REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 21st July, 2020

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

[Deputy Speaker (Hon. Daniel Nyausi) in the Chair]

PRAYERS

STATEMENTS

RESPONSE TO A STATEMENT ON NANYUKI AND NYAHURURU MUNICIPALITY CHARTERS

Deputy Speaker: Hon. Members, I can see that we have a response to a statement by the Finance Committee requested by Hon. Chris Mark Said. The response is here. I do not know if there is any Member of the said committee who has been mandated to read the statement on behalf of the Chair and the entire committee. What is it Hon. Suge? Do you want to respond?

Hon. Joseph Suge: Yes. Mr. Speaker, I wish to respond to this statement on behalf of the Chair. He has just texted me that he is on the way coming. I would wish to respond since I have even seen the mover of the statement is around. Mr. Speaker, if you allow me I can then proceed.

Mr. Speaker, Sir, a statement was tabled in the Assembly by Hon. Chris Mark Said on 20th May, 2020, requesting for a response regarding Nanyuki and Nyahururu Municipality Charters. The statement was committed to the Committee on Finance and County Planning with a directive to table a response to the House. The committee did a letter to the County Executive Committee Member, Finance Planning and County Development vide ref CGL/ CA/CM/007/02/vol.1/006 dated 21st May, 2020 and a reminder letter ref CGL/CA/CM/007/02/vo.2/007 dated 16th June, 2020 requesting for the submission of response to the statement. The response was received on 22nd June, 2020 as follows;

On why the Nanyuki and Nyahururu Municipality Charters are yet to be considered in the Assembly yet they were tabled in July, 2018. I wish to responds as follows;

That the Urban Areas and Cities Act, 2011 section 9(3) provide that for a town to be classified as a municipality the town had to have a population of at least two hundred and fifty thousand residents according to the final Gazette results of the last population carried out by the Kenya National Bureau of Statistics. This was in addition to have an Integrated Development Plan, demonstrate revenue collection potential, have the capacity to effectively and efficiently deliver

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services, have space for expansion and basic infrastructural facilities like street lightning, markets fire stations and capacity for efficient waste disposal.

The act was however amended through the Urban Areas and Cities (amendment) Act No.3 of 2019 and reduced the number of residents to at least fifty thousand and provide the services listed in the first schedule of the Amendment Act.

These services included; planning and development control, traffic control and parking, water and sanitation, street lightning, outdoor advertising cemeteries, and crematoria, public transport, libraries, storm drainage ambulance service health facilities, firefighting and disaster management, control of drugs, sport and cultural activities, electricity and energy provision (gas, kerosene *etcetera*), abattoirs, refuse collection solid waste management, pollution (Air, water, soil) control, child care facilities, pre-primary education, local distributor roads, community centres, county hospitals, constituent university campuses, polytechnics, county schools, stadium, airstrip, theatre, library/ ICT services, administrative seat, Local Economic Development Plan, museum/ cultural centres, fire station, emergency preparedness, telecommunication services/ postal services/ ICT, funeral parlour cemetery, recreation parks, animal control and welfare and religious institution.

Mr. Speaker, the Kenya National Bureau of Statistics undertook the Kenya Population and Housing Census in 2019. The results of the census were as follows in a table that shows the population.

Urban centre	Male	Female	Total
Nyahururu	18,304	19,345	37,650
Nanyuki	36,343	36,468	72,813
Rumuruti	6,696	6,359	13,056

Mr. Speaker, the conclusion is that from the foregoing, Nanyuki Town qualifies to be a Municipality while Nyahururu to be a town. Nanyuki would therefore join Rumuruti which qualified to be a municipality by the virtue of being the gazetted headquarter for Laikipia County despite not meeting the population threshold. In addition, Nanyuki and Nyahururu towns are well catered for with the pre-requisite services in terms of revenue, infrastructure, waste disposal and the rest.

Way forward is to ensure that Nanyuki and Nyahururu realize the municipality and town status respectively, the following will be done as per the following proposed timelines.

S/No	Action	By when	Responsibility
1.	Present the Nanyuki Municipality charter	30th September, 2020	Laikipia County Executive Committee
2.	Prepare the Nyahururu Town Charter	30th September, 2020	Laikipia County Executive Committee

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Mr. Speaker, this is the response from the Executive Department on Finance. It is in regards to the question or the statement which was asked by Hon. Chris Mark Said requesting to know the position of the Executive in upgrading our two major towns, Nanyuki and Nyahururu, to be among the municipalities in this country.

Mr. Speaker, as per the report there was a guideline that was given under the Urban Areas and Cities Act 2011 that shows how a town has to be upgraded to a municipality. Previously, the population should have been around two hundred and fifty thousand people for any town to qualify to be a municipality. We know Rumuruti currently enjoys the privilege of being a municipality not by meeting this threshold but because this Assembly approved Rumuruti as the County Headquarters of which the National Government then gazetted it.

