COUNTY ASSEMBLY OF LAIKIPIA

OFFICIAL REPORT

Thursday, 31st July, 2013

House met at 2.30 p.m.

[The Speaker, Hon. Beth is the chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

Temporary Speaker (Hon. Beth): Hon. Members we have communication that the Chairman of liaison needs to meet all the Members of the liaison Committee in the boardroom. Next order

MOTION

[Hon. Francis Mukuria]

Hon. Mukuria: Thank you Madam Speaker sir, I beg to move the following motion:

> ***THAT**, aware that Schedule four of the Constitution clearly outlines the functions to be devolved from the National to County Government; noting that the Transition to Devolved Government Act contemplates a process of transferring these functions from the National Government to County Government and recognizing that this transfer shall be guided by a statutory process;*
>
> *Appreciating that the Executive has or is going to apply for devolution of this transfer; noting that the County Assembly has already budgeted for these functions and that there are already ongoing discussions between the various government organs and agencies and more specifically the Transition Authority, Council of Governors, Senate, National Assembly, Commission for Implementation of the Constitution (CIC) among others on the process of transferring these functions;*
>
> *Noting further that County public works and services is one of the functions to be devolved and that the County Government has budgeted for this function for the financial year 2013/2014; appreciating that County public works and services is the backbone of planning and development that will ensure that any County development is systematic and not ad hoc;*
>
> *Noting that County public works and services as per the constitution includes storm water management systems in built up places, water and sanitation services among others noting that the County Assembly will finally make a decision on the transfer of this function as per the law; this*

Assembly urges the County Government to speed up its preparedness to receive and execute this function and takes all measures to ensure that the function is finally devolved in the immediate term and as per the law.

Madam Speaker sir, I beg to move this motion.

Temporary Speaker (Hon. Beth): Okay, Hon. Wakahiu on a point of order.

Hon. Wakahiu: Thank you Madam Speaker.

Temporary Speaker (Hon. Beth): Hon. Mukuria it is not in order to stand when one is on a point of order. Thank you.

Hon. Wakahiu: Thank you Madam Speaker, I do not know whether the Hon. Member is in order to refer to the chair as Mr. Speaker sir.

Temporary Speaker (Hon. Beth): Okay.

Hon. Mukuria: I do not think he got it right, I said Madam Speaker sir. Is that how it is said?

(*Laughter)*

You know we are not used to this Madam but I have said Madam and ended up saying sir. So just, forgive me for that because we are used to saying sir. Thank you Madam for that correction. Madam Speaker sir...

(Laughter)

Mr. Speaker...Madam Speaker, just allow me to move. It has become rather difficult for me but I will try...

Temporary Speaker (Hon. Beth): Okay Hon. Mukuria you better say Madam Speaker, only that is enough.

Hon. Mukuria: Okay Madam Speaker, I think it was problem with saying Madam then I say another Madam. Madam Speaker, as we have come to realise that very soon the government is coming to receive or is ready to revive these functions and therefore to receive this County public works and service is one of the functions to be devolved. We need to know how the County Government ins ready to receive this function because without proper planning then it means that this County Government of Laikipia will have challenges to encounter if they don't have a good planning.

If we do not plan well concerning our water services we realise in both towns of Nanyuki and Nyahururu, when it rains there is a lot of flooding in these towns. It is the work of this County Government to come up with a better way of unblocking all water drainage system that have been blocked so that when it rains in these towns we don't have havoc. I have come to realise that when it rains in Nyahururu, people use buckets to remove the water from their shopping areas. Therefore, we need to come up with a system of rules to ensure that these water drainage services are well used. We also need to come up with a way of building good bridges in our towns and in our home areas.

Therefore noting that the public works and water services as per the constitution include the management of the built areas. Most of the areas that are supposed to collect this water have been hijacked or have been built by the people of the previous regime. We need to come up with a proper House plan for this County...

Temporary Speaker (Hon. Beth): Okay Hon. Rose, is it a point of order?

