

# REPUBLIC OF KENYA

## NYANDARUA COUNTY ASSEMBLY

### 2<sup>ND</sup> ASSEMBLY- 2<sup>ND</sup> SESSION

#### OFFICIAL REPORT

Wednesday 9<sup>th</sup> May, 2018

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

*[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:** Very well, quorum having been recognized, we now get to the afternoon business.

First order.

#### NOTICE OF MOTION

##### ADOPTION OF THE REPORT ON THE STATUS OF LESHAU - KARAGOINI SELF-HELP WATER PROJECT

Well, I do understand that the Chair of the committee is not around but I would request the member charged with his duties to give the notice. Yes, Vice Chairperson of the Committee on Water, Environment, Tourism and Natural Resources, Hon. Rueben Gitau.

**Hon. Rueben Gitau:** Thank you Mr Speaker. I rise on behalf of my able Chair who is accompanying H.E. the Governor on an official trip to Israel, to give notice of the following motion;

That this House does adopt the report of the Committee on Water, Environment, Tourism and Natural Resources on the status of Leshau-Karagoini Self-Help Water Project as a report of this House and the recommendations therein as the resolution of this House.

Thank you Mr. Speaker, Sir.

**Speaker:** Very well, the notice of motion is duly given and the House Business Committee will do the necessary to process the same.

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## STATEMENTS

### 1. STATUS OF INSTALLATIONS OF FLOODLIGHTS IN ENGINEER TOWN, DRAINAGE SYSTEM IN ENGINEER TOWN, SARIT- MUTARAKWA ROAD, NYAGOSTO BRIDGE AND ACCESS ROAD TO ENGINEER MORTUARY

Yes, Member for Gathaara ward, Hon. Andrew Kamau Kariuki.

**Hon. Kamau Kariuki:** Thank you Mr Speaker. I hereby seek a statement from the Chairperson, Transport, Energy and Public Works on the status of installations of floodlights in Engineer Town, drainage system in Engineer Town, Sarit- Mutarakwa Road, Nyagosto Bridge and Access road to Engineer Mortuary; providing information on the following:

- a. The current status on the installations of floodlights in Engineer Town, drainage system in Engineer Town, Sarit- Mutarakwa Road, Nyagosto Bridge and access road to Engineer Mortuary;
- b. The amount of funds allocated, the bills of quantities and the name of the contractors on floodlights installations project, drainage system construction project, Sarit - Mutarakwa Road construction project and Nyagosto Bridge construction project;
- c. Why the department has not made Engineer Hospital Mortuary accessible to the public through improving the status of the road; and
- d. What the department has planned to ensure that all the projects are complete and usable by the public

Thank you, Mr. Speaker, Sir.

**Speaker:** Very well, the statement is duly sought. I can observe that the Chairperson of the Committee is not in the House. Do we have any member of the committee who can allude to us on how much time the committee will require to respond to the statement?

Yes, Member for Kipipiri, Hon. Paul Ngeche Wambaire.

**Hon. Paul Ngeche:** Thank you Mr Speaker. Three months will be enough.

**Speaker:** Well, I will not say that three months might not be considerable and bearing in mind that these are matters of county importance and some of these require quick fixes, I think, Member for Kipipiri representing the Committee on Public Works, would be comfortable with an earlier date less than the three months? Please remember that this is an urgent matter.

**Hon. Paul Ngeche:** Thank you Mr Speaker. The rationale behind this is that we are breaking for the long recess and we also, as a committee, have two or so reports under our consideration. However, I think that two and half months will be enough.

**Speaker:** Very well. Could the clerk-at-the-table confirm to me when that will be?

*(Clerk-at-the-table consults with the Speaker)*

Very well, Member for Kipipiri, that will be by 31<sup>st</sup> July 2018.

Next order.

## 2. ACQUISITION OF GACHICHA AND ENGINEER HOSPITAL ACCESS ROADS

Yes Member for Gathaara ward Hon. Andrew Kamau Kariuki.

**Hon. Kamau Kariuki:** Thank you Mr Speaker. I hereby seek a statement from the Chairperson, Lands, Housing, Physical Planning and Urban Development on the acquisition of Gachicha access road and Engineer Hospital access road providing the following information:

- i. The amount allocated for the purchase of the piece of land at Gachicha for use as an access road;
- ii. information on the current status on Gachicha access road;
- iii. Why the department has not paid the owner of the land purchased for the Gachicha access road despite the person making numerous attempts to have the issue addressed; and,
- iv. Why the Department has not implemented the resolution of this Assembly on the acquisition of land for use as access road from Engineer town to Engineer Hospital.

Thank you, Mr. Speaker Sir.

**Speaker:** Very well, the statement is duly sought and I now refer the matter to the Chairperson of the Committee on Lands, Housing and Physical Planning to tell this House how much time his committee would require to respond to the raised concerns.

Yes Chair, Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker. Aware that the committee is engaged in visiting all the colonial villages within the county, an exercise that we have not dispensed with, I request that we be given three months so that we can be able to address this matter.

Thank you Mr Speaker.

**Speaker:** Very well, the Chairperson. I do agree that three months is quite considerable time and this translates to the committee responding to the statement by the 15<sup>th</sup> of August 2018. Make sure to respond to the committee by that date.

Next order.

## 3. HOUSING PROJECT IN THE COUNTY

Yes, Member for Geta Hon. John Githinji Mwaniki.

**Hon. Githinji Mwaniki:** Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Lands, Housing, Physical Planning and Urban Development on the housing project in the County addressing the following concerns:

Aware that Article 43 of the Constitution of Kenya 2010, guarantees every person a right to accessible and adequate housing, and to reasonable standards of sanitation;

Further aware that the county planning and development, including housing is a devolved function under Part II of the Fourth Schedule to the Constitution;

Noting that the County Government made allocations in the County Integrated Development Plan (2018-2022) where over a thousand housing units will be constructed;

Concerned that there is need to have a policy guiding the housing project to ensure...

