REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 27th August, 2024

The House met at the Assembly Chambers at 10.00 a.m.

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

PRAYERS

QUORUM CALL

Speaker: Without quorum, I direct that the bell be rang for ten minutes.

(Quorum bell rang for four minutes)

Speaker: Hon. Anthony.

Hon. Anthony Theuri: Thank you, Mr. Speaker. I can see the bus is full, the conductor is here and the driver is ready to take us to the destination. We have the quorum sir.

Speaker: Thank you. I was wondering of the bus around here but thank you for that information. Clerk, confirm if indeed we have the quorum.

(Quorum confirmed)

Speaker: Now that we have quorum, I direct that the bell stops ringing and that we move to the business of the House for today.

MESSAGES

RE-ORGANIZATION OF THE LAIKIPIA COUNTY EXECUTIVE

Speaker: Hon. Members, in this order of messages, I want to let the House know that I have a message from H.E the Governor. The message is dated 21st August, 2024 with the title organization of the Laikipia County Executive. In exercise of the powers conferred by the Constitution of Kenya under Article 179 read together with Section 31(b) and (d) and Section 45(5) of the County Government Act, 2012 and all other enabling laws;

I Joshua Wakahora Irungu, EGH Governor Laikipia County, do hereby and direct the organization and restructuring of the Laikipia County Executive and the subsequent leadership and administration as follows;

	DEPARTMENT PORTFOLIO	COUNTY EXECUTIVE MEMBER	CHIEF OFFICERS
1.	Administration, Devolution, County Coordination and Public Service Management,	Purity Kendi Gitonga	-Burje Mohamed Ibrahim-Executive Office of the Governor, Administration, Devolution and County Co-ordination. -Mike Kemboi Kipchumba-Public Service Management, Public

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			Participation, E-Governance and Public Communications
2.	Roads, Public Works, Lands, Housing, Energy and Urban Planning	Martin Ekwam Nabos	-Eng. Macharia Peter Gathecha-Roads, Public Works and Transport. -Eng. John Mwangi Gichuki-Lands, Housing, Energy and Urban Planning
3.	Water Sanitation and Environment, Natural Resources and Climate Change	Leah Njeri	-Abraham Samuel Lemanyishoe-Water, Sanitation and Climate Change -Stephen Nuru Lapian-Environment, Natural Resources and Rangeland Management
4.	Health Services	Albert Wagura Taiti	Dr. Panga Timothy Kipkopus-Laikipia Health Services
5	Education, Gender, Sports, Youth and Social Services	Stephen Biwott Kisorio	-Jecinta Koree Segetet-Education, Vocational Training and Library Services -Kenneth Irumbi Kibaara-Gender, Sports, Youth, Culture and Social Services
6.	Finance, Economic Planning and County Development	Samuel Wachira Gachigi	-Daniel King'ori Ngumi-Finance and County Treasury -Samuel Njuki Mahiga-Economic Planning, Enterprise, Trade and County Development
7.	Agriculture, Livestock, Mechanization and Co-operative Development	Dennis Edwin Ole Kasoo	-Elizabeth Wangari Mwangi-Crop Production, irrigation Development and agricultural Mechanization -Mary Wanja Gichuru- Livestock, Fisheries, Veterinary Services and Co-operatives Development.

It is further ordered and directed as follows;

a) THAT the changes outlined in herein shall take effect immediately;

b) THAT the officers and offices involved should ensure smooth and seamless transition and proper handing over;

c) THAT this order supersedes any other order or declaration with regard to assignment or re-assignment of any of the officers.

This was dated in 21st August, 2024 and received on 23rd August, 2024. Thank you. That is the communication from H.E the Governor for letting the House to know the re-alignment he has done in the Government. Thank you, very much. What is it, Hon. Stephen.

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Hon. Stephen Ndiritu: Mheshimiwa Spika, nilikuwa ninataka kutoa maoni yangu kuhusiana na hio ripoti umesoma. Ni vizuri kwa sababu wakati wowote ripoti inasomwa kama hio ya kubadilisha CECM na CO ni jambo ambalo linahusu mambo ya Kaunti. Kama waakilishi, pia tuko na maoni kwa sababu huwa tunaulizwa maswali na wananchi. Kwanza, nataka nipongeze wenye wameteuliwa kwa sababu wameteuliwa kulingana na vile mtu amehitimu.

