

**REPUBLIC OF KENYA**  
**NYANDARUA COUNTY ASSEMBLY**  
**1<sup>ST</sup> ASSEMBLY- 4<sup>TH</sup> SESSION**

**OFFICIAL REPORT**

Wednesday 10<sup>th</sup> August, 2016

*The Assembly met at the Assembly Chamber (P.C.E.A Hall) at 2.30 p.m.*

*The Hon. Speaker, Ndegwa Wahome, 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:** The quorum having not been recognized, I invoke the provisions of standing order no. 34 and direct that the bell be rung for an initial ten minutes or until such time within the ten minutes, when quorum shall have been achieved.

*(The bell rings for two minutes and quorum is achieved as confirmed by the clerk-at-the-table)*

Quorum having been achieved, we can proceed with the business of the session. First order.

**COMMUNICATION FROM THE CHAIR**

**REVIEW OF A COMMUNICATION FROM THE CHAIR ON THE MOTION ON  
REPORT BY PIC/PAC**

Hon. Members, you remember that yesterday I communicated to the effect that the PIC/PAC report would be discussed on the 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> of August 2016 which was erroneous for the reason that the assembly should be proceeding on recess from 19<sup>th</sup> of this month and in the view of the reasons of the KICOSCA games, the House will be proceeding on recess effective from tomorrow. The review to that communication is that the PIC/PAC report will be discussed the first three days of resumption of business in September. Next order.

*(Hon. David Ndirangu rises on a point order)*

**Speaker:** What is it member for Mirangine Hon. David Ndirangu Ngigi

**Hon. David Ndirangu (Mirangine):** Mr Speaker, is it in order for Hon. Kieru Wambui to get into the House and not bow?

**Speaker:** I never noted that but if the member for Gatimu did that, it is tantamount to gross misconduct and he should enter into the House in the right manner.

*(Hon. Kieru Wambui rises)*

What is it member for Gatimu?

**Hon. Kieru Wambui:** Mr Speaker I did bow at the entrance because I was actually standing there but since the member had promised that he would teach me a lesson on the floor of this House and probably that is what he is doing now that we know which side he is in terms of the campaign for the governor and where I am. He should not bring that on the floor of the house.

*(Laughter)*

**Speaker:** I believe that the member for Gatimu appreciates what he is supposed to do when he is coming to the House. He has confirmed that he observed that procedure and maybe it escaped the eye of the member for Mirangine when he was bowing because it is an action that takes a fraction of a minute. We can now proceed with the business of the day. Next order

## PAPERS

### 1. UPGRADING OF OL'KALOU COMMUNITY LIBRARY

Yes member for Leshau-Pondo and a member of the committee on ICT and e-government as formerly constituted Hon. Josphat Kamau.

**Hon. Josphat Kamau:** Thank you Mr Speaker. On behalf of Kamau Ngotho, I beg to table the Report of the Committee on I.C.T and E-Government as formerly constituted on the Upgrading of Ol'kalou Community Library.

**Speaker:** Very well that report is duly laid on the table of the house, the House business committee shall allocate time for the processing of the same. Next

### 2. REPORT ON PACK-HOUSE FACT FINDING MISSION

It seems that it is the county member from Engineer who is going to lay the paper. Hon. Tiziana Wanjiru Mwangi

**Hon. Tiziana Mwangi:** Thank you Mr Speaker on behalf of the chairman Hon. Samuel Kimani Njiraini, I beg to table the Report of the Agriculture Livestock and Fisheries Development Committee on Pack-House Fact Finding Mission.

**Speaker:** The report is duly laid, the House business committee shall give direction on processing of the same.

## NOTICES OF MOTION

### 1. REPORT ON THIRIRIKA - KARIA-INI DAM AND ITS RIPARIAN LAND IN MAGUMU WARD

Yes county member from Karau Hon. Patricia Wanjugu Njoroje

**Hon. Patricia Wanjugu:** Thank you Mr Speaker, I beg to give notice of the following motion

That this house does adopt the report of the Lands, Housing and Physical Planning Committee on Thiririka/ Karia-ini dam and its riparian land in Magumu ward in response to a statement sought by Hon. peter Githinji Ngumba as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr Speaker.

**Speaker:** The notice of motion is duly given, the House Business Committee shall give directions on the processing of the same.

Next order.

## 2. REPORT ON CONSTRUCTION OF NDANJO- KWA MUSYOKA ROAD

Yes, member for Kanjuiri-Ridge Hon. Suleiman Kihika.

**Hon. Suleiman Kihika:** Mr Speaker, on behalf of the chairperson, I beg to give notice of the following motion.

That this House does adopt the report of the Roads Public Works And Transport Committee on the Construction of Ndanjo-Kwa Musyoka road as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr Speaker.