*(Consultations)*

Mr Speaker, please protect me from the Hon. Members.

**Speaker:** Hon. Members, please consult in low tone. Proceed Member for Geta.

**Hon. Githinji Mwaniki:** Concerned that there is need to have a policy guiding the housing project to ensure equity in distribution of the projects throughout the County and the management of the housing project;

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

- i. Whether there is a policy regulating the housing projects;
- ii. Documentation on existing agreements between the County Government and other partners on the construction of the housing units; and
- iii. The plans put in place to ensure there is equity in distribution of the housing units throughout the county.

Mr Speaker, you can recall that during the just concluded Fifth Annual Devolution Conference, H.E. the Governor signed a Memorandum of Understanding (MoU) with a certain partner. In Nyandarua County, we have five sub counties including Kipipiri where I come from. We also have Kinangop, Ol'kalou, Ol'jororok and Ndaragwa sub counties. According to the message that we got from the Governor's Press is that Kipipiri people we skipped. I do not want to open that issue for debate right now but let us get more details of the agreement and then we will be in a position to ask more questions...

*(Hon. Mburu Githinji rises on a point of order)*

**Speaker:** Member for Rurii, I can pre-empt what I wanted to say but I think, Member for Geta, that it is allowed or the Chair can allow some insights from the seeker of the statement. However, the issue is not for any debate at the moment. So, conclude Member for Geta.

**Hon. Githinji Mwaniki:** Mr Speaker, I just concluded and that is why I have said that I do not want to debate on the issue for now but wait for the Committee to table the requisite documents in this House and then, we shall be in a position to deliberate on it.

**Speaker:** Very well, the statement is duly sought and I now inquire from the Chairperson, Lands, Housing and Physical Planning on behalf of the House, to tell us how much time they would require to respond on the same. Yes Chair, Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker. For the same reasons that I gave earlier, I request that the committee be given three months to respond to the two statements.

**Speaker:** Very well. Before the 15<sup>th</sup> of August 2018, I know that the committee will have responded to the two statements.

Next order.

#### 4. THE STATUS OF OL'KALOU CENTRAL FARMERS' COOPERATIVE SOCIETY LIMITED

**Speaker:** Yes, Member for Rurii, Hon. John Githinji Mburu.

**Hon. Mburu Githinji:** Thank you Mr Speaker although my name is John Mburu Githinji. Mr. Speaker Sir, I hereby seek a statement from the Chairperson of the Committee on Trade, Industrialization and Cooperatives Development on the status of Ol'kalou Central Farmers' Cooperative Society Limited addressing the following concerns:

Aware that cooperative societies are key economic drivers in the County with majority of the county residents beings members of various cooperatives societies and that the County Government has a mandate to ensure regulation of cooperative societies,

Further aware that in Ol'kalou Sub-County, there exists a cooperative society known as Ol'kalou Farmers' Cooperative Society Limited, which is faced with myriads of management and financial challenges;

Concerned that despite the various attempts to have the Society's management address the issues affecting it, no action has been taken and that the shareholders and members of the society risk losing their fortune;

Arising from the foregoing, I now request that the Chairperson of the Committee on Trade, Industrialization and Cooperatives Development does issue a statement to this House addressing the following issues;

- i. The asset base of the Cooperative society, its net worth and the number of members and shareholders;
- ii. Why the Cooperative Society has not held any Special General Meeting or Annual General Meeting for years;
- iii. The veracity of claims that the Cooperative Society has been rocked with poor management, lack of accountability and transparency by the Society's leadership;
- iv. Documentation on the latest audited accounts of the Society;
- v. Whether the transfer of assets have been carried out in accordance with the laws, and whether any disposals done have been done pursuant to the Public Procurement and Asset Disposal Act; and
- vi. Information on the election of the current leadership and documentation on the registration of the cooperative and its by-laws.

Thank you Mr. Speaker Sir.

**Speaker:** Very well Member for Rurii. The statement is duly sought and I now enquire from the Chairperson of the Committee on Trade, Industrialization and Cooperatives Development on how much they would like to respond to the statement.

Yes, Hon. John Githinji Mwaniki, Member of committee.

**Hon. Githinji Mwaniki:** Thank you Mr Speaker. On behalf of the Chairperson and the Committee at large, we would require two months to respond to the same.

**Speaker:** Very well. The committee should respond to the statement not later than 10<sup>th</sup> July this year.

Next order.

## MOTIONS

1. ESTABLISHMENT OF COUNTY STATISTICAL AGENCY TO PARTNER WITH KENYA NATIONAL BUREAU OF STATISTICS

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

**Hon. Isaac Kung'u:** Thank you Mr Speaker. I beg to move the following motion:

Aware that in county government is vested with power of county planning and development including statistics pursuant to the second part, fourth schedule of the Constitution of Kenya, 2010;

Noting that statistics are critical and fundamental to informed planning; resource mobilization and allocation for other government use;

Concerned that the Nyandarua County Government lacks both institutional and human capacity to derive statistics for its planning and use;

Further noting that there is already established by the national government, Kenya National Bureau of Statistics which is has personnel capacity to conduct statistical studies on matters useful to the county government.

Now therefore, this Assembly does resolve that:-

- a. That Nyandarua County Government does partner with Kenya National Bureau of Statistics with a view of appointing the said agency as also the county statistical agency thereby establishing the appropriate infrastructure in that regard; and
- b. That the Committee on Lands, Housing, Physical Planning and Urban Development does, within sixty days, report progress on this matter to Assembly.