Jambo la pili, wakati tumesikia hayo majina, mimi mwenyewe kuna vile nimeangalia. Kama mwakilishi ya watu wa Thingithu, kuna maswali nimejiuliza. Swali la kwanza, wale ambao umesoma, wengine tulisimama hapa na kutoa pesa katika wizara yao kwa vile hawakuwa wanafanya kazi vizuri. Itakuwa ni jambo la kudunisha Bunge kwamba yale tunaona ni mabaya, inaonekana upande mwingine ni mzuri.

Bwana Spika, kuna afisa mkuu mmoja ambaye alitumia pesa vibaya na tukatoa pesa, hasa michezo. Leo tumeona ametolewa kwa Michezo akaletwa kwa hizi fedha za shule *(Bursary).* Sina imani tena kwamba ile pesa iko pale ya *bursary* itapeanwa kwa nia ambayo inastahili.

Jambo la pili Bwana Spika. Wakati ujumbe kama huu unafanywa, nilikuwa nimeuona kwa Mshamba News. Nashindwa, hapa Bungeni inakuja tu kutangazwa. Kitu imejulikana kila mahali. Sasa hii Bunge ni ya nini? Saa zingine naona tumekuwa '*tugege*'. Mambo inafanyika Bwana Spika ujue usijue, shauri yako. Uletewe wiki ijayo ama mwezi ujao, hakuna anayejali.

Bwana Spika na wajumbe, tunafaa tusimame kidete katika sehemu yetu. Mambo itafanyika hapa Kaunti na mengine sisi tutakuja kuaibika. Ni hayo tu kwangu na nawapongeza wale wameteuliwa. Wakati huu tunalalamika, nchi na Kaunti hazina pesa. Badala ya kupanua hii serikali, tungepunguza ndio tupate pesa ya kuwalipa na kufanyia wananchi kazi.

Bwana Spika, tunapoongea wakati huu, hata hili Bunge, hawa wajumbe hawana pesa. Pesa imeisha kisha tunaambiwa tena serikali ni kubwa Kenya iendelee. Kama wajumbe wacha tujiangalie na tujue sisi ni nani, tuko hapa kufanya nini. Ni kama sisi ni vikaragosi kwa sababu vile mambo inaendelea, inaniambia na nitasema kama nabii huko mbele ni kama kuna giza. Mungu atusaidie. Asante.

Speaker: Thank you Hon. Member. Just to let you know, the County Departments have been reduced from Eight (8) to seven (7). The other thing is a communication message from the Governor which is a realignment of his government without further expansion. Thank you.

PAPER LAID

REPORT ON THE ACTING STATUS OF THE CHIEF OFFICER IN THE DEPARTMENT OF AGRICULTURE.

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

Report on the acting status of Chief Officer in the Department of Agriculture.

(Hon. Nicholas Mwaniki laid the report on the table)

NOTICE OF MOTION

REPORT ON THE ACTING STATUS OF THE CHIEF OFFICER IN THE DEPARTMENT OF AGRICULTURE.

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

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THAT this Assembly adopts the report of the Sectoral Committee, Labour, Social welfare and Community Services as the Acting Chief Officer in the Department of Agriculture dated 21st August, 2024.

Thank you, Mr. Speaker.

STATEMENTS

STATEMENT ON THE RUMURUTI AGGREGATED INDUSTRIAL PARK.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. Pursuant to the provision of Standing order No. 45(2/c), I wish to seek a Statement from the Chairperson Trade, Tourism and Cooperative Committee regarding the above-mentioned subject. Statement on the Rumuruti Aggregated Industrial Park.

Mr. Speaker, the Rumuruti aggregated Industrial Park was commissioned on 18th September, 2023 by the former Minister of Investment Trade and Industry Hon. Moses Kuria and H.E the Governor, Hon. Joshua Irungu. The County Government in its budget for the Financial Year 2023/2024 set aside Kshs.242 million for the construction of the industrial park. There was also an unconditional grant of Kshs.100 million in the same Financial Year set aside for the industrial park.

Mr. Speaker, nothing much has been accomplished close to a year after the launch. I hereby request the Chairperson for Trade, Tourism and Cooperative Committee to inform this Assembly on the following;

1. What the department has undertaken so far in the construction of the park.
2. Planned completion period of the park.
3. Fund utilized so far in the construction of the park.

Speaker: Thank you. I would like to have a conversation with the Chair. What time do you need to prepare for the response?

