REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 25th April, 2023

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

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

PRAYERS

Speaker: Hon. Members as we prepare to start our sessions, please allow 5 minutes for the Order Paper to be ready.

(Silence for 5min)

PAPERS LAID

OVERSIGHT REPORT ON LAIKIPIA COUNTY GOVERNMENT ENFORCEMENT TRAINING UNIT

Hon. Samuel Gatati: Thank you Mr. Speaker I beg to lay the following Paper;

The report on an oversight visit to Laikipia County Government enforcement training unit by the County Cohesion, Justice and Legal Matters Committee dated 18th April, 2023.

(Hon. Samuel Gatati laid the Paper on the Table)

CBROP, DMSP AND CFSP REPORTS

Hon. Nicholas Mwaniki: Thank you Mr. Speaker I beg to lay the following Papers;

a) The report on Laikipia County Budget Review and Outlook Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

b) The report on Laikipia County Debt Management Strategy Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

c) The report on Laikipia County Fiscal Strategy Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

(Hon. Nicholas Mwaniki laid the Papers on the Table)

NOTICES OF MOTIONS

WASTE DISPOSAL MANAGEMENT POLICY IN THE COUNTY

Hon. Leila Hussein: Thank you Mr. Speaker. I beg to give notice of the following motion;

THAT, AWARE THAT County Health services, including in particular refuse removal, refuse dumps and solid waste disposal is a function of the County Government as stipulated in Part 2 of the fourth schedule of the Constitution of Kenya 2010;

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FURTHER AWARE THAT domestic and Industrial discharges of waste pollute air, land and water with pollutants and toxics that can harm human and animal health and plant life;

NOTING THAT waste technologies must therefore grow hand in hand with changing societal complexities to cope with the high volumes and new types of wastes produced;

OBSERVING THAT the question of cost arises and becomes significant where national economies are weak or disorganized;

CONCERNED THAT Garbage heaps lying uncollected poses a health threat to the residents of the county as well as destruction of the beauty within the major towns within Laikipia County;

FURTHER CONCERNED THAT Urbanization is associated with increased generation of solid waste;

COGNIZANT that Poor solid waste management has negative health impacts, including the spread of infectious and non-communicable diseases, environmental degradation and greenhouse gas emissions;

This House URGES the County Government to;

a) Create education awareness to its residents on proper waste procedures and disposal as well as waste reduction and recycling in order to reuse and recycle waste products in households.

b) Formulate policies that govern Waste Management in order to curb the negative short- and long-term impacts on human health and the environment in general and punish the law breakers of it.

c) Come up with strong enforcement plans to compel town dwellers and estate owners to ensure that household waste is disposed-off in the designated dustbins.

d) Forge strong partnerships with private waste handlers and come up with policies to encourage recycling and promotion of consumption of finished recycled products by the locals as well as for external markets.

e) Support youth to run garbage collection and disposal business in Nanyuki, Nyahururu, Rumuruti and other upcoming towns.

f) Undertake intensive community training programs on reduction, reuse and recycle domestic solid waste across the major and upcoming towns in the County.

g) To design, expand, construct a new sewer treatment plant in Nanyuki town and relocate the existing one from residential area.

OVERSIGHT REPORT ON LAIKIPIA COUNTY GOVERNMENT ENFORCEMENT TRAINING UNIT

Hon. Samuel Gatati: Thank you Mr. Speaker. I beg to give notice of the following motion;

THAT, this Assembly adopts the report on an oversight visit to Laikipia County Government enforcement training unit by the County Cohesion, Justice and Legal Matters Committee dated 18th April, 2023.

REPORT ON LAIKIPIA COUNTY FISCAL STRATEGY PAPER

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Hon. Nicholas Mwaniki: Thank you Mr. Speaker. I beg to give notices of the following motions;

THAT, this Assembly adopts the report on Laikipia County Fiscal Strategy Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

REPORT ON LAIKIPIA COUNTY BUDGET REVIEW AND OUTLOOK PAPER

THAT, this Assembly adopts the report on Laikipia County Budget Review and Outlook Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

REPORT ON LAIKIPIA COUNTY DEBT MANAGEMENT STRATEGY PAPER

THAT, this Assembly adopts the report on Laikipia County Debt Management Strategy Paper, 2023 by the Select Committee on County Budget and Appropriations dated 20th April, 2023.