Mr Speaker, I want to make it very clear that what I seek through this motion is a partnership between the County Government of Nyandarua and Kenya National Bureau of Statistics (KNBS). KNBS is established under Statistics Act, 2006, which is an Act of Parliament. It has the mandate of collecting, analysing, and disseminating statistical data. It is also the custodian of statistical information.

You will realize that the National Government, despite of the fact that it has access to every kind of human resource they would like or want, in its wisdom and through the National Parliament, they found it wise to form an independent body to do its statistical work. This bureau informs different government departments on data issues and helps in decision making. As a county, we have the department of finance and economic planning. There is the aspect of planning at the county level. Despite this department being present, you will find that Nyandarua suffers from inadequacy of data that can be used to inform some decisions.

Statistics are very important because they help us to make very critical decisions. If you don't have proper statistics, you might make bad decisions. One of the principles of the County Governments Act is equitable distribution of resources. You can never have this equitability without data. Another principle is good governance, which means that you appropriate money to where it is needed most. We are also talking about sustainable development. There is no way you can talk about sustainable development without data.

Mr Speaker, when we talk about data, I would like to bring to the attention of the Hon. Members some of the things we do in this county. For example, we order medicines worth Kshs.120 million. Do we have the data to tell us the diseases that are prevalent here? This is the information we want. Such that, when we order for the medicines, we are aware as a county of the prevalent diseases and the medicines will be useful for our people. When we share resources in

the budget, we decide how to give various wards different projects. However, when you look at the National Government, they came up with a formula of how to allocate revenue to county governments. This formula is informed by data. They look at some parameters such as poverty index, geographical aspects (size and hardship areas), and population among many other things.

Mr Speaker, that is the kind of information that we are looking for. Through the department of Finance and Economic Planning, we will partner with KNBS and be getting periodic data that will help this county during the distribution of resources and making sure that the resources are going to the areas that are needed most for the impact of this county.

I would also like to say that there are so much that requires to be done in such areas as agriculture. Just the other day, we had a very heated debate about the location of a potato processing factory. Such decisions can only be informed by data. In agriculture, we talk about the amount of potatoes that we produce but nobody can give us accurate data. If we want to change this county, we have to be professional by relying on scientific information to be able to make the right decisions. We would like to invite them because they have a role to assist the county governments and to give the National Government the right information. They will come on board if we create the right infrastructure and a kind of a directorate where we shall partner with them and get this information periodically.

Today, we talk of a spatial plan, which we will require to update now and then because data keeps on changing and it will help us to make decisions. For example, we did the first CIDP during the last regime but so far, nobody within this county can tell its impact. Evaluation of that CIDP was not done. Now, we have done the second one and we are not even sure where we are headed. The reason why we are calling for such partnership is that we will be able to evaluate ourselves and know whether we are headed in the right direction. What is the impact of the CIDP on health sector? Some of the data that we require is qualitative but not quantitative. We have trained people. What is their impact? We should be scientific and statistical. We can only get all these answers if we request for help from a well-organized and well-funded body whose technical capacity we cannot doubt. Otherwise, we shall be introducing projects and programmes in the county but we cannot tell their impact.

I don't want to belabour this point but want to call upon the members of this assembly, in their wisdom, to see the need for this body we intend to partner with. Today, we are talking about water projects but nobody is able to tell you the number of households accessing clean water. We just talk of information that we borrow from here and there but we cannot stand and accurately give an answer. On roads, nobody is able to tell you how many kilometres of road are *murramed* or gravelled. On trade, nobody will tell you accurately how decisions at national level are affecting the county. Therefore, I am calling upon the members to see to it that it is good when you get into a certain office and access the data that will help us in the budget making process and the programs that we need to introduce in this county.

If we keep on seeking services of consultants for agriculture, health and other areas, it will eventually be very expensive for the county. If we would have a partnership with an agency that would be doing these things, it would be less expensive and easy for this county. This is the way to go.

I do not want to belabour on this but I ask the members to support this motion and I know it will be of great use to this county. I call upon Hon. Gathure to second this motion.

**Speaker:** Yes, member for Kaimbaga.

**Hon. Gathure Wambui:** Thank you Mr Speaker, I rise to second this motion. I appreciate the mover of the motion I would say that this motion is good but it has come a little late. It should have come in the first regime.

Mr Speaker, resources cannot be allocated blindly. Data is required in allocation of resources so that one can be aware of where they are allocated and the people to benefit. That is why the national government could not work without the Kenya Bureau of Statistics. Every country has an agency that collects data.

In our county today, we do not have reasons to say why we for instance need a dispensary in a certain locality. Who are the beneficiaries? Why would there be need to have a maternity ward here? What number of women do we have in this locality? We find that roads are constructed and no one uses them. This happened in Moi's era where many tarmac roads were done but it was said that they were only used by basking cows and goats while others were used to spread grains to dry. We do not want such in Nyandarua. We want to allocate resources where there is need. There are basis on which we receive the equitable share. It is informed and that is why Nairobi will be given Kshs. 13 Billion. In terms of vastness, Turkana County is the biggest county in Kenya but it has a lower population than Kiambu. Nairobi and Mombasa are the smallest counties in this country but they have very high population. Kajiado County is said to be the richest county. It is a cosmopolitan county with so many business opportunities. That is what we call data. It is the one that will help bring equitability in revenue allocation to the wards. Some of the wards have been unjustly left out and that is why the member for Wanjohi is bringing such a motion. Last week I happened to go for a burial in his ward. In all corners of his ward, there is an outcry. This ward has been marginalized. This is the second biggest ward in Nyandarua, 199 km<sup>2</sup>, Ndaragwa Central is the first one 288 km<sup>2</sup>. It is the most populated ward with 23 polling stations. Kaimbaga has on average 10 polling stations and I am sure that it is not the lowest.

