around my piece of land, I suspect that these people want me to sleep. When they do illegal grazing in my half an acre of land, tomorrow morning I will find no maize in my land so I will be so uncomfortable. We may talk about business, empowering our people.

How do we empower our people when the lands alternately are grabbed? How do we empower our people when the areas we are supposed to have slaughterhouses are grabbed? How do we talk about empowering our people whereby correction centres are already grabbed? How do we talk about empowering our young people when we cannot ensure there is efficient market? We must face reality and stand firm to say what is right and what wrong is. It is you speaker who is seated in this ground you are not supposed to be here you must move irrespective of your position. I was just giving an example.

In fact, I am sure you are one of the people who are fighting for this holding grounds to be back. As an Assembly, we need to stand firm. First by passing this motion, the county Government of Laikipia is in support of this. That no Hon. Member even today even if I represent the people of Umande and there is a livestock route, I will not go defend that person who has encroached. I will stand firm with the government and tell the government this is the route we need opened.

We as Hon. Members, by passing this motion it is a message that the County Government of Laikipia, the executive arm has the blessing of this Assembly. So that they may with an inventory, not just an inventory, lets have the status whether the holding grounds exist whether someone built a big mansion there; whether it became an individuals land. Let us know the status first. When we get the status, when we ask ourselves how do we face this challenge? Hon. Speaker, I second this motion and call upon Hon. Members to support this motion.

By supporting, it is telling the executive arm of government they have our blessings. If they do not conduct the inventory and come up with the status, whether the holding grounds exist then we will feel that the executive arm is not cooperative. We will feel they have either colluded with the whites and few selfish black individuals to harass our people and put our County into unnecessary problems. Illegal livestock business and encouraging criminals to come to the little that our people have.

Hon. Speaker, I second and call upon Hon. Members to support the motion. It is good for all of us, it is good for every village in this County and every Ward in this County. I second and believe that the Members will support. Thank you.

Speaker: Thank you, Hon. Leshuel and Hon. Mugweru.

(Question proposed)

Speaker: Hon. Members, I now open the floor for debate. The Hon. Mugambi Gatati.

Hon. Mugambi Gatati: Thank you, Mr. Speaker, for giving me this chance. I would like to say thank you to the mover of the motion; Hon. Leshuel. It is an important motion and I support

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it, I am one person who has suffered due to grabbing of livestock holding grounds in Salama specifically, area code Ganoini. We have four hundred and five acres grabbed that was meant for livestock holding. I want to thank our Governor, during his regime he built one class meant to be in Ganoini Secondary School as a way of preventing the grabbing of the livestock holding ground.

Let me go to the specific points that can help us here. I think the main thing that can help us here is the audit and the report of the identification of areas and the status of the land. In addition, something else mentioned in the motion about the movement routes. Pastoralist community in Laikipia do suffer a lot. Nowadays, when I am going home there is somewhere in Tigithi Ward that you find this people grouping their animals and you can tell they are already suffering.

We have a lot of courage of holding lands and livestock moving routes. This is a very valid motion, especially holding to the point that Laikipia is made up of a big number of pastoralist. I support this motion and I think it will be a good thing to especially sermon the CECM for Infrastructure so that we can have a one on one dialogue. Thank you Mr. Speaker.

Speaker: I give this opportunity to Hon. Lekopien Member for Sosian Ward.

Hon. Parleto Lekopien: Thank you Mr. Speaker, I stand to support the motion and actually, it's very high time that we need to engage the CECM for lands to actually start going round to pick on all the lands that belongs to the government. Hon. Leshuel is talking about the stock routes; we have roads that are accessed through he farms that no one knows.

In this case, there is a road that used to be a livestock route from Kinamba to Kirimon that goes through Loisaba and some other few ranches, which has been permanently closed. We all know it is a stock route and at the same time, it is a public road and access road that connects Samburu with Laikipia. Due to negligence of the government and the power of these private ranches, they have completely closed the route and you cannot access.

Hon. Speaker, since you have the full knowledge of Sosian, you can agree with me that there is a road that connects Kinamba to Kirimon. Therefore, we just want to urge the CECM for Lands to stand with us. We also want to compel them because we want to know what belongs to the government. Secondly, we have also had issues of government wanting to have land, for example to show the people on some issues of development like the feedlots.

We would also want to urge the government to put into consideration these livestock routes and holding grounds so that they can use those holding grounds to give practical work to farmers and the locals around. As we speak, there ere are about 400 acres of land or more that are enclosed within Olpejeta, which is a huge ranch. It is unfortunate that if people from Tigithi want to access Hon. Salim's Ward in Ngareng'iro, you will either have to drive through Salama all around or through Nanyuki to go to Ngareng'iro.

To my understanding, when they were doing the planning, maybe there is a road that connects Ngareng'iro to Tigithi but just because of the powers of Olpejeta and these other ranches, all the roads have been closed. I would urge the CEC concerned to ensure that we all identify these routes so for the sake of the public to access and know their rights.

Thirdly, being a pastoralists and actually these two past years, there has been a bad drought. We have had issues of accidents because there is no proper livestock routes. Therefore, the locals end up walking their cows through the normal busy traffic. From Rumuruti, if you want to access

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Naromoru, sometimes you have to come via Nanyuki and go all around walking your cows through all this traffic.

We have had cases of cows being killed by vehicles through the roads while in the real sense, there are livestock routes which have been closed and the pastoralists suffer humiliation going through towns. At times, just sleeping besides the road and people making fun of them. Sometimes even the drivers would just drive through killing the cows and goats and drive away. You get the traffic police coming because it is the pastoralists who is on the wrong just because of walking his cows on the road while they all know that there is a livestock route which has been closed by some powerful individuals and nobody dares talk about that.

We should compel the County Government and the CECM for Lands to identify all these roads because they will be beneficial to both the farmers and the pastoralists. They will also be beneficial to the County Government because that is where they are going to carry their activities in terms of vaccination grounds in different areas and communities. I am in full support of the motion and Thank you.

Speaker: Thank you, Hon. Lekopien. I think I will do the honours and invite the mover of the motion to reply.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I would like to take this chance to thank the Members for their healthy contribution. It is a demonstration that they will support the motion because they have seen the importance of the same. I am sure that this can be very helpful to the entire county. We must wake up because if you divide your land today, the first thing that the government will do is to look into accessibility. How come that somebody who owns thousands of acres cannot give us a route to the other side? That is very unfair. Even if the plan is not there, the government can gazette anything if they see the importance of having a route somewhere.

For example, you cannot connect Umande to Doldol unless you come through Nanyuki. Why don't we have a connection directly to that place and you know the majority of people from Umande, are farmers who can take their produce to the market? So today we are talking of livestock routes and holding grounds but tomorrow we shall talk of access. Even if your land is not public, we are going to make it a public. Otherwise, we cannot sit here and allow other people to kill the economy of others in the name of conservation. No, we must define this conservation to be an economy and a benefit to people but not something that only benefits individuals. I want to thank the Members for their concern. Thank you.

(Question put and agreed to)

ADJOURNMENT

Speaker: This House now stands adjourned until tomorrow Wednesday, 15th March 2023 at 9.00 a.m.

The House rose at 3.34 p.m.

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