... (Off record)

Hon. Mukuria: Okay, they are consulting so Madam Speaker, I do not know who should give them a warning. Madam Speaker it is also good to realise that we need to control our sanitation in our towns. When we say sanitation, it means that we need to develop our drainage system in our towns and upcoming towns. That can also be realised when we come up with a better planning in our town.

I have come to realise that when towns are being built they are supposed to be engineers to sit down and plan the town for the next 10, 15, 25 years to come. Nowadays people do not care about the drainage system and therefore it is high time that the government came with a way forward to make sure that we consult our experts so that as we divide the plots in those towns we may come back with a better way of doing things. Madam Speaker I also realised that due to a lot of mismanagement of our towns, there are many blockages in our towns; one is because of lack of dumping sites in those areas for dumping our waste materials.

We need to come up with a better way of dumping materials that are being used in towns particularly in market areas. I have come to realise there is a big problem of dumping places in our towns and even the small towns. We should come up with a system whereby we have good services to our people in our wards and a County as a whole. We realise there is a lot of garbage being dumped in those areas so therefore we need to come up with a better and modern way of collecting those garbage's and we put dust bins in every corner to bring about a better way of collecting garbage.

We also should put laws that are going to be strict on those people who are destroying our natural resources in those towns. Madam Speaker, therefore planning being the backbone of this County I urge this government to come up with better planning of our towns, better planning of our roads so that this dream can be realised. I therefore I beg the Members to support this motion so that we can be able to come up with a better County and beg my colleague the Hon. Member for Igwamiti to second this motion. Thank you Madam Speaker.

Temporary Speaker (Hon. Beth): Yes Hon. Kabaci.

Hon. Kabaci: Thank you Madam Speaker, I will start by thanking the Hon. Member for bringing this motion to this House. It is a very crucial function which we are very much waiting to be devolved by the County Government. Madam Speaker, he has exhausted a lot on that function but I can add one or two things Madam Speaker concerning sewerage in Nyahururu town and other areas Madam Speaker. It is high time this House has mechanisms of dealing with these issues pertaining the sewer system.

I do not know what we will do to have a body to supervise how sewers are being constructed. I am concerned with the sewerage in Nyahururu and I have heard there is and ongoing project on the sewer system in the town. It is surprising that some of the rules are not followed so I would like this House to come up with a solution of mechanisms or a body that will be supervising those projects that are ongoing concerning the sewerage. Madam Speaker I also would like this House to think of how we can improve on culvert drainages. This is an issue in our towns especially in Nanyuki and Nyahururu; I would like this House to think of how we can have a place where culverts will be built in plenty. After having those culverts, the openings of those drains can be so easy Madam Speaker, I propose this House

comes with...hoping that there is budget for that item of culverts, I would highly request this House to come with clear measures to know which sight is best for us to be accessing culverts in this House. Another thing I will point out pertaining this docket is that it also carries the day in terms of water.

Madam Speaker I happen to be in a forum where his Excellency the Governor was and promised that there would be no woman who will be travelling more that 500 metres to access water. Therefore, it is high time that the people concerned or the government, be it the Assembly or the executive to think of how to fulfil that dream of his Excellency the Governor of this County. I would also request them to think of how they can prioritise on water harvesting in those areas that are not good in terms of the climate. I also request them to think of how the dams can be constructed so that we can harvest the water during the rainy season. Madam Speaker, I stand to second the motion. Thank you very much.

Temporary Speaker (Hon. Beth): okay, I wish to propose the question on the motion:

