REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 25th October, 2023

The House met at the Assembly Chambers at 9.00 a.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR.

DELAY OF MORNING SESSION

Speaker: Hon. Members, I would like to communicate two things. One is to give an apology for starting late close to 10 minutes. We had a long HBC meeting which delayed our adjustment in terms of businesses for the day.

NANYUKI HOSPITAL VISIT

Secondly, I also wish to communicate to all the Members of the Health Committee that there will be an urgent visit to our hospital and after the session, you will be awaited outside by vehicles to be able to take you to the hospital here in Nanyuki. Thank you.

NOTICE OF MOTION

LAND DEVELOPMENT PLANS FOR URBAN AREAS

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I beg to give notice of the following motion;

THAT AWARE THAT County planning and development, including land survey and mapping is a function of County Government as stipulated in Part 2 of the Constitution of Kenya 2010;

FURTHER AWARE THAT unplanned developments, informal settlements, uncoordinated and unplanned land use and infrastructure development, large infrastructure and housing deficits are among the greatest challenges that Laikipia's urban areas face today;

CONCERNED THAT Good urban planning ensures good investment decisions are made hence optimal use of public resources and accelerated development;

This House URGES the County Government to:

1. Prepare and approve Geographic Information System (GIS) based Local Physical and Land use Development Plans for urban areas.
2. Finalize and implement the GIS based County Spatial Plan.
3. Development of GIS based County Land Information Management System
4. Survey of urban centres with approved plans
5. Promote alternative dispute resolution mechanisms in land matters

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6. Formulate County Land Policy and legal frameworks for improved land governance
7. Ensure that land use within urban centres and markets are in accordance with the approved County Spatial Plan.

MOTION

LAND DEVELOPMENT PLANS FOR URBAN AREAS

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I beg to move the following motion;

THAT AWARE THAT County planning and development, including land survey and mapping is a function of County Government as stipulated in Part 2 of the Constitution of Kenya 2010;

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5. Promote alternative dispute resolution mechanisms in land matters
6. Formulate County Land Policy and legal frameworks for improved land governance
7. Ensure that land use within urban centres and markets are in accordance with the approved County Spatial Plan.

Hon. Speaker, the motion that we are having today relates to the whole County of Laikipia. Probably, I might take long trying to make the Hon. Members understand as they prepare to go to the Nanyuki Teaching and Referral Hospital and other businesses because this is something that touches everyone.

Every ward in this county has got several shopping centres and markets. If today you go from Nanyuki towards Doldol, you will find so many shopping centres which do not grow. The reason as to why they do not grow is what I am trying to explain here so that the Hon. Members might understand what I am saying. For example, like Umande ward, you will find that there are shopping centres that do not even have a single permanent house. Those houses are made of wood. Some people go there and fail to understand why those people are not doing permanent houses in those shopping centres.

If you go to Segera or Mukogodo West, you will find a shopping centre that has got only two shops and fail to understand why the shopping centre is not growing. The reason is

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what I am about to explain to you Hon. Members. That is why I am preparing you that I am going to take more time than expected. The reason why all these centres do not grow is because most of them are not planned. The people who are there always have one fear that one day proper planning might be done and when the maps will be approved, probably your house or your plot might fall upon the access road.

If it falls under access road while you have already done a permanent house, it becomes a problem to you. So those people do temporary houses and that is why we have so many temporary centres in Laikipia County. The only solution to that is to work on planning of those shopping centres.

Hon. Speaker, if you go to Mukogodo East, a shopping centre like Ngenia, you will find that a plot is going for Kshs.200,000. The land rate for that plot, you are told that the pot is being sold for Kshs.200,000 and then after purchasing, you later find out there is a penalty for land rate amounting to Kshs.1 million. So, you purchase a plot thinking that it is 200,000 only to find out that there are penalties amounting to around Kshs.1 million.