We have seen another town after the review of the Urban Areas and Cities Act. Our next town to be upgraded is Nanyuki whereas Nyahururu will still enjoy the privilege as a major town in this County. I would urge the Members to agree with the statement. I know the mover of the statement is around. He will also give his final say on this response. That is the much I can say as per the response of this statement. Thank you.

Hon. Chris Mark: Thank you, Mr. Speaker. It is good that the Committee has done its verification and brought us the status of where these charters have reached. The purposes of conferring these as either a municipal or a city is because of those things that have been said there. For the proper planning and even management of either the town or the municipality.

It is good that this has been presented to the House. Basically, if you look at the Urban Areas and Cities Act which was also recently amended to reduce the numbers. It is actually the role of then Assembly once the charter has been drawn, to pass for the purposes of a municipality. As for the town, they say the Governor can come up with a town committee for the purposes of this management.

I would say, with this I am well satisfied from where I sit. I just hope that the timelines as stated here of presenting the charter for Nanyuki Municipal by 30th of September are actually met so that they are not just looking good on paper but they can actually be actualised. With that I commend the committee for doing their job. I have given them many statements. This one I would give them 9.5 out of 10.

It has not even taken time. Some others take months. I think the committee is improving and it is good because they are also accepting criticism. When we say they should be up to date they are now becoming up to date, thank you.

Deputy Speaker: We are still on statements. There must be another statement but I can see Hon. Catherine.

Hon. Catherine Nyawira: Thank you, Mr. Speaker. I also wish to put my voice into this statement. I can see that the guidelines are very clear on this Act. Specifically, I want to speak

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about Nyahururu Town. It is for a fact that Nyahururu Town collects more revenue than Nanyuki Town besides it having a higher population. If you look at the infrastructural development in Nyahururu Town it is almost the size of Nanyuki Town.

Therefore, I do not know how these boundaries are done for Nyahururu Town alone. My wish is that the town boundaries should be looked at more clearly because the facilities available are those that are listed here. In revenue collection Nyandarua heavily lives in Nyahururu Town so this town qualifies more to be a municipality. I would want the Finance Committee to ensure that they also put that voice so that Nyahururu town is not left out. Thank you.

Hon. Joseph Kiguru: Asante, Mheshimiwa Spika. Nimesimama kwa sababu Mheshimiwa Catherine alikua na jambo. Mmoja wa wanachama wangu amepitia habari hii na nyinyi nitasema ya kwamba ni kazi ya Bunge hili. Tunajua ya kwamba wananchi wanahesabiwa usiku na wengi wa wale watu wanaofanya kazi na biashara katika mji wa Nyahururu hulala Nyandarua na tulidhibitisha nambari.

Nikifikiria kuhusu Nairobi unakuta ya kwamba kunayo *Metropolitan* na unakuta ya kwamba haiguzi tu mji wa Nairobi ila inaguza karibu kaunti tano. Bunge hili likitaka Nyahururu iwe manispaa lije na mpangilio wa kuhakikisha kuwa tunaweza kushirikiana na Nyandarua kuhakikisha ya kwamba tumejenga manispaa ya Nyahururu tukitumia idadi ya watu pasipo kubadilisha mipaka ya kaunti. Sisi kama kamati tumejaribu kuangalia mambo yote na tutakuja na ripoti nyingine zaidi ya hii. Asante sana Mheshimiwa Chris kwa sababu wakati ulituuliza sisi kama kamati tuliketi na kujaribu kuweka ramani vizuri.

Tukija na hiyo ripoti nina hakika Bunge hili litakubali ya kwamba Nyahururu imehitimu kuwa manispaa lakini lazima tuvuke ng'ambo kwa ushirikiano kati ya kaunti za Nyandarua na Laikipia. Nina hakika kunao uwezekano kwa sababu wale watu wanaokaa, kufanya kazi na kujenga uchumi wa Nyahururu wengi wako ng'ambo. Pasipokuwa na kuguzwa kwa mipaka kuna uwezekano wa kuhakikisha kuwa Nyahururu imekuwa manispaa. Nilitaka tu kuweka hivyo kwamba kupitia kwa yale maswali Mheshimiwa Chris aliyauliza tumeketi kama kamati na tutakuja na ripoti ya kuonesha ya kwamba tumetimiza idadi inayotakikana. Asante, Mheshimiwa Spika.

Hon. Irene Wachuka: Asante sana Bwana Spika. Ninataka kumshukuru Mheshimiwa Chris. Kama vile Mheshimiwa Kiguru kutoka Igwamiti amesema hata ukiangalia juzi wakati wa Huduma Nyahururu ilikuwa na watu wengi sana. La pili kama vile unasikia watu kutoka Nyandarua na upande wa Ndaragwa Magoini, wengi wao wanapiga kura Nyahururu kwa sababu wanafanya biashara huko. Ninataka kumshukuru Mheshimiwa Chris na kusema kuwa Nyahururu imehitimu kusalia manispaa kama vile ilivyokuwa kitambo. Hata ukiangalia vile hesabu ilivyofanywa wakati wa huduma Nyahururu ilipaswa hata kugawiwa wadi tatu kwa sababu wale watu ni wengi. Vile mnavyosikia watu wengine wakiongea kuwa mtu mmoja, shilingi moja na kura moja ikiendelea hivyo Nyahururu inahitimu hata kuwa eneo bunge.

