

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

2ND ASSEMBLY- 2ND SESSION

OFFICIAL REPORT

Tuesday 10th April 2018

The Assembly met at the Assembly Chamber at 2.30 pm.

[Temporary Speaker [Hon. Paul Ngeche] in the Chair]

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(There is no quorum as confirmed by the Clerk-at-the-Table)

Speaker: I invoke the provisions of Standing Order no 35, that at the appointed time at the order of the assembly, the bell be rung for an initial ten minutes or within such time that quorum will be achieved.

(Bell rings for two minutes and quorum is achieved)

Quorum having been recognised, let us continue with the Order of business.

COMMUNICATION FROM THE CHAIR

WELCOMING MEMBERS BACK FROM THE SHORT –RECESS

Honourable Members, Allow me to welcome you back most sincerely as we reconvene from the short recess in accordance with the Assembly legislative calendar. I truly hope and trust that the short recess was prolific as you enjoyed your Easter holidays and in your interactions with the people you represent. The resumption of our sittings finds a full in-tray of activities stemming from our main work programmes, namely, the budgeting programme, legislative programme and oversight programme.

Honourable Members, It is expected that between today and the day slated for the beginning of the long recess in accordance with our legislative calendar , this House shall consider and approve in respect of 2018/2019 financial year , the –

- a. County Annual development Plan;
- b. County Fiscal Strategy Paper;
- c. County Budget Estimates; and
- d. County Appropriation Bill.

Members' developmental plans and desires, for the 2018/2019 financial year, shall best be met if individual members through our sectoral committees, proactively engage the executive in the preparation of the said budgetary plans.

Accordingly and in view of the said matters, I advise all members and sectoral committees to actively and proactively participate in the preparation of the said budgetary plans and documents.

Honourable members, I implore on you, as the representative of the people, not to lose sight of fact that the county government is under strict obligation to implement its development agenda, as was approved by this House in the first county supplementary budget.

Consequently, there lies an immense responsibility over the shoulders of this House, of overseeing that the development programmes as contained in supplementary budget are implemented to the letter.

Allow me therefore, to declare and hereby send a message to the executive, of our legitimate expectation that no single development coin shall, at the close of this financial year, return to the County Revenue Fund without commitment.

In view of this matter, I invite this House to use every power within its disposal, to ensure that the same end is attained.

Honourable members, on matters legislative, I direct the office of the Clerk, to immediately initiate and employ strategies at committees' level, with a view of introducing bills to this House. Individual members are encouraged to continue sponsoring topical motions and statements towards enriching our legislative agenda for good governance and services.

In conclusion, I wish the best for each one of us, as we variously and jointly undertake our roles and mandates. May God see us through and bless our efforts. May He also abundantly bless Nyandarua County.

Next Order.

PAPER LAID

REPORT ON SPORTS AND CULTURE ASSOCIATION ON THE COUNTY ASSEMBLY GAMES 2017, MACHAKOS EDITION.

Speaker: Hon. Rimui Kaiyani, the chairman Sports and youth Committee you may lay your paper

Hon. Rimui Kaiyani: Thank you Mr Speaker, I beg to lay the paper on Sports and Culture Association on the County Assembly games 2017, Machakos Edition. I table

Speaker: The paper is duly laid, next Order.

(Hon. Samuel Mathu rises on a point of Order)

Speaker: Clerk confirm that there is Quorum.

(Quorum Call)

(There is quorum as confirmed by the Clerk at the table)

Speaker: Yes Hon. Samuel Mathu Wainaina, the House is quorate.
Next order.

NOTICES OF MOTION

1. REPORT ON KENYA INTER- COUNTY SPORTS AND CULTURAL ASSOCIATION, ON THE COUNTY ASSEMBLY SPORTS ASSOCIATION GAMES 2017.

Speaker: Very well we have a notice of motion from Hon. Rimui Kaiyani, Chairperson Youth and Sports Committee.

Hon. (Eng.) Rimui Kaiyani: Thank you Mr Speaker, I wish to give notice of the following motion;

That this house does adopt the report of the Committee on Youth, Sports and Art on the Kenya inter- County Sports and Cultural Association, on the County Assembly Sports Association Games 2017. Machakos Edition as a report of this House and the recommendation there in as the resolution there in.

Thank you Mr Speaker.

Speaker: Very well, the notice of motion is duly given and the house business committee will look into the same.

Next order.