So, Hon. Speaker, we need to plan those shopping centres. Immediately you plan a shopping centre, the following day the prices of those plots' hikes probably at over 100%. So, a plot sold at Kshs 100,000 and today the plan is approved, the following day you will find the same plot being sold at Kshs.1 million. It is our high time because it is an opportunity that we have been given by the people of Laikipia to serve them and represent them in this House so that we can feel that there is something we did for the people of Laikipia by bringing those shopping centres to growth.

Hon. Speaker, that is why I am calling upon the Hon. Members to support in urging the County Government to prepare and approve the geographical information system so that those shopping centres may start growing. That is why I am insisting that the County Government needs to finalize and implement the geographical information system based on county spatial plan. As we finalize and implement the geographical system, we base it on the county spatial plan so that everybody who thinks of coming to Laikipia will be able to understand for example, this shopping centre is Naibor and Naibor is 2 km from Nanyuki Town and it is worth this much.

We need to move to that level so that we can make our county grow and our markets improve. The survey of those urban centres is so important. I can give an example of a survey that was done in Kalalu Shopping Centre. The centre was given out in the year 1973 and was planned two years ago. Since it was planned, you can go to Kalalu Market and you will not believe. Thousands of people are there, those temporary houses have been demolished and they are now doing permanent houses. Why? Because planning has been done.

Hon. Speaker, if you go from Nyahururu to Rumuruti you will find so many shopping centres along that road, some of them temporary. So, it is our high time as this Assembly that we be counted among the people who did the best for the people of Laikipia to improve services, cost and market value of our shopping centres. None of the Members who are here do not have a shopping centre somewhere. So, you are not rising to support this because of Umande. You are rising in support of where you come from. So, everybody must be ready to support because you are not supporting it because of Mugweru but because of the people that you represent.

You might find yourself purchasing one in Segera or Marmanet. So, it is high time for us to decide that all shopping centres be planned. We also need to promote alternative dispute resolution mechanisms in land matters. If you go to places like… let me not mention them. If

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you listen to the mechanism that they use to resolve land disputes you will wonder whether we are in this generation. Some people believe that we must fight. Others believe that we must do borders and all that, but now this is the high time as an Assembly and the County Government of Laikipia that we work and bring out a new and modern mechanism for resolving land matters in this county.

Hon. Speaker, this one touches on everyone. The urban centres that we are talking about are not Nanyuki, Nyahururu and Rumuruti. We are talking about Gatundia, Kwa Wanjiku and those other small towns that we know in this county. We have so many of them. We have Naibor and Ilmotiok; those shopping centres. Those are the ones that we are talking about. Let all of them be planned properly and the plans be approved so that the services of those shopping centres may improve and their markets start getting value in this county.

I urge Hon. Members to support this motion. It is for their own good, the good of the people of Laikipia and will benefit all of us. As I wind up, I wish to call upon Hon. Stephen Ndiritu Kamau alias Kagondu, from Thingithu, because his shopping centres have been affected by the same and I know he will give details on this. I prepared Hon. Members that we were elected to be in this House, so we will take as much time as possible. So, I call upon Hon. Ndiritu to second the motion. Thank you.

Hon. Stephen Ndiritu: Asante, Bwana Spika. Nasimama hapa kuuafiki huu mswada. Vilevile, nataka kumshukuru Mheshimiwa Daniel Mugweru kwa kuleta mswada ambao ni wa maana sana katika Kaunti yetu ya Laikipia. Mambo ya uwekaji wa mipango ni muhimu sana. Kama vile ambavyo Mheshimiwa Mugweru amesema, tukikosa kuwa na mipango tunapanga kuanguka. Kwa hivyo, sisi kama viongozi ambao tumepewa jukumu na nafasi na wananchi ya kuja hapa kuwatetea tunafaa kufanya hilo siku ya leo. Wakati Mheshimiwa Mugweru anafanya hiyo kazi, ni mojawapo wa kazi ambazo alipewa na wananchi wake walipoamka saa tisa kuenda kuweka kura kwenye debe.