> ***THAT**, aware that Schedule four of the Constitution clearly outlines the functions to be devolved from the National to County Government; noting that the Transition to Devolved Government Act contemplates a process of transferring these functions from the National Government to County Government and recognizing that this transfer shall be guided by a statutory process;*
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> ***Appreciating** that the Executive has or is going to apply for devolution of this transfer; noting that the County Assembly has already budgeted for these functions and that there are already ongoing discussions between the various government organs and agencies and more specifically the Transition Authority, Council of Governors, Senate, National Assembly, Commission for Implementation of the Constitution (CIC) among others on the process of transferring these functions;*
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> ***Noting** further that County public works and services is one of the functions to be devolved and that the County Government has budgeted for this function for the financial year 2013/2014; appreciating that County public works and services is the backbone of planning and development that will ensure that any County development is systematic and not ad hoc; noting that County public works and services as per the constitution includes storm water management systems in built up places, water and sanitation services among others noting that the County Assembly will finally make a decision on the transfer of this function as per the law;*
>
> *This Assembly urges the County Government to speed up its preparedness to receive and execute this function and takes all measures to ensure that the function is finally devolved in the immediate term and as per the law.*

Hon. Members, the motion of today is very crucial to our County, the floor is open deliberation. Hon. Wakahiu.

Hon. Wakahiu: Thank you Madam Speaker, as we are all aware the County Government is ready to most of the responsibilities as per the constitution starting from July this year and public works is one of the functions that Laikipia is awaiting. As per the budget, if we can see how the budget was, much of the allocation was taken by public works and infrastructure, and for that case having the picture of our County there are no roads and I believe roads are part of public works, there is no water particularly dams especially in the pastoral areas.

Being one of the functions to be devolved, this is one of the areas that we need to be very serious with since it has challenges mainly on the untapped resources and it is one that will make our County grow and become a modern County since it's our vision. For that case, public works being devolved to us, we believe that there are many machines that belong to the previous government, they are lying idle, and we have still budgeted for others. Therefore, Madam Speaker, as part of this I have knowledge of a certain place where there are many machines grounded, they are not working and the only problem with some of them is with their batteries. Therefore, as the County Government takes over this function .it is also important that we know they may know the machines and sources that we have so that once we move forward plus the others that are already budgeted, we will be in a position to know where we are starting.

So I will request this House and the Committee most probably concerned that what is allowed or what we have as a County that it is important that we know so that we may be able to come up with a way forward; we will take over the public works because this is one of the areas that is very crucial and important. Our roads are impassable, there is no water for our people, and there are many areas that need to be worked on as far as public works is concerned.

If you can see, the area's most probably water, people need water and there very many gulley's whereby there is water during floods and sometimes there is no water. If we can take the public works machinery, we are able to come up with dams forgetting that the water that has been flowing from the slopes of Mt. Kenya and Aberdare ranges will be utilised and our people will get water not only for domestic use but also for irrigation. This is very important, I have an example of a certain gulley in my area that runs all the way from Nyandarua and ends up in Lorian swamp.

It does not have water but during floods, nobody can pass through that gulley since there are no bridges and the area becomes impassable. Therefore, as we take over public works, we take it with a responsibility that there is a lot to be done for the benefit of our people so that they may access the services. There is no development without infrastructure, there is no development without water and there is no development we can get in this County if we cannot progress not unless we tap into what we have and for that case, I am supporting this motion Madam Speaker.

Once we take this docket or once it is devolved, it our responsibility as the elected leaders for the people of this County that we manage what we have because it is only public works, which I believe, will make our County to grow because it holds many of the sectors. Therefore, Madam Speaker I support this motion and urge Members that we support it whole heartedly with our hearts and with our knowledge for the purpose of the

benefit of our people. Thank you, Madam Speaker.

Temporary Speaker (Hon. Beth): Yes Hon. Jennifer.

Hon. Jennifer: Thank you Madam Speaker, I rise to support this motion and I wish to support it using three areas. Madam Speaker, the devolved government was meant to take services to people and the services should be seen and felt. Madam Speaker, if you go to our centres in the rural areas, they are in a mess since in every centre some are planned and some are not so it is difficult to know the streets because every urban or any centre should have streets. Therefore, you will find a lot of unplanned work, there is no water being piped to those centres. I will give an example of one of the oldest centres in this County, DolDol and it is now the district headquarters and it is also the headquarters of Laikipia North constituency.