MOTION

REPORT ON LAIKIPIA COUNTY BUDGET REVIEW AND OUTLOOK PAPER

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. Hon. Speaker, I beg to move the following motion;

THAT this Assembly adopts the report on Laikipia County Budget Review and Outlook Paper 2023 by the Select Committee on County Budget and Appropriation dated 20th, April, 2023.

Introduction

Legal basis for the preparation of CBROP

Mr. Speaker, Preparation of the annual County Budget Review and Outlook Paper (CBROP) is guided by Section 118 of the Public Financial Management Act, 2012 which states that;

1) The County Treasury shall-
   a) Prepare a County Budget Review and Outlook Paper in respect of the County for each financial year; and
   b) Submit the paper to the County Executive Committee by the 30th September of that year.
2) In preparing its County Budget Review and Outlook Paper, the County Treasury shall specify
   a) The details of the actual fiscal performance in the previous year compared to the budget appropriation for that year.
   b) The updated economic and financial forecasts with sufficient information to show changes from the most recent County Fiscal Strategy Paper.
   c) Information on-
      (i) Any changes in the forecasts compared with the County Fiscal Strategy Paper or

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(ii) How actual fiscal performance for the previous financial year may have affected compliance with the County Fiscal Strategy Paper for that financial year, and

d) Reasons for any deviation from the financial objectives in the County Fiscal Strategy Paper together with proposals to address the deviation and the time estimated for doing so.

3) The County Executive Committee shall consider the County Budget Review and Outlook Paper with a view of approving it, with or without amendments within fourteen days after its submission.

4) Not later than seven days after the CBROP is approved by the County Executive, the county Treasury shall-

a) Arrange for the paper to be laid before County Assembly and

b) As soon as practicable after having done so, publish and publicize the paper.

Significance of the CBROP

The purpose of this paper is to enable the County Government review its previous fiscal performance and how it impacts on the financial objectives and fiscal responsibility principles set out in Section 107 of the PFM Act; its likely impact on the level of future revenues; expenditures; and set the preliminary sector ceilings to enable sectors prepare their annual estimates. C-BROP helps link policy formulation and planning to service delivery.

This review is based on the fifth fiscal year of implementation of the second County Integrated Development Plan and the Third Medium Term Plan (MTP III 2018-2022), that guided budget preparation and implementation in the County. This C-BROP is based on the MTEF priorities that include

- Development of fiscal framework that projects revenues and expenditure in the medium term (multi-year).
- Development of sectoral programs, objectives, outputs and activities.
- Review of programs, sub-programs and cost estimation.
- Development of sectoral expenditure frameworks, analysis of inter- and intra-sectoral trade-offs, consensus-building on strategic resource allocation.
- Definition of sector resource allocations setting medium term sector budget ceilings.
- Preparation of sectoral budgets and medium-term programs based on budget ceilings

These takes into account priority needs of the citizenry in the devolved system of government. Objectives of the CBROP

The core objectives of CBROP are;

(i) To provide details of the actual fiscal performance of the financial year 2021-2022, and deviations from the approved budget of the same year.

(ii) To specify the updated economic and financial forecasts in relation to the changes from the forecasts in the County Fiscal Strategy Paper of February, 2022.

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(iii) To provide information on any changes in the forecasts compared with the CFSP of February, 2022

(iv) To specify how actual financial performance for the year 2021/22 may have affected compliance with the fiscal responsibility principles, or the financial objectives in the CFSP.

(v) To provide reasons for any deviation from the financial objectives in the CFSP of February, 2022 together with proposals and timelines to address the deviations.

Mr. Speaker, Sir, the Select Committee on County Budget and Appropriations is comprised of the following members;

1. Hon. Mwaniki Muturi - Chairperson
2. Hon. Stephen Ndiritu - Vice Chairperson
3. Hon. Paul Leshuel - Member
4. Hon. Nicholas Lempaira - Member
5. Hon. Mwangi Benson Kuria - Member
6. Hon. Irene Wachuka John - Member
7. Hon. Maina John Gichuki - Member

Acknowledgements

Mr. Speaker, Sir, allow me to thank those who participated in discussing the County Budget Review and Outlook Paper (CBROP). The office of the CECM for Finance and Economic Development and his team is appreciated for ensuring that the paper was ready and presented within the stipulated time for discussion. Mr. Speaker, Sir, the committee appreciates the office of the Speaker and that of the Clerk of the County Assembly for the support received in discharging its mandate and scrutinizing the 2021/2022 financials and outlook for the coming year.