There is the equalization fund that goes to marginalized counties. What is the basis of them being called marginalized? We were called to go to Ol'kalou Catholic Hall and justify why Nyandarua should be considered as a marginalized county. It was said that compared to the counties that are referred to as marginalized, Nyandarua County is better. It could be on the lower side compared to the rest of the counties in the former Central province. Statistics were used to come to this conclusion. Area like Ndaragwa has all the characteristics of being referred to as marginalized. The members will agree that it needs more boreholes and dams. An agency to collect data is required in this county. When the Committee on Education was examining the polytechnics, we learnt that there is a polytechnic that has two students. What if the said polytechnic was to request for an extra classroom. Can the Committee on Education agree to have money allocated towards that classroom? No. Because the data that we have requires that it even be closed down. We are saying that numbers inform decision making and sharing the scarce resources that we have. Mr Speaker, I second. Thank you.

*(Question proposed)*

**Speaker:** Member for Githioro Hon. Simon Sambigi Mukuriah.



**Hon. Sambigi Mukuriah:** Thank you Mr Speaker, I rise to support this motion. It is evident from the developed world that everything that is done there is based on proved facts. These facts can only be gotten from collected data. We know that it is not possible to do a budget without proper population figures, the area covered and the geographical lay out.

For the longest time Nyandarua has been perceived to be developed and to be in the league of the other counties in Mt Kenya region. Unfortunately, if today we were to collect data and compare it with the others, we would be found far below in all the parameters used to measure development in the county.

Mr Speaker we have been talking of dams and water provision, but have we thought about the number for people that need to benefit from that and the time that the project will be sustainable. Are we going to have projects that within one year they shall not be able to supply water to the population as intended? For us to make a sensible decision we can only rely on this data.

I appreciate the thinking of the mover of this motion, that it would not be sensible to have another agency to do this while we already have a national agency paid by the taxpayers to do the same. For the purposes of comparing and contrasting the collected data, we need the national agency to do it so that we can make comparisons with the developed regions.

There is a constituency that has a very low population than it is expected. In Kinangop, we have 126 voters. If we were to look at that as the measure of the population in Kinangop vis-à-vis the other constituencies in Nyandarua, you will find that Nyandarua is disadvantaged as far as the government projects being funded by CDF (Constituency Development Fund) are concerned. We might not compare ourselves so much with the other counties but we should use this data to correct the historical injustices in the constituencies in this county, which have deprived the people of Kinangop off resources.

Mr Speaker, we know that we recently introduced the school feeding program but the data that we are relying on is not accurate. This is because the administrators gave out the data. If we had a formal way of collecting data, these figures would have been known soon and it would have been easier to plan.

Today we are talking about making our murram roads bitumen roads, this is a decision that should be informed by the population and the economic activities that take place in these areas. Do we have data showing the productivity of various areas where these roads are going to be constructed? We are talking of industrialization. Where are the industries going to be and what shall inform their construction. Thank you, I support.

**Speaker:** Yes, member for Gathaara Hon. Andrew Kariuki Kamau.

**Hon. Kamau Kariuki:** Thank you Mr Speaker for giving me this chance. I rise to support the motion and commend Hon. Isaac for bringing this motion to the House. There is need to have statistics. In terms of revenue, my ward brings a lot of revenue to the county government but when it comes to the distribution of resources, it is give equal to the rest.

Mr Speaker in my ward there is a market, a bus park, a public office, a court of law and police station. Data should be collected because it will be of help during the distribution and utilization of resources.

Due to lack of proper data collection, there is a problem in distribution of subsidized fertilizer to the farmers. In the previous distribution, Ndaragwa was given many bags of fertilizer

but in Kinangop where there is high crop production, the supply was low. I do not know the data they used in the supply of the same. Crop production is low in Ndaragwa and it could be true that some people got fertilizer illegally.

*(Hon. Mwangi Maitai rises on a point of order)*

**Speaker:** What is it member for Central?

**Hon. Mwangi Maitai:** Is it in order for the member to address the issue of fertilizer giving information that I am not even aware of?

**Speaker:** Member for Central, the member for Gathaara is not out of order. He is he the chairperson of the Committee on Agriculture and even if he might not be having actual data, he knows what transpired during the issuance of fertilizer. I think he is in order Member for Gathaara proceed.

**Hon. Kamau Kariuki:** Thank you Mr Speaker for protecting me. The other issue Mr Speaker is the procurement of milk, they did not collect data on the number of pupils in the said ECDE centres and hence know the number of packets will be supplied. This might be a loophole. Some wards are therefore given more packets than others. Mr Speaker there is also the issue of farmers...

*(Hon. Gathungu Kamau rises on a point of order)*

**Speaker:** What is it leader of majority Hon. Gathungu Kamau?

**Hon. Gathungu Kamau:** Is it in order for the member to say that the county government is distributing the milk blindly? This House might be taken in very bad light if it happens to be true if the county government does not have data used in distributing the milk, that we are doing it *fogothary*<sup>1</sup>.

**Speaker:** Leader of majority I agree with you that it might not be in order for the member to insinuate that there is no actual data guiding the distribution of milk. The term blindly might also not look parliamentary.

Member for Gathaara it is good that you do not deviate from the motion and it is good to indicate that may be the data that has been used in distribution of milk is not actual and hence the need to get the correct data.

**Hon. Kamau Kariuki:** Thank you Mr Speaker for your guidance. I want to tell the Leader of Majority that if there was data collected, we would not be having scarcity of milk. This is a proof that no data was collected. My last point is the bursary distribution. Mr Speaker if we know the number of students that are from poor backgrounds, we shall be able to distribute bursary well. In the last disbursement, each was given...