If you go to that town now, there is no piped water. You will find many women fetching water with their backs and I think the devolved government should embrace change and take these services to the people so that we don't see such things happening. Therefore, there is need of piped water to Houses, to the plots so that people can get clean water. The other issue is with drainage, if the water is not in the premises then the drainage is also another issue. Some of the centres that we come from have no drainage system. Pit toilets are filled and you find an unhygienic set up in those areas. This is another area that this House should deliberate Madam Speaker and come up with ways of trying to this so that people feel the importance of having this new constitution that we brought in. I spoken about the streets and I also want to talk about DolDol, if you go there, those who have gone to DolDol centre, it is very difficult to move from one street with a car and pass another one. If you reach there you have to try to get a place to stop and back your car and walk on foot because there many small streams in the centre.

This is due to erosion and if this water is gathered because this is area is on a hill, this water can be used rather than depending on the boreholes water can also be harvested from the rains and maybe stored in dams. We have one big dam in DolDol; they can be cleaned and maybe piped to the centres and many other centres in this County. There is need to tap water and make big reservoirs, clean the water so that the people can have enough water and clean premises and clean centres. Then this will also raise the taxes and it can also boost the business so the people will be able to benefit and the County will also get taxes to carry out work. I rise to support this motion, thank you.

Temporary Speaker (Hon. Beth): Okay Hon. Ephraim.

Hon. Wachira: I rise to support this motion Madam Speaker and what I want to say is that the backbone of our own economy in this County depends on this ministry. This ministry of public works is very crucial; all other ministries will depend on this one. Without this ministry we cannot go ahead with our own development, I therefore urge the minister concerned plus the chairman of this Committee to take an inventory very quickly of the machinery that we have within our County.

The ministry has now been devolved, before these machines are vandalised. You need to go to every centre where they are lying, take stock, write there we have these graders, shovels, Houses and everything since they belong to us now and they

might be vandalised. Without doing that and we are waiting for this ministry to be devolved, we shall only see a shell of itself. Therefore, the member concerned with this sector should advice his minister to work very quickly so that we inherit what is ours before they are taken somewhere else for sale. By so doing Madam Speaker, I say it leaves a very bad taste and that is why I am saying that every department of this County depends on this ministry.

Look at our environment, it has really been degraded, papers lying everywhere. Look at our sewerage system in these major towns. They depend on this ministry; look at where we want to build dams in our own ward. Everything in our own County and that is why I am saying this ministry will need to move very quickly will depend on what it will do. Again, Madam Speaker, if these people run very quickly, that is the minister and the County Assembly member in charge of this docket we shall create employment. Our youth need to be employed and they cannot be employed on nothing. It through the machinery that I am asking the member to take an inventory. They will start working immediately they take stock. We want to employ our own people so that they start operating these machines, we want our own roads to be murramed, and we want our own roads to be graded.

In the morning, we were in a session saying that somebody wants short routes into our own County; we pass through other counties to come to this Assembly. Therefore when our roads are made, all what we are spending through other counties will be part of our own income. So Madam Speaker I rise to support the motion and support it full. Thank you Madam Speaker.

Temporary Speaker (Hon. Beth): Yes Hon. Member for Olmoran.

Hon. Dann: Thank you Madam Speaker, I stand here to support the motion for tit has come at the right time when we are starting to build the County. Madam Speaker we promised the people a Model County and to realise a Model County we must start with the County public works and service Madam Speaker. I will fist touch on the storm water management system. I think it is high time we came up with ways on how we shall create new dams along river streams Madam Speaker along river valleys Madam Speaker and harvest water for usage during irrigation and domestic.

Madam Speaker by creating dams for irrigation, we shall have created jobs, we will have eased problems of domestic water usage and that is why we are encouraging Hon. Members to come up with ways on how the County can manage the creation of those dams especially in those semi arid wards like Olmoran. I have suggested two mega dams to be created and be used for irrigation to create employment, to ease the struggle for water by the pastoralists and Madam Speaker by that we shall have taken our County far. During campaigns, we promised our electorate that nobody, no woman will ever carry water more than 500 metres from her home.