2. STORM WATER MANAGEMENT FOR THE COUNTY

Speaker: Yes Hon. Samuel Kinyanjui Njatha.

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

aware that the part of the fourth Schedule of the Constitution mandates the Counties with the functions of specific national policies on natural resources and environmental conservation, including water and soil conservation including County Public works and services, including strong water management and systems in built up areas;

Further aware that article 181 of the Constitution requires liaison between the two levels of Government for the purpose of exchanging information, coordinating policies and Administration and enhancing capacity of each level of Government to undertake its mandates;

concerned that the Constituents flooding and clogging of water ways in the County during the heavy rainy seasons, further concerned of the poor drainage mechanisms and place that render in to the storm of water into people's farms causing massive destructions of farms and other utilities;

Noting that the County Government can collaborate with the National Government, to ensure strong water management through proper systems to foster water harvesting and irrigation in the County;

Now therefore, this house does resolve that the County Government does prepare a blue print on storm water management system for the County. The County Government does consider sinking and building of water pans to harvest storm and the road reserves to harvest water on the road reserves for ease of water harvesting and subsequent mitigation of the flooding menace in the people's farms. Hence, the County Government does seek any inter-governmental assistant to facilitate the successful implementation of the Storm water management system and harvesting techniques from the viable stakeholders.

Thank you Mr Speaker.

Speaker: That notice is duly given and the house business will process on the same.
Next order.

STATEMENT(S)

ENVIRONMENTAL CONSERVATION AND TREE PLANTING

Speaker: Yes the member for Mirangine Hon Samuel Mathu Wainaina.

Hon. Samuel Mathu: Thank you Mr Speaker. I wish to raise a concern on the crucial need for an Executive activity to conserve the environment for the best of the society. Paragraph Ten B of part two the forth Schedule of the constitution provides that implementation of specific natural resources policies of the National Government on natural resource and environment conservation including soil, water conservation and forest as a function of the County Government.

Mr Speaker, article 79(2) of the Constitution of Kenya on the obligation and respect on the environment provides that every person has a duty to cooperate and ensure ecology and sustainable development and use of natural resources with the respect of provision. I urge the County Government to facilitate the event that will encourage and engage people to plant trees in the County during the rainy season.

Additionally, there is a need to conduct public awareness on the importance of planting trees and how trees enhance sustainable development. Mr Speaker this does not limit any individual or organisation from engaging on the same. I would like to urge all people living in Nyandarua to at least plant two or three trees. Further, any organisation or school in Nyandarua should engage in noble ideas to rescue and reclaim a clean habitat for our future generation.

Mr Speaker, sir, relative human activities such as deforestation have resulted negatively on the environment as many trees have been cut down. Our forest has been reduced to a bare land. It is a high time that we as the assembly, as a Government and as citizens of Nyandarua, should be counted as having done something for our environment.

Currently, the rain has shocked our land and it would be a shame if we failed to take advantage of the present condition and plant as many trees as possible. The current weather supports the seedlings flourish and have a high chance to survive. The County Government is charged with conserving the environment inclusive of forestry. As the chairperson on the committee on water, and a committee member on all of the following: The County Government does produce seedlings and arrange events when the seedlings will be planted. The County Government does also formulate programmes that make the population to plant trees and enhance their lives as well as make the society better. The County Government should seek to partner with the organisation that seeks to advocate for tree planting to enhance these activities. This includes community based organisations and the youth to be participating in such activities.

Mr Speaker, in addition to the committee's initiative, the obligation of the conservation of the environment pursuant to article 89(2) of the Constitution of Kenya is upon each and every person. I hope that each and every one of us takes this issue as a personal initiative and engage the public on the importance of the environmental conservation and tree planting.

I want to emphasise on the importance of planting trees, from the simple biology that we learnt, trees take in carbon dioxide that we exhale and releases oxygen that we inhale. Therefore, trees are very important. It is therefore very important that we encourage our people to plant as many trees. We should remember fruits are also trees. Fruit are rich in nutrients and vitamins that our children and elderly so much need. We are also aware of some trees that are medicinal. Commercially, trees are a source of fuel for so many of us. One third of our population use firewood and charcoal for cooking and heating. Our famous traditional food, *Githeri*¹ is best cooked using firewood so when we lack firewood, I do not know what we shall do. Our well-built assembly is built of timber, which is a product of trees. I cannot also forget to say that trees filter out air from poisonous gases like carbon dioxide.