*(Hon. Gathungu Kamau rises on a point of order)*

**Speaker:** What is it leader of the majority party?

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<sup>1</sup> Fogothary—haphazardly

**Hon. Gathungu Kamau:** Mr Speaker I think in your ruling you had told the member for Gathaara to withdraw that statement. Mr Speaker the member for Gathaara is behaving like one legislator from South Africa who rose and said that half the members of that House were fools. When he was told to withdraw he stood and...

**Speaker:** Order member! You have already made your point and I was just waiting for the member to conclude to see if he would withdraw the statement. There was data that informed the distribution of milk but now the issue at hand is to get the actual data. Probably they used some estimates. Member for Gathaara restrict yourself to the debate. Withdraw that statement and conclude.

*(Microphones go off)*

Member for Gathaara proceed

**Hon. Kamau Kariuki:** Thank you Mr Speaker, I withdraw the statement. Thank you for your guidance. My issue here is failure to plan, lack of data hence no development. Thank you Mr Speaker.

**Speaker:** Yes member for Gathanji Hon. Ngumo Ngamau.

**Hon. Ngumo Ngamau:** Thank you Mr Speaker...

*(Hon. Paul Ngeche rises on a point of order)*

**Speaker:** What is it member for Kipipiri?

**Hon. Paul Ngeche:** Is it in order for the designated seat for the Deputy Speaker of the County Assembly of Nyandarua to be used by the member for Gathanji?

*(Consultations)*

*(Laughter)*

**Speaker:** Member for Gathanji, resume your seat and make your contribution from there.

**Hon. Ngumo Ngamau:** Thank you Mr Speaker for your direction. I rise to support this motion.

*(Consultations)*

**Speaker:** Order members! consult in lower tone. Member for Gathanji before you proceed, it is in order to contribute from where you were but for purposes of order, it is better to do it from your designated seat.

**Hon. Ngumo Ngamau:** That is okay Mr Speaker though the seat was vacant. I wish to support the motion and in fact thank its mover, Hon. Isaac Kung'u. He did good research; I would have never thought that the county government lacks data, which is not good at all. May God help the mover to discover more problems that embattle the County Government of Nyandarua. Mr Speaker, failure to plan is planning to fail. Only through data can the county government know

where it is going, especially when the latter is governing over half a million people. The county government has to plan.

Information is power. With regard to this, it is a serious mistake that the county government has no information records. As a remedy, the Department of ICT and Public Administration should partner with the national statistics agency to generate data. I beg to support the motion. Thank you Mr Speaker.

**Speaker:** Yes the Member for North Kinangop, Hon. Wambugu King'ori.

**Hon. Wambugu King'ori:** Thank you Mr Speaker. I rise to support the motion.

*(Hon. Mwangi Maitai consults in high tone)*

Mr Speaker, protect me from the Member for Ndaragwa Central.

**Speaker:** Order the Member for Central! Proceed the Member for North Kinangop.

**Hon. Wambugu King'ori:** Thank you Mr Speaker. It is unfortunate that we do not have a county statistical agency. The Committee on Lands, Housing and Physical Planning is dealing with a policy document on spatial plan. This document was supposed to be brought to this House before the ADP. The county government has the power to develop its spatial plan. The plan should be informed by various statistical records in possession of the county government.

The motion at hand is timely. It is unfortunate that six year after the advent of devolution we have not established a statistics agency in our county. A spatial plan cannot be developed without statistical records. I know that the Member for Wanjohi is agitated since for the last five year very little development, especially in the roads sector, has been done in his ward.

Before the establishment of the agency, regulations governing its operations should be formulated and adopted by this House. These regulations should be informed by the Statistical Act No.4 of 2006. This should be done so that this House can allocate in the budget funds for the operations of the agency.

Implementation of many projects is necessitated by political influence. In relation to this, there are projects that the national government promised to fund in our county. Our Governor No. 1, that is, the President, promised to fund upgrading of 425 kilometres of road. But where in particular? If I was asked, I would advise that roads within the headquarters — Ol'kalou — be upgraded first.

We are planning to upgrade facilities in our major urban centres, that is, Ol'kalou, Engineer, Mairo-Inya, OlJoro-Orok, among others. However, how could we budget for this without actual statistics, especially the demographics? The county government is planning to construct another stadium in Ol'kalou; but where in particular? What is the actual size of Ol'kalou in terms of square kilometres? I here Tumaini is part of Ol'kalou and the stadium could be constructed there. I know the Member for Kaimbaga may disagree with this. As an example, Nyayo Stadium is at the heart of Nairobi City while Kasarani Stadium is at the outskirts of the city. The mover of this motion should not forget that he is the chairperson of the committee on Implementation. Mr Speaker, the mover's second recommendation is that 'the Department of Lands, Housing, Physical Planning and Urban Development does within sixty days report progress on this matter to the Assembly.'

It is provided in the Standing Orders that all the resolutions of this House be implemented. So, by putting the quoted resolution, the mover was stressing the need for establishment of the statistics agency. I support the motion and urge this House to adopt it.

Thank you Mr Speaker.

**Speaker:** Yes, the Member for Central, Hon. Mwangi Maitai.

**Hon. Mwangi Maitai:** Thank you Mr Speaker, Sir. I rise to support the motion and commend its mover. Failing to plan is planning to fail. Allocation of resources is based on prevailing needs. These needs are identified based on statistics. These include population, size of regions, poverty levels et-cetera. In various site visits a committee of this House conducted, we noted that most of the county health facilities have one nurse. In relation to this, should we first increase the number of nurses in the facilities or improve the infrastructure at the same. Of course the former should take precedence.