Hon. Simon Kanyutu: On behalf of the Chair, you can give us two weeks.

Speaker: Hon. Mwaniki, are you okay with the two weeks?

Hon. Nicholas Mwaniki: Yes Mr. Speaker.

Speaker: Within two weeks, I am looking forward that this response be availed.

CONVERSION OF PUBLIC LAND TO PRIVATE LAND

Hon. Stephen Ndiritu through Hon. Anthony Theuri: Thank you, Mr. Speaker. On behalf of one Hon. Nicholas Lempaira, from Mukogodo West, I am going to read this statement. On the same, they say that the Speaker is always blind but it seems that you are more blind because during the communication you have just given, One Hon. Mugweru had switched on his microphone for more than five minutes. I can see on his face that he is not a very happy man. I don't know what you are going to say to him because once he is in this House, he not only represents the people of Umande but the whole Laikipia…

Speaker: Duly noted Hon. Anthony.

Hon. Anthony Theuri: You need to have a cup of tea with him. I know him because he is my friend and he is also very good in keeping grudges. So, allow me to read the statement Mr. Speaker.

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Speaker: Proceed.

Hon. Stephen Ndiritu through Hon. Anthony Theuri: Statement on conversion of public land to private land in Sosian, Segera, Salama, Rumuruti Township and Mukogodo West Wards. Under the provision of the Standing Order No. 45(2), I wish to seek a statement from the Chairperson of the Finance and County Planning Committee regarding the subject mentioned above.

Hon. Speaker, Article 40 of the Constitution of Kenya 2010, provides that the subject to Article 65, every person has a right either individually or in association with others to acquire and own property of and description land in any part of Kenya.

Hon. Speaker, Article 67(2)(a) stipulates that the National Land Commission was established in order to manage the public land on behalf of the National and the County Governments. In Kenya, the transfer of public land to private ownership is governed by Section 9 of the Land Act No.6 of 2012 and Land (Conversion of land rules) 2017 amongst several laws and legal frameworks. These laws ensure that the process is transparent, fair, and in the public interest.

Hon. Speaker, plans are underway to issue and allocate land belonging to the County Government of Laikipia to non-residents in the following wards;

1. In Lonyek, Kirimon and Kinamba in Sosian Ward.
2. In Naibor in Segera Ward.
3. In Salama and Rumuruti Ward.
4. In Morupusi Ranch in Mukogodo West Ward.

Hon. Speaker, I request the Chairperson for Finance and County Planning Committee to inform this House on and or:

a) Whether all steps from application to gazettement and registration strictly adhered to the legal frameworks to avoid disputes and reversals.

b) Provide a detailed explanation of how this conversion serves the public interest. Include an assessment of the expected benefits to the community, economy, or national development.

c) Whether the public participation process was conducted in accordance with the law, including the nature of the consultations, the feedback received, and how it was addressed.

d) Provide an Environmental Impact Assessment (EIA) report, if applicable, and outline any steps taken to mitigate potential negative environmental effects and detail the social impact of the conversion, particularly on communities currently using the land, and any measures taken to address their concerns, including compensation or resettlement plans.

e) Confirm that the conversion process has been conducted transparently, with all relevant information made available to the public and detail the steps taken to ensure accountability, including how compliance with the conditions of conversion will be monitored and enforced.

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Before I sit down, I'd like to say that I was reading it on behalf of the Member for Mukogodo West Ward, so, I won't add or subtract whatever is in this content. From the look of it, he seems to have duly done his homework well and I usually say when it comes to matters of land it is very emotional. Some of us were brought up in settlement schemes. We have never owned even a 50 by 100 more so a 40 by 80 land. It is very emotional. I am almost crying.

During the budget on the Finance Act while sitting in the same place here, I was the same person advocating that the settlers, the foreigners, the so called *wazungus*, have been taking advantage of us for the longest time. So, I urge this House especially my friend here, the Chairperson of the Finance and County Planning to be dealing with this issue.

Considering that we are sitting here discussing on Rumuruti, I urge this House to support this document and before doing so, we need to sit with the said Member, maybe he has more details than these. That should not divide this County of Laikipia. It should not divide this House and no one should take advantage or blackmail the investors. On behalf of Hon. Speaker, I am the messenger. Thank you.

