

REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
2ND ASSEMBLY- 1ST SESSION

OFFICIAL REPORT

Thursday 5th October 2017

The Assembly met at the Assembly Chamber, at 2.30 p.m

[The Deputy Speaker (Hon. Zachary Njeru) in the Chair]

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(The clerk-at-the-table confirms that there is quorum)

Speaker: First order.

COMMUNICATION FROM THE CHAIR

Hon. Members, I wish to notify you that today the 5th day of October, 2017 we have the honour of welcoming teachers, Form One, Form two form, three and form four students of Silanga Secondary School in Rurii Ward, Ol'kalou Sub County of our County Nyandarua. There are a total of sixty four (64) and two teachers who are leading the delegation namely;

1. Mr James Maina
2. Mr Jackson Gichango
3. Isaac Gachie, staff in the school.
4. Elizabeth Kamau, a parent.

In the delegation, we also have the leadership of the students led by;

1. Simon Njoroge - Form 1
2. Nancy Ndirangu - Form 2
3. Charity Wambui - Form 3
4. Nancy Macharia - Form 4

As an assembly, we have a standing tradition of warmly welcoming our visitor's, more so students as we deliberate on important matters touching on the County. I therefore ask you Hon.

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Members to join me in applauding the teachers and students of Silanga Secondary School as previously mentioned.

(Applause)

(Hon. Kenn Mukira rises on a point of order)

What is it Hon. Kenn Mukira?

Hon. Kenn Mukira: Mr Speaker, it will not be in order not to mention that Silanga Secondary School is situated in Rurii Ward. It is also fair to recognize the efforts of Hon. Githinji Mburu that made it possible for the students and teachers of the said school to be with us today. In addition, I bring to the attention of this House that Silanga School accommodates students from Rurii, Mirangine, Kanjuiri Ridge and Karau wards. Parents of some students in the public gallery are voters residing in my ward. In view of this, I welcome them on behalf of Hon. Githinji Mburu who will be joining us from an official duty.

Thank you.

Speaker: Well put Member for Karau.

Next order.

STATEMENTS

1. LESHAU SELF-HELP WATER PROJECT

Yes Hon. Justus Gaita.

Hon. Justus Gaita: Thank you Mr Speaker. I hereby seek a statement from the Chairperson, Water, Environment, Tourism and Natural Resources, on the above stated subject matter addressing the following concerns:

Aware that the Constitution of Kenya 2010, under Article 43 (1) (d) provides for the right of access to clean and safe water in adequate quantities and also recognizes other related rights that are complimentary to the fulfillment of the right to water and sanitation, an example being the right to health, among other rights;

Further aware that in Kiriita Ward there exist a self-help water project known as Leshau Self-Help Water Project, which faces serious issues concerning its management;

Concerned that despite various attempts to have the County department responsible for water address the issues facing the aforesaid Self-Help Water Project, the issues have not been adequately addressed and the situation is deteriorating each passing day;

Arising from the foregoing, I seek that the Chairperson of the Committee on Water, Environment, Tourism and Natural Resources provides the following information:

- i. How the Self-Help Water Project determines the area of water distribution and coverage;
 - ii. The volume of distribution to the diverse areas under supply;
 - iii. The extent of water loss;
 - iv. The applicable water tariffs and the terms and conditions of supply to the consumer;
- and,

- v. The financial sustainability of the Water Project;

Thank you, Mr. Speaker Sir.

Speaker: Well; I now call the chairperson of the Committee on Water, Environment, Tourism and Natural Resources to tell this House how long the committee will take to respond.

(Hon. Kenn Mukira rises on behalf of Hon. Kamau Kariuki)

Hon. Kenn Mukira: Mr Speaker, my chairperson is not present and I therefore beg to register his apologies. I am a member of the Committee on Water, Environment, Tourism and Natural Resources and I wish to state that the committee will respond in two weeks.

Speaker: Clerk, note that for record.

Next order.

2. STATUS OF THE DRAFT MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COUNTY GOVERNMENT AND THE NATIONAL HOUSING CORPORATION (NHC)

Yes, Member for Wanjohi Ward Hon. Isaac Kung'u.

Hon. Isaac Kung'u: Mr Speaker, I hereby seek a statement from the Chairperson of the Committee on Finance and Economic Planning on the above stated subject matter addressing the following concerns:

Aware that the Constitution of Kenya 2010, under Article 62 (2) provides for public land, shall vest in and be held by a County Government in trust for the people resident in the County;

Further aware that this Honourable House gave approval for the signing of the draft Memorandum of Understanding (MoU) between the County Government and the National Housing Corporation (NHC) on the 16th of November 2016;

Concerned that the House resolved that the County Secretary should ensure that the draft formal agreements with respect to the partnership between the National Housing Corporation (NHC) and the County Government are forwarded to the County Assembly prior to their signing;

Further concerned that none of the aforesaid draft formal agreements have been forwarded to the County Assembly;

Arising from the foregoing, I seek that the Chairperson of the Committee on Finance and Economic Planning provides the following information:

- i) The status of the draft Memorandum of Understanding (MoU) between the County Government and the National Housing Corporation (NHC)

Thank you, Mr. Speaker Sir.

Speaker: The Committee on Finance and Economic Planning should consider preparing the statement response jointly with the Committee on Lands, Housing and Economic Planning. I call Hon. Suleiman Kimani to state the time the committee will take to table the statement response.