Collection of statistical data is critical. We should, for example, establish the number of ECDE schools as this would inform allocation of resources to those institutions. This would help us avoid a case of double allocation of resources. I know of a road whose upgrading was allocated money by the county government and also by KeRRA. This double allocation would have been avoided if the county government had statistical data on roads upgrading.

The next Census will be conducted in 2019. This will provide the government with data on population size. I remember when we held a meeting in the Catholic Hall to discuss marginalization of Nyandarua, we did not have the relevant data to prove our case. Every Member would want a polytechnic built in their ward but would that be of any help considering that some existing polytechnics have two students? Additionally, statistical data informs recruitments by the county government. With those remarks, I support this motion moved by the Member for Wanjohi; it is timely. Thank you.

**Speaker:** The County Member from Kiriita, Hon. Wanjiru Ndirangu.

**Hon. Wanjiru Ndirangu:** Thank you Mr Speaker. I rise to support this motion without any reservation. I will make various observations. I commend the mover of the motion. The motion is timely. I have previously tried to retrieve certain data through the Assembly's research office but it was challenging. In the event that I got the data, it had a lot of discrepancies. For us to plan as a county government, we need proper and accurate data. Without proper and accurate data we cannot plan. Lack of data is probably what has been ailing the county government and the only cure is establishment of a county statistics agency.

With the establishment of a county statistics agency researchers from the universities will get accurate data for their research. Those of us who have conducted research at the university know how lecturers react if one does not present accurate data.

I have a friend from this county who is pursuing a doctorate degree in public health. Since she knows that I am a Member of the County Assembly, she requested me to provide her with certain data. Unfortunately, I could not assist her because I could not get the data. Consequently, she opted to conduct her research in another county. Her research would have been of much help in improving public health services.

The idea of partnering with the Kenya Bureau of Statistics is very commendable. The county government may not initially have the capacity to establish and run the county statistics agency; so it can for the first three years of establishing the agency partner with the Kenya Bureau of Statistics.

Rolling out of Equalization Fund, a programme that did not favour our county, required statistics such as population sizes, poverty indices and county sizes. In addition, the national government required such data to inform demarcation of constituencies. Our county would suffer the consequences should the national government lack various forms of data on our county. Ask yourself why some counties that are richer than Nyandarua are getting more money from the National Treasury than our county is getting. Probably the national government possesses

comprehensive data about them. With accurate statistics, we could even petition the national government on various matters.

It is the high time the county government established a county statistic department. I know Hon. Gathure Wambui will write a research paper; I do not want you to conduct the research towards the writing of the paper in another county *Mheshimiwa*. I will also not do the same. Establishment of the statistics agency will help us acquire accurate data for research. With those remarks, I support the motion.

**Speaker:** Yes the Member for Shamata, Hon. Reuben Gitau.

**Hon. Reuben Gitau:** Thank you Mr Speaker. I rise to support the motion. The motion is timely. The county statistics agency should be established so that in the next five years, the county government will have data to show.

I want to give an example; the national government, in collaboration with the county government, is just about to release subsidized fertilizer. My ward will benefit with five hundred bags or less. In one planting season, about twenty five thousand bags are used in my ward. Now I am wondering who will benefit from the five hundred bags and who will not. If the national government and the county government had accurate data on the number of farmers in the county, the national government would know the exact number of bags to supply to every ward.

A statement was sought in this House on where the national government wants to establish a potato factory. The President had indicated that it would be established in Shamata. With availability of accurate statistical information, Hon. James Gachomba would not have sought the statement. My ward can sufficiently supply five counties with potatoes for a reasonable period of time.

Mr Speaker, the money allocated in the emergency fund is not sufficient to all the disaster management needs. Should precise statistics on disaster management be collected the fund would be reviewed appropriately. Plans to enrol our people with NHIF would not be fruitful if there is no data to inform the number of those who have enrolled and those who have not.

Additionally, do we really have statistics on murrum roads in our county so that we can establish the road reserves the county government needs to acquire to enhance good road network?

Mr Speaker, accurate data on the number of unemployed yet skilled youths could help the county government address the unemployment menace.

I support the motion Mr Speaker. Nonetheless, I wish to propose an amendment to recommendation (b), which reads; "That the Department of Lands, Housing, Physical Planning and Urban Development does, within sixty days, report progress on this matter to the Assembly", such that the same shall read, "That the Department of Finance and Economic Planning does within sixty days report progress on this matter to the Assembly". This is for the reason that in the national assembly the Bill on Statistics was processed by the committee on finance and economic planning. I wish to call Hon. Wanjiku Muhuhu to second.

*(The Speaker consults with the clerk-at-the-table)  
(Consultations)*

**Speaker:** The Member for Shamata, your concern is valid, but according to the Standing Orders, the matter should be taken up by the Department of Lands, Housing, Physical Planning and Urban Development. The Standing Orders provide that:

All matters pertaining to county planning and development, including statistics, land survey, mapping, boundaries and fencing, housing, electricity and gas reticulation, excluding energy regulation.

The Finance and Economic Planning committee or department cannot therefore deal with the matter of statistics. It can only be handled by the Department of Lands, Housing, Physical Planning and Urban Development. Collection of statistics and maintenance of data will help the county government in planning, making projections and conducting evaluations. So the Member for Shamata, I do not see the need of the amendment.

Proceed with your contribution.

**Hon. Reuben Gitau:** Mr Speaker, I am satisfied by your guidance. I rest my case and beg to support the motion.

**Speaker:** The Member for Kipipiri, Hon. Paul Ngeche.

**Hon. Paul Ngeche:** Thank you Mr Speaker. With your leave, I wish to borrow from the biblical perspective on statistics. Collection of statistical data never started yesterday; it happened even during the time of creation of the universe. There was a need to create the universe in six days. There was also a need for Jesus to have twelve apostles. In relation to this, why is Nyandarua County Government not collecting and maintaining statistical data pertaining to the county?