Speaker: Thank you very much, Hon. Anthony Theuri for reading the statement on behalf of the Member representing Mukogodo West. Now, I want to return the baton to the Chairperson for Finance and County Planning Committee to tell us how long he would require to give a response to the statement, noting that the statement is quite elaborate; perhaps he is going to require a heavy response. How long would you think that you will be able to be ready with the response?

Hon. Stephen Ndiritu: Thank you, Hon. Speaker, looking at this statement and the question that has been asked, I request for one month. So that we can have a comprehensive report which we can table to this House in one month.

Speaker: Hon Anthony Theuri on behalf of Hon. Nicholas Lempaira, are you okay with a month's time?

Hon. Anthony Theuri: Thank you, Mr. Speaker. I totally agree because it is going to need a lot of paperwork and also a lot of research. I agree with him.

Speaker: I direct that within a month, the Committee on Finance and County Planning be able to present a proper, adequate and robust response to this statement. Thank you very much. Thank you, Hon. Members any other statements? Hon. Salim.

STATUS OF OCCUPANTS OF ANIMAL HOLDING GROUNDS AND CORRIDORS IN LAIKIPIA COUNTY

Hon. Salim Edung: Thank you, Mr. Speaker. Hon. Speaker, under the provisions of Standing Order No. 45(2) c, I wish to seek a statement from the Chairperson of the Finance and County Planning Committee regarding the subject mentioned above.

Article 40 of the Constitution of Kenya 2010 provides that Subject to Article 65, every person has the right, either individually or in association with others, to acquire and own property of any description and in any part of Kenya.

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.

Concerned that there exists several animal holding grounds and corridors in Laikipia County which are occupied, I request the Chairperson Finance and County Planning Committee to inform this House on the status of the occupancy of the animal holding grounds and stock routes and or:

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1. Provide a list of all officially designated animal holding grounds and corridors in the County and Indicate which of these areas are currently occupied, specifying the nature and extent of the occupation.
2. Provide the legal status of the identified animal holding grounds and corridors, including any official designations under national or county laws and Clarify any changes in status, including conversions or reassignments, and provide the legal basis for such changes.
3. Provide the details on the current occupants of these areas, including:
    - The number and identity of individuals, communities, or organizations occupying these lands.
    - The legal basis, if any, for their occupancy, including any agreements, leases, or permits issued.
    - Clarify whether these occupants are pastoralists, private individuals, or organizations, and the nature of their activities on the land.
4. Assess the impact of this occupancy on the primary purpose of the land, specifically its use for animal holding and as wildlife corridors and provide information on any displacement of wildlife or pastoralist communities, and any resulting conflicts or environmental degradation.
5. Confirm whether the occupancy complies with national and county land use regulations, including zoning laws, environmental regulations, and land use plans and indicate any violations of these regulations, and outline the steps being taken to address them.
6. Provide an assessment of the social and environmental impact of the current occupancy, including:
    - Effects on local communities, particularly pastoralists and indigenous groups.
    - Environmental degradation or conservation efforts, particularly in relation to wildlife movement and habitat preservation.
7. Outline the measures being taken by the relevant ministry to restore and protect animal holding grounds and corridors that have been illegally or improperly occupied and include details on any evictions, relocations, or legal actions being taken to reclaim and preserve these areas for their intended purpose.
8. Provide information on any future plans to ensure the protection and sustainable use of animal holding grounds and corridors and offer recommendations for policy or legislative actions that the legislature should consider to support these efforts.

Thank you.

Speaker: Thank you, Hon. Salim. This statement is also sought from the Committee of Finance and County Planning. I will therefore ask the Chair, knowing that you already have another robust and in-depth statement sought, how long do you think it will take to prepare it and make it ready for the House?

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Hon. Stephen Ndiritu: Thank you, Hon. Speaker. As I have said earlier, land is a very sensitive thing. I would request that this House gives us one month to respond to both statements. One month will be okay because we will work on them day by day.

Speaker: Hon. Salim, are you contented with a period of one month to receive a response?

Hon. Salim Edung: That is according to the Chair of the Finance Committee.

Speaker: Very good. I therefore direct the Chair of the committee to ensure both statements are available in the month within a month from now. Thank you very much. I wanted to give Hon. Mugweru a chance to comment, as I had promised, but it looks like he has dashed out.

ADJOURNMENT

Speaker: The sittings of this House now stand adjourned until later today, Tuesday, August 27, 2024 at 2.30 p.m.

The House rose at 10.43 a.m.

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