Mr. Speaker, Sir, it is therefore my pleasant duty and privilege on behalf of the Budget and Appropriations Committee to table this report and recommend it to the House for adoption.

Progress Report on Budget Implementation

Mr. Speaker, this report is presented at a time when the national economy is being impacted by both external and internal shocks. Prolonged drought impacted our local economy and led to reduced agricultural production. Increased fuel and fertilizer prices due to the on-going Russia-Ukraine war negatively affected the county's agricultural production. Internal political pressures occasioned with street demonstrations.

Mr. Speaker, the county has prioritized payment of essential services like salaries and other services and is still being faced with financial challenges as the wage bill for 2021/22 is still higher than the recommended 35 per cent of the total county revenue.

The County Annual Procurement Plan 2022/23 and two-year prequalification plan (2022/23-23/24) are in place and uploaded to the IFMIS. In addition, continued sensitizations on compliance with AGPO and e-procurement system are expected to ensure inclusivity and efficiency in supply chain management. The county leadership is still on the progress of restructuring its procurement process to ensure successful bidders are published and publicized.

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Mr. Speaker, despite the economic challenges faced nationally and locally, the county realized increased revenue collection by 7.4 per cent as compared to the financial year 2020/21. The local revenue collection during the period July-mid September 2022, recorded Kshs. 111,836,922, which represents 8.6 per cent realization of the projected annual target of Kshs. 1,295,719,999. This slow start to the collection may be attributed to the prolonged droughts and political uncertainties which have impacted both local and national economy.

Observations

Mr. Speaker, from the analysis, the committee observes as follows;

1. That, the performance of Own Source Revenue is poor. The county treasury explained that the land rates are not performing well.
2. That, the Finance and Economic Planning recurrent allocations performed beyond expectation. The department utilised up-to 106% of the allocations they received with Rumuruti utilising 48% of its allocation.
3. That, on Developments, the Department of Finance and Economic Planning performed poorly, they utilised up to 7% of the allocations they had received.
4. That, the County Assembly and Rumuruti Municipality Board managed to absorb 100% of the budgetary allocations they received. Land, housing and urban development absorbed 91% and County administration managed to absorb up to 89% of the budget.

Conclusions

1. That, the Revenue board to ensure efficiency in revenue collection to meet own source revenue targets
2. That, the county treasury to ensure prudent management of the scares resources by adhering to provisions of the Budget Estimates for the financial years
3. That, the county treasury to ensure that expenditures incurred are promptly paid to avoid accumulation of pending bills as highlighted on poor absorption of development funds.

Thank you, Mr. Speaker. I request Hon. Stephen to second.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Nasimama kuafiki ripoti ambayo imetayarishwa na Kamati ya Bajeti. Kwanza namshukuru Mwenyekiti kwa ukakamavu na kuweza kutupitishia ripoti kama kamati ilivyoketi na kuiangalia. Hii nakala ambayo ni CBROP huwa inaeleza ni idara gani inayotumia pesa vizuri na ni gani isiyotumia pesa vizuri. Kwa kuwa Wajumbe wana hii ripoti, nafikiri wamepitia na kuiangalia na kujua ni wapi ambapo idara zinalegea. Kwa hivyo, tunaposoma hii ripoti, inatupa nafasi ya kutayarisha *County Fiscal Strategy Paper.* Kwa hivyo, tunapoweka dari, hii ripoti ndiyo itatueleza ni idara gani isiyotumia pesa vizuri na isiyofaa kuongezewa pesa.

Bwana Spika, kama ambavyo Mwenyekiti amesema, kuna idara ambazo zimetumia pesa vizuri sana, kwa mfano Idara ya Fedha, kwa upande wa matumizi. Wametumia hadi 106%. Hiyo inamaanisha kuwa ile pesa wanayo ni kidogo, wanatumia hadi kuzidisha. Inafuatwa na Bunge la Kaunti ambayo imetumia asilimia mia moja, kumaanisha pesa yake imepangiwa vizuri na kuweza kutumika.

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Kwa hivyo, tutakapoingia kwenye CFSP tutaangalia ni idara gani ambayo haikuweza kutumia pesa. Kwa mfano Idara ya Fedha inaonekana ina uwezo wa kutumia pesa. Unapopewa pesa, kabla ya kupewa nyingine baada ya mwaka ni sharti tuangalie umetumia vipi. Kama hujaweza kutumia pesa, inamaanisha kuwa pesa tuliyokuwa tumeweka hapo ili itumike kuwapa wananchi huduma haikutumika.