We need statistical data in order to, for example, know how much to spend in the sub counties. I came to learn of the importance of statistics especially in the department of Lands, Housing and Physical Planning because, a sub county like Kipipiri is missing in a vital project like this due to lack of statistics.

If we adopt this motion, it is going to help us create employment to our people. We will be able to absorb statisticians. Without much ado, I strongly support this motion and going by the mood of the House, I now call the mover to respond.

**Speaker:** Yes, the mover.

**Hon. Isaac Kung'u:** Thank you Mr Speaker. I want to say that I am mesmerized by the positive response from all the members of this county assembly and the vibrancy they have illustrated in this debate. So, members I am humbled by your support and I don't want to repeat what you have said because it is already in the Hansard.

As the Chair of the Committee on Implementation, I will follow up to make sure that this motion is implemented. I know there is a debate of whether it should be under the Department of Lands, Housing and Physical Planning or Department of Finance and Economic Planning but there will be talks between the County Assembly and the Executive to see where it can fit for better implementation. I am very grateful and I beg to move.

*(Question put and agreed to)*

**Speaker:** This House has made a resolution and I think the said committee will do the necessary to see the implementation of this important motion. Hon. Members, this is a matter of research and it is only through research that we can know the actual position of the county in terms of projections, analysis and planning. Indeed, this will inform our budgeting process. At the end of the day, it will also inform decision making and to some extent, evaluations.

It is good to note that in social economic development, there must be quantitative and qualitative data. That is what informs the intervention measures to be taken. These are the kind of motions we need to see implemented and I am glad that the mover is the Chair of the Committee on Implementation and I know that the Committee on Lands, Housing and Physical Planning is dealing with the matter. I think the mover and the Chair will equally follow up on the same.

What I would like to add, Hon. Members, is in regard to where this issue should be referred to. Our Standing Orders are very clear when it comes to Finance and Economic Planning. I think that the planning in the said committee as stipulated in the Standing Orders is on, “*all matters relating to county proposed plans and investments*”. So, it is more on investment and not planning but we cannot invest without planning. Therefore, that is what is informing planning. They deal with county revenue raising measures including the annual county finance act, consider finance and economic planning, trade licenses excluding regulations of professions, outdoor advertising and recommend to the county government, possible and lawful sources of the county revenue.

So with that information Hon. Members, I think even the mover did some sort of research and it informed him that the matter should be referred to the Committee on Lands, Housing and Physical Planning.

Next order.

## 2. ADJOURNMENT MOTION

**Speaker:** Member for Leshau Pondo and the Leader of the Majority Party.

**Hon. Gathungu Kamau:** Mr. Speaker Sir, I beg to move the following motion:

Aware that this House adopted the Legislative Calendar for the Second Session of this Second Assembly;

Further aware that the Legislative Calendar adopted by this House provides for a long recess from Friday the 11<sup>th</sup> day of May 2018 to Monday the 11<sup>th</sup> day of June 2018;

Concerned that this House is yet to approve the Annual Development Plan 2018/2019, the County Fiscal Strategy Paper 2018/2019 and the Second Supplementary Budget Estimates 2017/2018;

Further concerned that if the House does not urgently approve the documents, there will be delay in the approval of the Nyandarua County Budget Estimates 2018/2019 and subsequent enactment of the Nyandarua County Appropriation Act, 2018;

Appreciating that there is a planned workshop for the consideration of the documents by the members from the 10<sup>th</sup> day of May 2018;

Now therefore, this House does resolve;

- a. That pursuant to standing order 29 (4), the Legislative Calendar be altered such that the long recess of the First Part starts on 18<sup>th</sup> day of May 2018 and that the adjournment be altered to the 17<sup>th</sup> day of May 2018; and
- b. That pursuant to standing order 29 (3), this house does adjourn to a day other than the next normal sitting day to all members deliberate on the Annual Development Plan 2018/2019, the County Fiscal Strategy Paper 2018/2019 and the Second



Supplementary Budget Estimates 2017/2018. As such, the house does adjourn to Tuesday 15<sup>th</sup> day of May 2018 at 2.30p.m.

The House will be adjourning to Nakuru as agreed and for reasons that we were given by the Office of the Clerk and that since most members would have preferred to go to Naivasha, it is unfortunate that it will seem like single sourcing because the pre-qualified hotels that we have been going to looks like preferred destinations. That is why we will be going to a new outlet.

As we have agreed, the documents need to be passed as fast as possible. The delays that we have experienced are also delaying implementation, contrary to how we would have preferred as a House. If we approve them on time, we will give the Executive enough time to implement projects on time in the next financial year. I know there will be a formal communication from the secretariat, but we shall be going to Tumaini Hotel and today is the travelling day then we sit tomorrow and Friday and then leave the Committee on Budget and Appropriations to deliberate on this matter on Saturday and Sunday. As such, the House shall adjourn to Tuesday, the 15<sup>th</sup> day of May, 2018 at 2.30 p.m.

Thank you Mr Speaker Sir and I call Hon. Kung'u, the Member for Wanjohi to second.

**Hon. Isaac Kung'u:** Thank you Mr Speaker, sir. I second this adjournment motion. As the budget committee, I think it is important that we meet and we all know that we are late on the budget cycle.

*{Deputy Speaker, (Hon. Zachary Njeru) leaves the Chair, Temporary Speaker,  
(Hon. Paul Ngeche) assumes the Chair}*

These documents were presented here on Thursday last week and that is why it is important that as a committee we meet and look at them so that we can adopt them as soon as possible. This will allow the Executive time for the preparation of the Budget Estimates.

I second.