¹ gruel

Finally, trees lower the temperature and moderate on the effects of excessive rain and sunshine. We should therefore lead in planting trees. One of the pillars of the Governor for this County is to bring industries in Nyandarua, we should therefore plant as many trees to control the pollution that will be brought by these industries. I therefore urge this August to pass a resolution in Nyandarua County, that there should be a tree nursery in every ward. I would like to propose at least an acre so that we can be able to enjoy all these benefits that are brought by trees. These tree nurseries will be a source of employment for people in...

(Hon. Samuel Njatha enters the house without a tie)

(Hon. Mwangi Maitai rises on appointment of order)

(The member exits the chamber)

Speaker: The Speaker cannot see any stranger in the house.

(Laughter)

Continue.

Hon. Samuel Mathu: Thank you Mr Speaker, I was urging my fellow members to come up with a resolution to have a County tree nursery for us to benefit from trees and create employment for our youth whom most of them do not have. I would like members to imagine how this County will look like if we all start by planting trees in all our roads, this will be a tourism destination and people will want to come see. I therefore request you Mr Speaker to please allow for debate on this as much as it is a statement so that I can know if I will be bringing a motion. To have an acre in every ward full of trees in every ward. Thank you.

Speaker: Very well, let me just inform you Hon. Mathu that this house cannot give a resolution because this was not a motion but just a resolution. This matter however revolves around a matter that is of importance to the National and County Government, and therefore under my discretion, I will allow several members to contribute.

Member for Njabini/Kiburu.

Hon. James Gachomba: Thank you Mr Speaker, I rise to say a few things about this statement. Hon. Mathu has said it so well that we need to conserve our catchments and our environment. We are all aware that the forest cover in Nyandarua has reduced to about four percent and less than ten percent nationwide because of deforestation of trees and forests. Today we have had a wonderful day where our Governor has launched the event of planting trees during the rainy seasons.

I will not shy to say that we have done our best as a Government in conserving these catchments, but we have to note there exists a few criminals who have been frustrating our efforts by cutting trees and selling them to timber merchants and they do not care to replace the trees. This is the reason we have gone back to our forests to plant more trees in order to have water for our generation and the coming ones too. Most of the water consumed in Nairobi comes from the Aberdares and some of this touches Njabini/Kiburu while some of the people in Njabini do not. It is time that the people in Nairobi did some Corporate Social Responsibilities and helped the adjacent communities get this water too and also be able to conserve the catchment. It is about fifty years now since Sasumwa dam was dug and the people of Njabini have never enjoyed the water,

I think it is time that we rose above the activities of conserving these resources in the forests only and go back to the villages and plant a tree in every homestead. I wish to support this statement. It is also good to note that this should be brought into the house as a motion for we have a lot to discuss on it. We are all aware that there has been passed a warning on cutting trees, but unfortunately, you will find a few crooks still selling trees to our people. Mr Kiriako Tobiko gave a warning recently, and even banned logging. This was actually not the only right

thing he could do, another right thing would be also to take the wardens found selling tress to jail. A woman carrying firewood does not have the capacity to destroy the forest like a warden who cuts tress does. The old women should not be denied firewood. I wish to support this statement.

Speaker: Member for Murungaru Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Mr Speaker, this is a good statement for we all know the importance of trees and it is the wishes of the National Government to increase forest cover to at least ten percent. I listened very attentively to what the Hon. Member for Mirangine was asking, and it is unfortunate that he has walked out, but then this is a matter of the house.

It would have been good if the member had brought a motion towards this end. However, the request that he is making, I do not think is sustainable. Each ward having a whole acre of tree nursery is an idea not well thought since it is not workable, even those nurseries that are there, the Government has not been able to buy these seedlings from our people. I know in every ward there could be a minimum of ten nurseries as we speak now. Nonetheless, you visit then even now, you will realise that some seedlings have even overgrown. They have been on the nursery for more than two years. If the Government starts working like this, it will be another channel for wasting *Wanjiku's* resources, although I agree with the planting of trees, I totally disagree with the idea of having a whole acre of tree nurseries run by Government, it is not sustainable. Thank you.

Speaker: Very well, now that members have commented we move to the next order.

ADJOURNMENT

Very well, there having been no other business, we now adjourn to tomorrow the 11th day of April 2018 at 9:00 a.m.

(House rose at 3:05 p.m.)