Hapo nafikiria wanachama wameangalia vizuri. Hiyo ni idara ambayo tutaangalia pia Bunge la Kaunti kwa sababu wana uwezo wa kutumia pesa yake kulingana na vile wameekewa na kiwango.

Kwa hivyo, mimi nafikiri hiyo ripoti inatupatia changamoto wakati ambapo tutakuwa tukipatiana ama kupitisha bajeti, hizi idara ziweze kufanya kazi. Ukiangalia kama Idara ya Biashara na utalii, wametumia asilimia tisini na nane. Hii ni kumaanisha ile pesa iliyotengewa kwa ile idara, pesa ambayo hutegewa idara sio pesa ya kuweka mifukoni. Ni pesa ya kupatia wananchi huduma.

Idara kama hii ya kilimo imeweza kutumia asilimia tisini na nane ni kumaanisha ya kwamba wako na uwezo na hata tukiweka bajeti nyingine, tuwaongezee pesa, wako na uwezo wa kutumia zile pesa na kusaidia wananchi ambao wanangoja kupatiwa huduma. Ukiangalia upande wa maendeleo, kuna idara ambazo Bwana Spika, upande wa maendeleo wametuangusha kabisa.

Kwa mfano, Idara ya fedha na uchumi, kumaanisha zile pesa ambazo tuliweka pale ili wananchi waweze kupata huduma bora hawakupata. Haikutumika. Walitumia asilimia saba. Asilimia saba kwa pesa zote ni kumaanisha hiyo Idara ikifika ni upande wa maendeleo, kamati ya bajeti pamoja na Kaunti tutakaa chini na tuone ya kwamba hawana uwezo wa kutumia pesa za maendeleo.

Kwa hivyo, itakuwa ni mzuri, kuhamisha pesa zile na kupeana kwa idara ambayo inaweza kupeana huduma kwa njia ambayo inayofaa. Nikiangalia hii ripoti Bwana Spika, Bunge la Kaunti tena limeenda asilimia mia moja. Kumaanisha wale viongozi ambao tuko nao na ambao wanaongoza Kaunti wako na uwezo wa kutumia pesa kwa njia ambayo inayofaa na kufuata sheria. Pesa sio kutumia tu, ni kutumia kulingana na vile Bunge ilipitisha.

Kwa hivyo, hiyo ni Idara ambayo inaonekana inafanya vizuri. Ikifuatwa na Rumuruti, Manispaa ya Rumuruti imeweza kutumia asilimia mia moja. Wanafuatwa na ardhi ya makazi na maendeleo ya mijini. Ni kumaanisha idara ya maendeleo ambayo inatumiwa sana kwa ujenzi wa barabara Bwana Spika wameweza kutumia pesa kwa njia mzuri. Ndio maana leo katika sehemu nyingi kama Thingithu, Umande, Tigithi, Nyahururu na huyo laini yote, kumaanisha wananchi wako na barabara.

Hata kama hawana barabara ile pesa ambayo ilitengwa ilitumika kwa njia iliyofaa na hakuna pesa ambayo ilirudi hazina. Bila kuweka mambo mingi sababu wanachama wana hili nyaraka wameweza kujionea wenyewe. Ikija ni wakati wa makadirio na CFSP Bwana Spika, tutakuwa makini tutakapokua tukipitisha ndio tujue ni Idara gani inaweza kupewa pesa na kutumia kwa njia inayofaa.

Idara nyingine imefanya vizuri ni ya utawala, wamefanya vizuri. Maendeleo ni asilimia themanini na tisa na mara kwa mara ni themanini na tisa. Hiyo ofisi ama idara ya utawala ni kumaanisha watu wanalipwa mishahara, kila kitu kinaendelea vizuri. Bima zinalipwa na mambo yote ya Kaunti iko sawa. Kwa hivyo, nitaomba wanachama wakati tutakuwa tunapitisha, bajeti tuweze kuangalia Utawala wa Kaunti na huduma za umma.

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Kwa hivyo Bwana Spika, mimi naunga mkono na kuipongeza Kamati ya bajeti kwa kazi ambayo wameweza kufanya kwa umoja, ukakamavu, na kuhakikisha ya kwamba kila kitu inaenda sambamba. Mambo yote iwe imepitishwa kulingana na sheria iliyowekwa. Nashukuru na ninaunga huo mkono.