(Hon. Margaret Ireri rises on behalf of Hon. Suleiman Kimani)

Yes Hon. Margaret Ileri.

Hon. Margaret Ileri: Mr Speaker, two weeks will be enough.

Speaker: Note that Clerk.

Next order.

3. STATUS OF LAND SET ASIDE FOR INDUSTRIAL PARK (OL KALOU)

Yes Hon. Rimui Kaiyani.

Hon. Rimui Kaiyani: Mr Speaker, I hereby seek a statement from the Chairperson of the Committee on Lands, Housing and Physical Planning on the above stated subject matter addressing the following concerns:

Aware that the Constitution of Kenya 2010, under Article 64 provides for private land, and that article 66 provides for the regulations on land use and property and Paragraph 8 of Part II of the Fourth Schedule provides for land survey and mapping as one of the County functions;

Further aware that the land in Ol'kalou has been mapped out in the Part Development Plan (PDP) but has not been actualized on the ground;

Concerned that part of the land initially set aside for industrial development (Jua Kali) is now in use as a residential area;

Further concerned that uncontrolled use of land may derail industrial development in the County and scare away investors;

Arising from the foregoing, I seek that the Chairperson of the Committee on Lands, Housing and Physical Planning provides the following information:

- i) The status of the land in the Jua kali area in terms of land ownership and land use and whether there has been any formal change of user on the plots in the area; and
- ii) The measures to be taken to ensure that the land will be used for designated purpose and those structures in violation of terms and conditions of leases are rectified.

Thank you Mr. Speaker Sir.

Speaker: Thank you. I call upon the Chairperson of the Committee on Lands, Housing and Physical Planning to state the time the committee requires to respond.

Hon. Kariuki Muchiri: Mr Speaker, aware of the intricacies of land matters, I pray that the committee be given one month, that is, four weeks.

Speaker: Note that, Clerk.

Next order.

4. STATUS OF ISSUANCE OF OWNERSHIP DOCUMENTS TO OCCUPANTS OF COLONIAL VILLAGES IN THE COUNTY

(Hon. Gathure Wambui rises on behalf of Hon. Mwangi Maitai)

Yes Hon. Gathure Wambui.

Hon. Gathure Wambui: Mr Speaker, Hon. Mwangi Maitai called me to request that I seek leave of the House on his behalf to seek the statement next week.

Speaker: The leave is granted.

Next order.

SUPPLEMENTARY ORDER PAPER

5. CANCELLATION AND TERMINATION OF THE TENDERING OF VEHICLE

(Hon. Kenn Mukira rises on behalf of Hon. Kieru Wambui)

Yes Member for Karau.

Hon. Kenn Mukira: Mr Speaker, on behalf of Hon. Kieru Wambui, who is attending a burial of a close relative, I seek leave that the motion be moved to another time. Since the mover has crucial information to present with regard to the motion, I request that the House Business Committee does reschedule moving of the motion during any sitting of next week.

(Hon. Kariuki Muchiri rises on a point of order)

Speaker: What is it Member for Murungaru?

Hon. Kariuki Muchiri: Mr Speaker, aware that this House has just began its business, is it in order for the Member for Gatimu to fail to appear in the House to move the motion of this magnitude and of which notice had been given? The motion is the only business under 'Motions and Bills' and its slotting in the order paper was discussed by the House Business Committee. We shall begin on a very bad footing if this trend continues.

(Hon. Kenn Mukira rises on a point of order)

Speaker: What is it Member for Karau?

Hon. Kenn Mukira: Mr Speaker, the reason that the Member for Gatimu is not present in the House is that he is attending burial of a close relative. The Member for Murungaru is insinuating that in future a Member should prefer attending plenary to participating in important family affairs. The event the Member for Gatimu is attending cannot be postponed to next week but the motion at hand can be moved next week. So I request the House to grant the leave.

(Hon. Rimui Kaiyani rises on a point of order)

Speaker: What is it Member for Githabai?

Hon. Rimui Kaiyani: I agree with the Member for Murungaru. Motions of this House should be take very seriously. I understand when the deputy Majority Leader rises to seek leave on behalf of Hon. Kieru Wambui. However, I believe the Member for Gatimu knew that the burial would happen today yet he allowed moving of the motion at hand to be today. Proper planning should have been done. So I support the position of the Member for Murungaru by stating that matters relating to the business of this House should be taken with the seriousness they deserve.

(Hon. Githinji Mwaniki rises on a point of order)

Speaker: What is it Member for Geta?

Hon. Githinji Mwaniki: Thank you Mr Speaker. Hon. Kariuki Muchiri rose on a point of order and before granting Hon. Kenn Mukira's point of order you should have ruled on Hon. Kariuki Muchiri's concern.

Speaker: Member for Geta, as I said, we are on a learning experience. Further, I wanted to hear the concerns of other Members before I could make a ruling. I know that Hon. Kieru Wambui is attending burial of a close family member. I believe that he might not have influenced some of the burial arrangements. With regard to this I believe that attend the said burial is a genuine reason that this House should grant him leave. The House Business Committee shall reschedule the moving of the motion at hand. The leave is granted.

Next order.

ADJOURNMENT

Hon. Members that marks the end of today's business and this House now adjourns to Tuesday the 10th day of October, 2017 at 2.30 p.m.