Madam Speaker, to realise this w must come up with ways of how we acne get water for domestic use, not only water but clean drinking water either by drilling boreholes or cleaning the harvested water for domestic usage. Madam Speaker, it is not a wonder if you visit those semi arid areas and a woman walks for over two hours to look for water, some use donkeys, bicycles and it is terrible and it is high time as a County we give our residents water to save the time that they waste looking for

water. Surely, in some areas of Olmoran, half of the day is used by women just looking for water and that should not be tolerated Madam Speaker. On sanitation Madam Speaker, as a young boy or some years, back we used to have public toilets that have now been privatised and once you visit that small room you pay 10 shillings and I do not think 99% of Laikipians can afford that 10 shillings thrice or twice a day. Therefore Madam Speaker I guess we should have those public places to avert dirtifying our environment.

Mostly men use fences to hide themselves there and it is not good hygiene and it is because of the closure of those places they were using for free. We have the sewerage systems Madam Speaker, most of our towns are so small and they do not have sewerage systems and therefore when the toilets are full, we have the sewerage tractor that remove the refuse and ways must be written down on where they dump their waste. In the rural areas, they just dump them anywhere, along the riverbanks and beside the roads and finally after the heavy rains all the refuse is carried by the floodwaters to the dams and it is sad because they use that water for drinking. Madam Speaker it is worrying because some of them use that water without boiling and it is risky and dangerous because it will cost the County lot of money.

Therefore we should come up with ways which we can control our sanitation, how they remove the refuse and where they dump it. Madam Speaker we also have the dump sites in our towns, some of them are at the middle of the town and they end up burning it exactly at the middle of the town and the smoke. The stench and that bad sight Madam Speaker; It is awful to the community and therefore in every town, big and small we should have dumpsites outside towns. Where the town area is small, some sites should be availed to avoid dumping of the waste. We should also come up with laws that govern the dumping of the hard waste, hard waste Madam Speaker is dumped everywhere so it is...

Temporary Speaker (Hon. Beth): Hon. Mwangi are you on a point of order?

Hon. Mwangi: Thank you Madam Speaker is it in order for the member for Olmoran to continue misleading the House that we should have dumping sites when he has a budget copy and he knows very well that we did not allocate such money to cater for that. Is it in order for him to continue misleading the House? Thank you Madam Speaker.

Hon. Dann: Madam Speaker, I think Hon. from Umande should understand why he is here because he was elected for five years and not one year. We only budgeted for one year and we have next year and the year after, maybe he is planning to leave the House before five years. I will be here for five years and I will budget for the dumpsite next year, I will budget for it the year after next year and Madam Speaker I think before he rises for a point of order Madam Speaker...

Temporary Speaker (Hon. Beth): Point of order Hon. Mwangi.

Hon. Mwangi: Thank you Madam Speaker, instead of continuing to debate, the member is still attacking me thinking I will leave the House the following day. In fact, form our budget Madam Speaker we did not allocate that amount, he should address that and only that. Again, on top of that let us focus on what is in the budget instead of trying to bring some other issues from the ministry of works to dumping sites, does he want to imply that we will

continue suffering with the garbage and bad smell until five years are over?

Temporary Speaker (Hon. Beth): Okay, Hon. Dann.

Hon. Dann: Okay Madam Speaker, I think if consult oxford dictionary, dumpsite falls under sanitation. if I am right Madam Speaker, I think Hon. Mwangi consulted his oxford dictionary to be more conversant with the language so as to know that dumpsite falls under sanitation and therefore...

Temporary Speaker (Hon. Beth): Point of order Hon. Mwangi.

Hon. Mwangi: Madam Speaker I am kindly requesting you to order the member from Olmoran to continue with the debate on works and public but not health and sanitation.

Temporary Speaker (Hon. Beth): Okay Hon. Dann it is good that you deliberate on what is in the budget although the motion also covers the...maybe next year's budget but now we are talking about 2013/2014.