Speaker: Thank you the Hon. Mwaniki and the Hon. Stephen Ndiritu.

(Question proposed)

Speaker: Members the floor is open for debate. The Hon. Mugambi Gatati.

Hon. Mugambi Gatati: Thank you. Hon. Speaker for giving this chance. I also want to thank the budget committee for the work well done. For sure, this is an important document. I had a comment, the comment was well captured by the Chairperson that we were facing some crisis of Covid 19, other problems of drought and other major problems that face the country.

I think as an Assembly it is good that we prepare the budget outlook paper. Maybe when we are budgeting now, we make sure the factors that were affected to be given more funds so that we can revive our economy. I had a concern of the departments that are not using their funds to completion. That is a sign that some works are not being done.

It is also good as an Assembly for a different committee to follow up those who are not using their funds well. That is a good job and I want to congratulate the Budget Committee. Thank you.

Hon. Irene Wachuka: Asante sana Bwana Spika. Kwanza ni kushukuru Mwenyekiti wa Kamati ya Bajeti na kamati pia kwa kuchukua huo muda mrefu na mgumu. Kama hatuna bajeti, hatuwezi kuendelea mbele kama Bunge lakini walichukua jukumu lao na kukosa kulala. Bajeti ni mambo ya hesabu na kama hatuna pesa, hatuwezi kuendelea na hili Bunge. Nataka kusema asante kwa kamati ambao walijitolea kama vile naibu wa mwenyekiti amesema kuhusu hii ripoti. Singetaka kuongea sana lakini nikushukuru kamati ambao walikaa chini siku tano wengine hawakulala kwa sababu bajeti ni mambo ya hesabu. Kwa hivyo, naunga mkono hii bajeti. Asante.

Hon. John Gichuki: Asante, Mheshimiwa Spika. Mimi sina mengi ila kujipongeza mimi mwenyewe kwa sababu nilikuwa katika hiyo kamati ambayo ilifanya hiyo kazi. Nampongeza pia mwenyekiti wetu, Mheshimiwa Mwaniki na wanakamati wengine ambao walikuwa ndani. Haya ni mambo ya hesabu na wengine wetu hatukuwa wazuri kwa hesabu katika shule, lakini tulijaribu. Asante.

Hon. Benson Kuria: Shukrani Mheshimiwa Spika. Nikisimama mbele ya hili Bunge, naunga mkono nyaraka ambayo imeweza kuwekelewa mbele yetu na mwenyekiti. Nashukuru kwa sababu najua ya kwamba ilikuwa kazi ngumu. Namshukuru Mheshimiwa Leshuel, Lempaira, Ndiritu, Gichuki na Irene. Kweli tulifanya kazi na ikakubalika. Ndiposa mimi nasimama kusema ya kwamba naunga hii nyaraka mkono 100% ambayo imeletwa na Mheshimiwa Mwaniki.

Hon. Salim Edung: Asante, Bwana Spika kwa kunipatia nafasi hii. Kwanza napeana pongezi kwa Mwenyekiti wa Bajeti kwa sababu aliona ya kwamba ni vizuri tuangalie haya hesabu na tutaweka pesa wapi na itafanya kazi ipi. Katika hii nyaraka, hao Wabunge waliiangalia kwa makini sana na wakasema ya kwamba itakapofika wakati wa bajeti, kuna mgawo ambao wataweka mahali ambapo itasaidia katika hili Bunge na pia mashinani. Sisi kuja katika hili Bunge kuna watu ambao huwa tunawakilisha huko mashinani na ni lazima tuwape huduma.

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Nashukuru Mheshimiwa Lempaira na timu yake kwa sababu ilifanya kazi. Hata kama haukulala siku hiyo wacha tuwatetee kwa sababu ya kazi nzuri ambayo mmeifanya lakini sio nyinyi mjitetee. Ni sisi ambao tunafaa kuwatetea kwa sababu mmefanya kazi nzuri. Asante.

Speaker: Thank you, Hon. Members, reading the mood of the House, allow me to invite the mover of the motion to reply.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I stand here to appreciate all the Hon. Members for supporting this motion because it is timely. If at all we don't look back on the expenditures of last year. We can be able to focus on the future and budget for the coming years. Thank you.

(Question put and agreed to)

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until tomorrow Wednesday, 26th April, 2023 at 9.00 a.m.

The House rose at 3.05 p.m.

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