Hawa wananchi wanapoenda kupiga kura, wanapiga na kukaa hapo. Zinahesabiwa wakiwa hapo na ikitangazwa, wanakubeba kwa mabega hadi wahakikishe kuwa wamekupeleka mahali ambapo zinahesabiwa ili upewe cheti. Hii inamaanisha kuwa wale wananchi wanakupa majukumu yao yote uwatetee kwa hali na mali. Ndiposa wakati mwingine unakuta kuwa huko kuwatetea kwa hali na mali, badala ya hawa Waheshimiwa kuwa watu wenye mali wanaishiwa kwa sababu wanatumia pesa yao kwa kazi hii ya wananchi. Hatuna haja ya kuomba msamaha kwa hilo kwa sababu ni mojawapo wa kazi tulizopewa na wananchi.

Mheshimiwa Spika, mimi naunga mkono kwa sababu katika wadi ambayo nawakilisha kuna sehemu nyingi zinazostahili kufanyiwa mipango. Ya kwanza ni Baraka, ya pili ni Kituo cha Ununuzi cha Mirera na ya tatu ni Sweetwaters. Kuna pia Makutano, Thingithu Estate, Kwa Mbuzi, Ruai, Thingithu, Blue Gum, Teachers na Kilimo ambapo kwa wakati huu kuna mvua na kuna shida. Kwanza nataka kuwalaumu waliogawa hayo mashamba kwa sababu walipokuwa wanagawa, walisahau kuwa hilo ni eneo ambalo limeinama kwa hivyo lazima maji yaende huko.

Walipokata hayo mashamba, walifunga mahali ambapo maji yanafaa kupita. Walikuja na kugawia mtu ploti na kufunga hayo maji. Huwezi kuzuia maji. Ukijaribu kuzuia itakaa tu hapo hadi itakapopata mahali pa kupitia itoke. Kwa hivyo, Mheshimiwa Mugweru akisema tuweke mipango, itasaidia vizazi vitakavyokuja kwa sababu vitakuta mambo yamepangwa.

Tukiongea kuhusu mambo ya wadi yangu, kuna sehemu nyingi ambazo zinafaa kuwekewa mipango. Najua Likii inahitaji. Hata kama imechorwa tunataka iwe na vifaa vinavyohitajika. Kuwe na mfereji wa maji machafu na mambo yale yote ambayo wananchi

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wanahitaji. Vilevile, kuna hivi vituo vinavyoibuka. Nilipokuwa naenda Rumuruti nilisikia kuhusu nyingine inayoitwa Matigari. Nilishindwa kama ni Matigari ya Kamaru, Njirungi ama nani. Hiyo pia inahitaji kuwekewa mipango. Vituo kama hivyo vikipangwa inamaanisha kuwa watakaokuja hapo watakuta mambo yamepangwa jinsi inavyostahili.

Kuna kituo kingine kinachoitwa Mutara, Checkpoint ambacho ni kituo kinachochipuka. Tunataka ipangwe. Tunayo Matanya hapa ambayo pia inakuwa kwa kasi na tunataka iwekewe mipango. Tukimaliza hiyo, lazima tuwe na mpango wa ardhi ambao Mheshimiwa ameongea kuhusu. Kwanza niseme kuwa mpango ni muhimu. Katika wadi yake kuna mahali panaitwa Mugumo.

Hicho ni kituo ambacho kinakuwa kwa sababu imepangwa hata ikapata soko. Saa hii nafurahia hiyo soko kwa sababu wananchi wanaotoka kwangu, wauzaji wa mitumba na mboga wanatembea hapo kuuza na wakija hapa wanaleta pesa. Kwa hivyo, tunaleta ule mtindo wa kazi ni kazi, pesa mfukoni. *Bottom-up.* Watu wa kwangu wanafurahia hii serikali ya UDA kwa sababu ni ya kazi ni kazi na pesa mfukoni.

