REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 7th April, 2021

The House met at the Assembly Chambers at 9.30 a.m.

[The Speaker (Hon. Patrick Waigwa) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk, confirm if there is quorum.

(Lack of quorum confirmed)

Speaker: I wish to instruct Serjeant-at-Arms to ring the bell.

(Quorum bell rang for 10 minutes)

Speaker: Clerk confirm whether we have achieved the necessary quorum.

(Quorum confirmed)

Speaker: Serjeant-at-Arms to stop the bell.

COMMUNICATION FROM THE CHAIR

STATUS OF COVID-19 IN THE COUNTY

Speaker: Hon. Members, I have received a communication although I will be reading it in the afternoon on the status of COVID-19 as far as this county is concerned. It is an analysis on how many people are in isolation and how many are in HDU. The department of health has wished to communicate with the Assembly on these matters. Therefore, I will be doing that in the afternoon.

At the same time as we all know that there is this the COVID-19 vaccine. Some of us have already received the vaccine, I personally got it three weeks ago and a few days. There are also Members of this County Assembly whom I know have received that vaccine.

Therefore, we thought it was proper for those who would wish to get a vaccine we make it easier for them to receive it. We need to record our names, there is somewhere we can do that and it's voluntary. The committee on health, now that we do not have the Chairperson here with us, we will have the Vice Chairperson record the names of all Members who would wish to have the vaccine.

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This is so that the Health Department can organize to come in here and give vaccines but this is dependent on our numbers. I also instructed the Clerk to do the same for the staff so that all of us in this Assembly who need to be vaccinated can make those necessary arrangements. Members, it is important that you register with Matunge and we can also communicate with other Members who have not arrived. Let as not fail to take the vaccine, there is so much in the social media about the side effects of this vaccine. I believe some of us are not behaving that way as per the things we see in the social media.

We are encouraged to take that vaccine as Hon. Members of the County Assembly since we interact with people here and there. We can also be looked at as the frontline because of the number of the people that we interact with. Therefore, it is important and you are encouraged to take that vaccine. But it is not a must. Make sure if you want to take that vaccine, register your name with Hon. Matunge. Thank you.

PETITION

WAIVER OF SINGLE BUSINESS PERMIT FOR KENYA PRIVATE SCHOOLS ASSOCIATION MEMBERS

Speaker: Hon. Members, I have a petition dated 26th March, 2021. It is addressed to us through the Office of the Clerk and also copied to H.E the Governor of the County Government of Laikipia and it is as follows;

REF: PETITION TO THE COUNTY ASSEMBLY.

Pursuant to Articles 37 and 119 and as per petition to the County Assemblies (procedure) Act, 2020 and the Laikipia Standing Orders on waiver of single business permit requirement for Kenya Private Schools Association Members in Laikipia County in 2021 by the County Government of Laikipia by the Kenya Private Schools Association Laikipia County Branch.

We, the Undersigned,

The officials of the Kenya Private Schools Association (also known as KPSA) Laikipia Branch in representation of private schools and colleges domiciled in Laikipia County draw the attention of the County Assembly to the following;

This petition concerns the request by KPSA to be exempted from the requirement to pay for the single business permit for the year 2021.

Whereas the Kenya Private Schools Association is a partner to the government by providing quality education to the children of Kenya in accordance to the constitution and all relevant legislation, the KPSA Members recognizes their roles as corporate citizens and have dutifully paid relevant fees and levies passed by the County Assembly of Laikipia in various Finance Bills/ Acts from time to time.

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The President of the Republic of Kenya in March of the year 2020 announced the closure of all schools due to the reported cases of COVID-19 in the country as part of the containment measures to stem the spread of COVID-19. I request that we interact and also consult silently.

THAT, before the closure of schools most of the Kenya Private Schools Association Members had applied and paid for the 2020 single business permits and these permits were therefore not utilized as the schools were closed.

Kenya private Schools Association petitioned to Laikipia that during the period of closure all members suffered loss of income and some members closed their schools completely for they were unable to pay rent and other recurrent expenditure.

THAT, whereas other social sectors of the economy were afforded COVID-19 packages, the government of Kenya promised Kenya Private Schools Association a relief package which at the moment is still working progress.

THAT, when the schools finally reopened the Members were forced to expand facilities so as to adhere to the Ministry of Health protocols in 2019. There are some counties that have provided support to private schools such as; County Government of Nakuru provided an emergency kitty for teachers in private schools

In consideration of the aforementioned challenges, the KPSA Laikipia County notes;

1. That the Laikipia County Government has got the powers to waive the requirement of KPSA Members to pay for single business permit for 2021.
2. The KPSA Members request the waiver for the year 2021 only for schools that had paid licenses for 2020.
3. The KPSA Members acknowledges the good working environment that has been created by the County Government of Laikipia.
4. The KPSA Members welcomes any other support that may be extended by the County Government of Laikipia.

The KPSA therefore acknowledges the power of this Honorable County Assembly to discuss issues of importance, private sectors and Members of the County.

The KPSA PETITION TO LAIKIPIA

THAT, the issues in respect of which the petition is made are not pending before any Court of Law, Constitutional or legal body.

Therefore, your humble petitioners PRAY that the County Assembly;

a) Duly and diligently responds to the matters raised in this petition.

b) That this petition be dealt with immediately in view of the urgency of this matter

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c) To do all and anything necessary permitted under the law and Constitution of the Republic of Kenya to grant this requested waiver.

And your PETITIONERS will ever pray.

Petitioned and dated this 19th day of March. 2021 at Laikipia.