Ninasimama kuunga mkono na kusema Nyahururu imehitimu kuwa manispaa kama vile ilivyokuwa hapo awali. Ninamshukuru Mheshimiwa Chris Mark na hatuangalii kwa sababu

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ninaishi Nyahururu ila maendeleo ya Kaunti ya Laikipia na ndipo tuko kwenye nyumba hii. Asante.

Hon. Daniel Mugweru: Thank you, Mr. Speaker although I did not want to contribute. I just wanted clarification from Hon. Members because I did not understand whether to be a municipality, the qualification is the population on the ground or the registered people who vote. They are confirming that the population in Nyahururu is low and many people are visitors in the morning and in the evening they go back to their homes. I was only concerned about that because I thought that it is about population and not the people who travel for distances to come and vote.

Deputy Speaker: So Hon. Deputy Chairperson for Finance, I think the Member has requested for more information on what he has just mentioned.

Hon. Joseph Kiguru: Mheshimiwa Spika, nilikuwa nimeomba ya kwamba kuna ripoti ingine ambayo italetwa kwa Bunge kuelezea yale pengine angetaka kuelezewa. Kwa hivyo ni vizuri Mheshimiwa Daniel angojee na asiruke mbele ya ngoma. Angojee ngoma ipigwe ili aweze kuruka.

Deputy Speaker: Thank you, Hon. Chair. The Member just wanted to have information on the same but it is good that the information is underway. I am very sure that the Member will be happy to hear such because he requested for it and if the response is on the way then it will be nice. I believe that we have got another statement from the same Committee of Finance and Planning.

RESPONSE TO A STATEMENT ON ANNUAL REPORT BY THE LAIKIPIA COUNTY DEVELOPMENT AUTHORITY BOARD.

Hon. Joseph Kiguru: Thank you, Mr. Speaker, Sir. A statement was tabled in the Assembly by Hon. Christopher Mark Said on 2nd May, 2020 requesting for a response regarding Nanyuki and Nyahururu Municipality Charters. The statement was committed to the Committee on Finance and County Planning;

1. On why there have been no annual reports submitted to the County Assembly as stipulated in Section 16 of the Laikipia County Development Authority Act and I wish to respond as follows;

- That, until the Financial Year 2019-2020, the Laikipia County Development Authority has been working under the umbrella of Finance Department. The affairs of the authority were being managed as an internal Department of Finance. This explains why annual reports have been submitted separately from the Finance Department because it was being managed and audited under the Finance Department.
- The authority is now semi-autonomous and therefore the Finance Department shall be submitting the annual reports to the authority as stipulated by the law.

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2. On the development programs that the Laikipia Development Authority Board has undertaken so far and I wish to respond as follows;

- That, the Authority's Strategic Priorities and Objectives (2018-2021) are as attached.

Mr. Speaker, because the Hon. Members have got the same report, I think that it is for him and other Members to go through it and get to know the plans that the Laikipia County Development Authority has for this great county. As I can see in the attached document, it seems that there are very many MOUs between the authority and other partners like the Laikipia University, the CITRAD and Dedan Kimathi University. So…

Deputy Speaker: What is it Hon. Chris?

Hon. Chris Mark: Mr. Speaker, let me interject just a bit here. The statement is already confusing and this being a House which is guided by serious laws and precedence, this document needs to be edited so that we can debate. If it goes on record, it is confusing because even the Chair himself was a bit confused when he started reading where he stated about municipal charters. Maybe it is an honest confusion because it is the same committee dealing with municipal charters.

In this House I think we need a bit of decorum. This document should be brought again when it is properly constituted especially on the first part. I'm trying to think on how to debate it and I am a bit confused. If it goes on record that this is something that was talking of municipal and later changed, even the Chair was reading in isolation.

Deputy Speaker: Thank you, Hon. Chris for that observation and also thank you, Chair for Finance and County Planning for trying to go ahead to making us understand that there was a typing error. You tried as much to correct but I think Hon. Chris is very much on the right side that this is a House of order. We don't need to have correction verbally based but it is wise that we need to have a record that can go into the archives of this county for many years.

We therefore need to correct the portion in this statement with some typing errors and then it will find its way in this House as soon as possible. Even tomorrow will be possible if this correction will have been met. Therefore, I would wish to say that this statement be brought tomorrow on the floor of this House in the afternoon.

ADJOURNMENT

Deputy Speaker: The sittings of this House now stands adjourned until tomorrow morning Wednesday, 22nd July, 2020 at 9.00 a.m.

The House rose at 3.00 p.m.

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