Kwa hivyo, tukiweka mipango kwa ajili ya vituo vidogo vidogo wananchi walio humo wataweza kuingia hapo na kufanya biashara. Hata walio na maduka katika hizo sehemu wanahitaji kuwe na mipangilio mwafaka ili ukitaka kujenga nyumba ya mawe unajua mpango ni upi. Nilienda Matigari nikakuta ni nyumba moja na miti miwili, na ni kituo. Hiyo inamaanisha kuwa kama ingekuwa imepangwa vizuri mtu mwingine angekuja ili angalau kuwe na maduka mawili ama matatu. Ndio maana ni vizuri kuwa na mpango.

Mheshimiwa Spika, kuna sehemu nyingine iitwayo Kiwanja Ndege. Hicho ni kituo kinachofaa kupangiwa vizuri. Nadhani katika siku za usoni tutakuwa na uwanja wa ndege hapo. Tayari wametengeneza ndogo, na Mswahili alisema penye nia pana njia. Inamaanisha kuwa watu walio sehemu hiyo wana mpango wa kuwa na uwanja wa ndege. Tusipokuwa na mpango basi kuna shida.

Ukienda kwa huo uwanja wa ndege, nyumba ambazo ziko mahali pale ukiwa ndani ni kama uko nje. Kama tutakuwa na mpango ni kumaanisha hao wananchi wa sehemu hiyo watakuwa na nafasi nzuri. Kuna ingine tulikuwa eneo hilo mahali kuna kizuizi, nafikiri Mheshimiwa Lempaira anaelewa vizuri. Sijui kama Mheshimiwa Lempaira atanikumbusha vile inaitwa? Ilpolei. Asante, sana Mheshimiwa wa Sosian kwa kujua sehemu zingine.

Ilpolei ni sehemu ambayo inahitaji kupangwa. Imekuwa mtaa na ile shida ipo ni kwamba hawana mitaro ya kutupa maji ya taka *(sewer line).* Unakuta hilo eneo hakuwezi pata mandeleo kwa sababu hawa watu wamebaki nyuma. Tusiseme kwamba ni watu wa kichaka na hawaelewi. Na kama hawaelewi tutawafundisha. Tunataka waelewe kwamba mitaa inahitaji kupangwa na kuwa na mitaro ya maji taka na pia vifaa muhimu.

Bwana Spika, nafikiri mswada ni wa maana na utatusaidia. Huu mswada sio wa umande. Ni wa Thingithu, Rumuruti, Nanyuki, Githiga, Olmoran, Sosian Mukogodo Mashariki na Magharibi na kwingine. Pia wale sijataja wadi zao na tuko na wao Bungeni, wanasimamia Kaunti nzima. Mheshimiwa Kamara, wadi yake ni Laikipia. Yeye anapimana na Gavana kwa sababu wadi zao ni kubwa.

Ni vizuri tukiwa Bungeni tujue jukumu letu. Mimi ni MCA wa Thingithu. Moile ni MCA wa Laikipia yote. Ni vizuri kila mtu ajue jukumu late. Kamara atajua ya Thingithu, Sosian na pia Mukogodo Mshariki na Magharibi. Ukiona akileta shida anajua lazima Laikipia ing'are.

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Kuna wakati nilikuwa mwenyekiti ya Biashara na uuzaji. Tulipoeda katika hio soko ya hapo kwake tulishangaa. Utafikiria kwa maana wao ni watu wa kichaka hawaelewi. Yale mambo tulikuta huko ukistaajabu ya musa, utayaona ya firauni. Huko hakuna nyumba. Na unakuta kuna ule wakati wa watu wazima. Unapata zile vitu vimemwagwa katika barabarani, kwa sababu wale watu hawajapangiwa mtaa wao.

Kuna watu watakuja wajitengee manyumba vizuri na ndio wale wanataka kujishughulikia wajishughulikie vizuri. Lakini hawa wanajishughulikia kila mahali. Nilishangaa. Tuchukue hili jambo kwa uzito na najua Lempaira atakuja kusimama aunge mkono maana anajua ile shida iko huko. Kwa hayo machache, naomba Bunge hili kutoka mkubwa na mdogo, mzee kama Kanyutu na mdogo kama Gitahi, waunge mkono. Naunga mkono na asante sana.