*(Question proposed)*

**Speaker:** Member for Kaimbaga, Hon. Gabriel Gathure.

**Hon. Gathure Wambui:** Thank you our learned Speaker for giving me this chance to contribute to the motion that has been moved by the Member for Leshau Pondo and also the Majority Leader. I rise to support this adjournment motion and I would like to quote that there is serious business that are awaiting these Hon. Members in Nakuru. They will be perusing through the Annual Development Plan, which was informed by the CIDP that we passed earlier. It was the document which is supposed to cater for Nyandarua's development for five years. The ADP is an extract from the CIDP, which shows a breakdown of various projects that will be undertaken by the County Government in this financial year.

The County Fiscal Strategy Paper (CFSP) will set a ceiling for various projects that will be done by the County Government. It is worth noting that we are late. Some of these documents were supposed to be brought as early as last year so as to make the budget-making process efficient and also to help the electorate's demands be met on time.

I support this motion but I would also like to tell the Majority Leader that the days given to the members to go to Nakuru to scrutinize these documents are not enough. Giving these

members two days only, I think it's not fair. I understand that the Committee on Budget and Appropriations will be left there...

*(Hon. Gathungu Kamau rises on a point of information)*

**Speaker:** Majority Leader, are you giving the information to the House or to the Hon. Member?

**Hon. Gathungu Kamau:** To the Hon. Member who we also call the 'Minority Leader'.

**Speaker:** Hon. Member, do you require the information?

**Hon. Gathure Wambui:** Yes.

**Speaker:** Proceed Leader of the Majority Party.

**Hon. Gathungu Kamau:** Thank you Mr Speaker, sir. The observations by Hon. Gathure are very valid. We know, as a House, that when the Budget Estimates were being drafted, we did not have the sitting allowances, and that is why we could afford so many days out. I understand we have almost replenished the amount set aside for the Assembly and that is why we are having few days out but in future, it should get into the records that, the budgeting should be done in such a way that some funds are set aside so that the Hon. Members can do comprehensive duties. Thank you.

**Speaker:** Continue Member for Kaimbaga.

**Hon. Gathure Wambui:** Thank you Mr Speaker and the Majority Leader. I still do not agree that these Hon. Members ought to be punished and given 'donkey work'. For now, I understand that maybe, the Majority Leader and the other members who are here, can do nothing to change this; to increase the number of days from two to four. In future, these members should be considered and be given more days. The Assembly can liaise with the Executive for more funding if there are no enough funds. With those few remarks, I beg to support this motion.

**Speaker:** County Member from Njabini/Kiburu, Hon. Wanjiku Muhoho.

**Hon. Wanjiku Muhoho:** Thank you Mr Speaker. I rise to support this motion, but it is worth noting that for effectiveness of any leadership, timeliness is very important. I believe that the CEC Member in charge of finance explained satisfactorily why these documents came late. As the member for Kaimbaga has said, these documents are quite many since we are talking of three of them. Two days Mr Speaker. Honestly, I don't know whether we are going to scrutinize them well.

There is also another observation concerning alteration of the legislative calendar. I believe that the Hon. Members had planned their activities using it. So in future, I do not think it will be fine to have a repeat of the same because it will affect our plans. For this one, we understand because there are some issues that arose.

We must give the Executive enough time for the implementation of these documents, and so we should work together and submit them to the Executive on time. With that, I support the motion. Thank you.

**Speaker:** Member for North Kinangop, Hon. Edinald King'ori.

*{Temporary Speaker, (Hon. Paul Ngeche) leaves the Chair, Deputy Speaker,  
(Hon. Zachary Njeru) assumes the chair}*

**Hon. Wambugu King'ori:** Thank you Mr Speaker. I rise to support this motion and for the first time, I have seen the Leader of the Majority Party being concerned about *Wanjiku*. When we alter the calendar for us to be here, that is more important than being on the ground. Even if we are supposed to be here throughout, we often come to the Assembly from our wards. We take up the issue of oversight every now and then although the issue of legislation is equally important.

Dealing with three policy papers which have statutory timelines is not possible in two days. I understand that the leadership of this Hon. House shall put this matter into consideration and liaise with the executive to find out how they are going to deal with this issue. We assumed this August House on 23<sup>rd</sup> August, 2017 meaning that we are behind and that is why we are rushing to beat the timeline. Therefore, I support it but also urge the leadership of this House to look into this issue during their free time and see how they can add some more days for the scrutiny of those policy papers with no haste.

**Speaker:** Yes County Member from Rurii, Hon. Joseph Kariuki.

**Hon. Joseph Kariuki:** Thank you Mr Speaker. I rise to support this motion. I know it is of importance as Hon. Wanjiku Muhoho has just said. Members had already planned their schedules using the legislative calendar when they go for recess. For the sake of the electorate, it is necessary that the three documents be discussed so that the outcries that have been there concerning documents being late can stop. This time we don't want to hear that.

I also support what member for Kaimbaga said about timeliness. In future, we can liaise with the Executive since they are the ones who have delayed the documents. The Assembly can facilitate the members for three days and the Executive for two days. I now call the mover to respond. Thank you.

**Speaker:** Yes, the motion mover and the Majority Leader.

**Hon. Gathungu Kamau:** Thank you Mr Speaker, sir. I will start by thanking the members for the overwhelming support that they have accorded this motion aimed at altering the legislative calendar. It shows the passion that these Hon. Members have for the electorate. I remember in the morning that there was a motion that was dropped. Therefore, I don't take the support lightly considering that it has gotten almost one hundred percent support. With those few remarks, I beg to move. Thank you.

*(Question put and agreed to)*

## ADJOURNMENT

**Speaker:** This House now stands adjourned to Tuesday, the 15<sup>th</sup> day of May 2018 2.30 p.m.

*(The House rose at 4.34 pm)*