PETITIONER;

For and on behalf of the Members of Kenya Private Schools Association Laikipia County Branch;

The under signed are,

Mr. Peter Kuraru

Chairman, KPSA Laikipia Branch

I.D.NO.0693842

P.O. Box 1683-10400

Cell 0728 631 011

Nanyuki, KENYA

Samson Mwaura

Vice Chairman, Kpsa Laikipia Branch

I.D NO. 2014501

P.O BOX 1683-10400 Nanyuki

Elsie Karugendo

Secretary, KPSA Laikipia Branch

I.D. NO. 14676554

P.O Box 1683-10400 Nanyuki, Kenya

Cecilia Gikandi

Treasurer, KPSA Laikipia Branch

ID NO. 5503016

P.O BOX 1683-10400 Laikipia, Kenya.

Hon. Members you can come in, Hon. Catherine. I wish to open this to the floor of the House before we commit it. It's important that I open it for Members to also make any comments

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or observation that may be helpful to the committee in making their determination, Hon. Deputy Speaker.

Deputy Speaker: Thank you Mr. Speaker, for giving me this chance to air out my views regarding this petition that we have received. I would like us to say that yesterday we had a petition in this House, which is more of less or similar but of course in a different department talking on different areas.

Mr. Speaker, it is my view that we are likely to get more petitions coming to the floor of this House. According to my view, I will say we are representing people and indeed we are. It's only that we can't think a hundred percent on what people think or what they want.

According to the state that we are in today in this County and indeed the country due to this pandemic, our businesses are really down and are going down every other day. For me, as much as we will commit this to a particular Committee, we still need to come out as the people's representatives and have a way forward. I propose that we have a general waiver of the licenses because it is not one, two, three or four businesses that are being affected by this matter. This is so that we can reduce the work of individual citizens who are grouping themselves and presenting petitions, and that will take time.

Let us see whether as a County we can reduce this. I know that tomorrow on Thursday we are having a meeting with the Governor. If all leaders would come together we can deliberate on that issue tomorrow to see whether we can relieve some percentages in our licenses so that people can be able to cope with the situation that we are in today. Otherwise, I wish the Committee well as they go out to look at the findings. My other recommendation would be to ask them to take less time so that we can beat the timelines. Thank you.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I also want to make my contribution on this. Yesterday we had the same and were talking of so many people with petitions. So many petitions related to waiver and all that will come. Education being very essential to this County and everyone, we need to look at it. As much as we support education, we must do these things with conditions. We must ask ourselves questions because now if we waive their single business permit, what will they as private schools waive for our pupils?

Mr. Speaker, we know how private schools operate. We will waive their business permits but at the end they will charge our pupils the same amounts they were supposed to charge even before the waiver. Whatever we are doing we must set strict conditions because these are business people. They want to make a businessman in this who is out to make much profit as possible.

Mr. Speaker, we might find ourselves waiving their business permits and on the other hand they are taxing our people. They will be charging our parents the same amount they could have charged even with business permits. Mr. Speaker, as I said yesterday, we might be opening a door that will put our county into many problems. Thank you.

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Hon. Peter Matunge: Thank you, Mr. Speaker. I wish to say one or two things on this petition. Yesterday we had a petition on the Bar Owner's Association and today we are having a petition by Private Schools. Tomorrow we shall have another petition by Matatu's and bodaboda's and the day after that we will have another petition from *mama mboga* and small businesses in this county.

We as Members and the representatives to the people, we need to wake up and see how we are going to work out these things. When we read the petition, they have mentioned what Nakuru has done as a county to caution their members on the issues of paying revenue and licenses. Mr. Speaker, I read somewhere that Machakos County has reduced their charges by 50% especially on large businesses that are whole sellers, supermarkets and other businesses operating in Machakos.

Mr. Speaker, the small businesses are tax waived. Since the breakout of COVID-19, the County Government of Laikipia has not taken any caution. The Economy of Laikipia needs to grow so that the businesses of Laikipia continue to operate. Mr. Speaker, as much as we need revenue we need to support businesses so that they can be able to generate revenue. Without businesses we cannot be able to generate revenue.

We need to have a serious discussion on this thing and agree how we are going to make a good report on all the issues of revenue charges and licenses. We shall be able to say who is going to be waived or released. We shall continue to receive more petitions. What they are telling us is that things are not normal and we need to work as representatives of the people so that we enable them to continue being in business.

As the Hon. Member for Umande raised it is true private schools are making and they are in business but at the same time they need to continue being in business. If we kick them out of business we cannot be able to collect revenue in the coming years.

They are in business but at the same time they need to be in business. If we kick them out of business, then we cannot continue collecting revenue in the next coming years. If we have them in business we will have them for posterity and for future.

Mr. Speaker, I think the oversight Committee, Finance, and Members in this House need to have a serious discussion on how we need to do a conclusive report on all the businesses in Laikipia and what steps we need to take. We had a discussion on the economic stimulus in this County. How do we want to support those small businesses? I have not seen anything happening in this County. We have put money in the budget and it does not happen. We have continued to collect revenue so that we are able to put economic stimulus and caution these people yet the money has not reached the *Mama mboga's, bodaboda, matatu* and private schools.

Mr. Speaker, it is the high that we have these charges reviewed or waived. I wish to urge the committee in charge to do a conclusive report with and have a serious discussion with all these Members and Executive so that they can do one report for all the businesses in Laikipia.

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Speaker: I think we can leave it at that. I do commit the Petition to the Finance and Planning Committee. I wish that the Chair, handles it with the urgency that is required. It is important for people to get feedback and know the decision the Assembly has made so that they may know whether they are getting the waiver or not. Kindly, I know you are equal to the task. Drive it as soon as possible.

ADJOURNMENT

Speaker: The House stands adjourn until later today Wednesday, 7th April, at 2.30 p.m.

The House rose at 9.29 a.m.

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