(Question proposed)

Hon. Simon Kanyutu: Thank you Mr. Speaker. I stand to support the motion. Before I contribute I first want to congratulate the girl at the gallery. When she was entering the gallery, I thought whether our Clerk had decided to wear uniform and go to the top. Maybe she is a sister or daughter to our Clerk. They completely resemble. I appreciate that.

On the issue that the Hon. Member from Umande has raised that planning is one of the issues that we can do for our settlers. As he was trying to mention a few of the centres that can be of benefit mostly to me, if we approve this I don't need to negotiate more. I am one of the people who has a ward with the largest number of small centres. He could not even mention Muguongo that is a trading centre though he maybe not aware. He could not mention kaptatet. These are small centres that are not planned. Thigio Centre up-to-date has never been planned. With this motion, I whole-heartedly support.

If we approve and we start the process of planning these towns I'll be the biggest beneficiary. I may not even say much. Having a motion that is beneficial not only to me but also to my people, I don't think there is anything more I can add. I urge all Members to approve it. I support.

Hon. Joseph Gitahi: Thank you Hon. Speaker for this opportunity. We have a problem here. Our gadgets are not operating. Not today or yesterday. They should be attended to so that we are able to follow the things that are happening around.

Having stated that I want to support the motion from the Member of Umande. This is a game changer in terms of how we organise business in Laikipia County and at length, how we organize revenue for this county and its own operations. You will realize just like Hon. Kanyutu is saying, we have a lot of rural centres that are yet to be planned. They have stagnated for years. If you go to a place called Tandare we have a centre that we share with Hon. Kanyutu. That centre was of the same size since early 80s and nothing has changed. We need to plan that town.

The seconder of the motion though he has left, he has stated that the structures based on the temporary nature and the lack of a good land policy. The structures set there cannot promote business. Most of them cede businesses to towns that area far. If you mention Tandare Trading Centre, all the economic strength is channelled to Kinamba or another place called Karandi. These people are economically deprived. It is an injustice to these people and we are stifling the economic development of that locality.

Apart from that, we have others. Hon. Mugweru has not visited Githiga severally. We have other shopping centres like Matuiku, 18 Shopping Centre, Kambi ya Chura and Mahua

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besides many others, just to mention a few. Due to lack of planning, these towns do not have basic social amenities. You will find a town and a shopping centre which is serving a big locality.

There is no health centre, there are no schools that lead to these places and we do not have water which is an important commodity for the development of these towns. I fully support that motion. Mr. Speaker, these shopping centres are the stimulus for economic development in the rural areas. When businesses are opened in these areas be they hotels, clubs, agrovets, money lending institution and Mpesa, they support the youth and their economic progress. It is on that point that I support this motion.

Additionally, Hon. Speaker, we would want to state that in these centres as this motion is being passed by the Members and implemented, we would want the National Government to partner with us. When these towns are not planned, we have a lot riparian land where water was supposed to pass. I fully blame the pears of Hon. Kanyutu who were former councillors. They messed up this county. They allocated themselves land even where water is supposed to pass and public facilities.

If you go and find the mess that has been done in our wards by the names of former councillors, is economic sabotage. As they seek addition of salaries, he has no authority to tell anybody…

Speaker: Order Hon. Gitahi! What is it Hon. Kanyutu?

Hon. Simon Kanyutu: Mr. Speaker, I am standing on a point of clarification. I am a former councillor and I would wish the MCA for Githiga to make a clarification on whether councillors allocate land or it is the District Commissioners (DC's) who were the Chairs of all the allocations that were done in the municipality. When I was the councillor, there was no allocation that was done by the council. It is the DC who used to share. In case there was any mess, let us not blame those who were there during that regime.

Hon. Joseph Gitahi: Hon. Speaker, unless you were born yesterday, you understand the powers that these councillors used to whip. We understand and we might not say much here…

Speaker: Hold on, Hon. Salim! Hold on, Hon. Salim! Let Hon. Gitahi make a response then I will give you.