Hon. Dann: Madam Speaker if I may understand the English language properly, the devolvement is not only for this year, it will also cover many years to come and we are doing a long-term plan. Madam Speaker we are not only planning for this year alone and I therefore call Hon. Member to plan for...

Temporary Speaker (Hon. Beth): Point of order Hon. Wakahiu.

Hon. Wakahiu: Madam Speaker I believe that motion is about devolving the function of public works. The issue of the budget and other things is not in the paper so I request the Hon. Member to debate on devolution of public works.

Hon. Dann: Thank you Madam Speaker, I conclude by calling my Hon. Members to support this motion. It is vital, it is necessary and it is most wanted. Thank you Madam Speaker.

Temporary Speaker (Hon. Beth): Okay Hon. Rose.

Hon. Maitai: Thank you Madam Speaker, I rise to support the motion and I want to limit myself to roads. This is because Madam Speaker it had been mention earlier in this House and outside that the one and only reason why we do this and many other activities is to make sure the citizens of this County and the nation at large have food on the table. We have discussed many other things, in the morning we spoke about trade and planning. I appreciate what the leader of majority mentioned that many functions depend on this public works and service.

Madam Speaker, if we are to talk about trade we cannot ignore our roads infrastructure, someone has mentioned about culverts, somebody has mentioned about repairing of the murraming of roads and many gulley's that exist in our County. Therefore, I feel if we are to achieve our final objective that is to ensure everybody has some cash in their pockets, they are assured of every meal, and they are sure that children are to go to school. Then we need to ensure that our feeder roads, our murram roads, you know that network. Somebody spoke of how we go round other counties and how we go long distances just to bridge a small gap because there are no roads.

The ones that are there are not passable, I think if we get this function devolved and we are able to fix a few roads here and there and fix some bridges and culverts and drainages, then we will be able to enhance trade, we will be able to do better planning and it will be economical in what we do. The good thing with infrastructure

is that it facilitates many more activities. Many of our major income generating activities in Laikipia is agriculture of both livestock and crop. How do we make sure that we achieve the objective in agriculture if our roads remain impassable? How do we do marketing of our products if the livestock from Mukongodo cannot be brought this way to the market? or if the buyer from Kenya Meat Commission or any other interested buyer cannot walk or drive to DolDol to collect the meat.

How do you help the person from Kinamba to transport their maize? How do you help someone from Igwamiti to transport their potatoes? At the end of the day, everybody has some money in their pocket to meet their daily need. So I think devolving this particular function of core essence, I agree it should be done as fast as possible by the relevant ministry. However Madam Speaker I also wish to give ourselves a challenge because I know it is very expensive to make roads, Engineer Mukuria will concur with me. Other than a tarmac road, every other seasonal road is subject to damages whenever rain comes you do a murram road is damages.

If you put a culvert, it rains again and somehow it is swept away, you do some grading and drainage it rains and spoils. Therefore, it is very expensive to maintain roads and on that note, I think the government even as we seek the devolution of this function, I think the government and everyone else in this County needs to go out of their way. I was just going through another not here telling us what you have done before we came here, I think we need to get other partners and actors to really assist us in construction of roads preferably tarmac roads.

We have a very small portion of tarmac roads in Laikipia, I think only the Rumuruti, Nyahururu and little bit to Kinamba. I do not think we have any other, you know it is so small that we can achieve so little with the small tarmac roads. So I think several other roads, I am happy the Rumuruti Maralal road is being done. However, we really need to go out of our way to get a little bit more of tarmac road so that we enhance and facilitate network and connectivity among the people of Laikipia, which will really boost our economy. Thank you Madam Speaker and I support the motion.

Temporary Speaker (Hon. Beth): Okay, it seems that there is no other deliberation but this motion, we may refer it to the Committee concerned led by Hon. Mukuria to come with a report by the end of September this year because this issue on public works is very crucial to our County.

ADJOURNMENT

Hon. Members, we adjourn until tomorrow at 2.30 pm.

The House rose at 3.21 p.m.