Hon. Joseph Gitahi: Hon. Speaker, even without saying very many words, we know that the guilty are always afraid. You can see their response is very coordinated. Hon. Speaker, what we are saying is that through this motion, things are going to be streamlined so that if land was not for settlement and if land was not for sale, it should be recovered and used for public. We have grabbed public lands in our areas by the name of these things.

I don't want to speak much because of many reasons but I support the motion. Like I said, it is a game changer in terms of trade and promotion of further value chain. It will spring many value chains from agriculture. Thank you, Hon. Speaker. I know it is raising issues but let those affected responds to the issues. I support the motion.

Hon. Salim Edung: Nasimama kwa hatua ya ufafanuzi. Ningeunga Mheshimiwa Kanyutu mkono kwa sababu Mheshimiwa Joseph amesema ya kwamba wakati wa enzi ya madiwani, hao ndio walikuwa wanakata mashamba. Nikiangalia katika daftari, wale watu ambao wanapanga mashamba sio madiwani. Pia wale ambao walikuwa wenyeviti katika miradi

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ni DO na DC. Hao ndio walikuwa wanashughulika. Sijaona diwani akielekea katika eneo fulani na kusema ya kwamba wakate mahali.

Nilikuwa naongezea kwa maneno ya Mheshimiwa Kanyutu kwamba inastahili tuseme ukweli wa mambo. Hata kama hizo enzi tulikuwa madiwani, tulikuwa tunafuata sheria. Kuna watu ambao walikuwa wanafanya hiyo kazi. Asante, Mheshimiwa Spika.

Speaker: Thank you, Hon. Salim. I take this opportunity to invite the mover to reply.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I wish to thank the Hon. Members for supporting this motion. It is one of the beneficial motions in this House. The names that are given to those shopping centres because I was listening to Hon. Members who have contributed, I can tell how those shopping centres have been left behind. Even the names themselves especially the ones Hon. Kanyutu was saying in Marmanet for example, Thigio. If you know what Thigio is will tell you that it is a town that is abandoned.

He was talking about Gituamba, Kapkatet and Muguongo and those are names that tells that those shopping centres are not there. There is another one that needs a lot of planning called Kurum. The names are telling you that this is a very poorly done shopping centre. If you go to Ngobit, you will find a shopping centre called Matopeni. That tells you what type of shopping centres we are having. We have others called Withare, Kona Mbaya, Kihii wa Ringuo.

Hon. Speaker, in Ol Moran, we have a shopping centre called Njangili. These names tell that there is something wrong with us. They need proper planning. We should give them good names. We approve the plans so that those towns may grow. If you call a town Njangili, do you expect people to come and market in that town? If you call a shopping centre Kona Mbaya, do expect someone to come and invest.

Hon. Speaker, Matuiku and Kambi ya Chura in Githiga are names that are given to shopping centres that are not planned. Hon. Speaker, we need to think about Laikipia. We give them better names, we plan them, we approve those plans so that investors can be attracted by the name. There is another called Ngai Ndeithia (God help Me) yet you expect a serious investor to come there and invest his money in that shopping centre.

It is the high time the people of Laikipia and as a Third Assembly we rise to the occasion and support this motion. The Implementation Committee should make a follow-up and make sure that all shopping centres have been planned. After planning, those plans should be approved in this House so that we may be able to attract investors. We should give them good names because the name themselves speaks volume.

Those people who do not know Laikipia, that investor will be able to hear a shopping centre called Jerusalem and feel good. When you call it Kona Mbaya, you will discourage that investor. Hon. Speaker, I call upon Hon. Members to continue supporting this motion and it will be for our benefit. We are all going to benefit. Investors will be attracted to this county. We will stand one day and say that the County of Laikipia has got many investors because of a decision that we made today. Thank you, Hon. Speaker.

Speaker: Thank you, Hon. Mugweru for such a robust and entertaining motion. I have heard names I have never heard before.

(Question put and agreed to)

ADJOURNMENT

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Speaker: The sittings of this House now stand adjourned until later today Wednesday, 25th October, 2023 at 2.30 p.m.

The House rose at 9.59 a.m.

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