**Speaker:** The notice of motion is duly given, the House Business Committee shall give directions on processing of the same.

Next order.

## MOTIONS

### PROCEDURAL MOTION

Yes member for Charagita and the chairperson of Water, Irrigation, Energy Environment and Natural Resources Committee, Hon. Paul Kiruka Mburu.

**Hon. Kiruka Mburu:** Thank you Mr Speaker. I beg to move the following motion; That with the leave of the house, the motion “that this House does adopt the report of the Water, Irrigation, Energy Environment and Natural Resources Committee in response to a statement on the conservation measures on Wanjohi river as a report of this House and the recommendations therein as resolutions of this House” Be exempted from the requirement of article 46 (5) (b) of the standing orders, which require that a notice of motion to be given at least one day before a motion appears on the order paper

Thank you Mr Speaker.

This is a very important motion. The notice of this motion was given this morning. I call upon Hon. Kimani Njiraini to second.

**Speaker:** Yes, member for Kaimbaga Hon. Samuel Kimani Njiraini.

**Hon. Kimani Njiraini:** Thank you Mr Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

**Speaker:** The leave is granted.

Next order.

## SUBSTANTIVE MOTION

### REPORT ON CONSERVATION MEASURES ON WANJOHI RIVER

Yes, member for Charagita and the chairperson Water, Irrigation, Energy Environment and Natural Resources Committee Hon. Paul Kiruka Mburu.

**Hon. Kiruka Mburu:** Thank you Mr Speaker sir, I beg to move the following motion: That this House does adopt the report of the Water, Irrigation, Energy, Environment and Natural Resources Committee, in response to a statement on the conservation measures on Wanjohi River as report of this House and the recommendations therein as resolutions of this House.

I appreciate the House for granting me leave to move this motion. This report is very important to our county and especially the people in Wanjohi town.

Mr. Speaker, Sir, on 2<sup>nd</sup> December, 2015 the County Assembly Member for Wanjohi Ward, Hon. Joseph Mumba Gichini, requested for a statement, from the Chairperson Water, Irrigation, Energy, Environment and Natural Resources committee, seeking to know the intervention measures being taken to conserve River Wanjohi, following the prevalent pollution caused by discharge of waste water into it. The committee took it upon itself to investigate the issue so as to confirm the allegation and ascertain the extent of pollution.

The members are aware of the Committee's mandate as it is written in section 191 (5) of the Standing Orders. Listed are the members of the committee and the secretariat. We go to the terms of reference.

Mr. Speaker, Sir, the Committee derived its terms of reference from a statement request which sought to establish the measures being undertaken to ensure proper conservation of river Wanjohi so as to safeguard the health and wellbeing of the residents who depend on it as a source of water.

Mr Speaker, sir, the people from Wanjohi get water from this river. For the purposes of getting clean water, the member for Wanjohi found it necessary to seek a statement. The chief officer water, and the committee made a visit to the area to see that actual river.

The constitution and the standing orders give us power to summon anyone so that he or she can give any information that is required by the committee. The committee summoned the following people.

- i. CECM for Water, Irrigation, Energy, Environment and Natural Resources on 10<sup>th</sup> March, 2016,
- ii. CECM for Health Services on 16<sup>th</sup> June, 2016, and
- iii. CECM for Lands, Housing and Physical Planning on 23<sup>rd</sup> June, 2016

During the meetings, the committee members evaluated several strategies that could solve the problem amicably bearing in mind that the problem is also experienced in other towns in the County.

The committee learnt that in order to solve the prevailing problem in Wanjohi, several departments' heads will need to plan individually and collectively to come up with lasting solutions to the drainage and sewerage problems faced, not only in Wanjohi but also in several other towns within the County.

I cannot forget to appreciate your office and that of the clerk for the continued support. I thank the four departments for availing themselves and providing the information that this committee required. I thank the committee members as well.

Mr Speaker, it is true that the County government is responsible for implementation of specific National government policies on Natural resources and Environmental Conservation, including soil and Water conservation as outlined in schedule four of the Constitution of Kenya.

We receive from the national government most of the policies that we implement. For example, we implement forest policies but when it comes to harvesting the trees after maturity, the national government does this alone. The county government needs to discuss this issue with the national government. It is not good for the county government to be only implementing policies but reaping no fruits.

The National policies on Environment requires that before any development plan is prepared, the Environment impact Assessment Study report be acquired in case of change in land use, waste disposal as well as urban development including designing of new urban townships and shopping centres. This will help us foresee the problems such as drainage that may occur.

Pollution of water sources is prohibited; citing Environmental Management and Co-Ordination (Water Quality) Regulations, 2006

Sec.4. (1) Every person shall refrain from any act which directly or indirectly causes, or may cause immediate or subsequent water pollution, and it shall be immaterial whether or not the water resource was polluted before the enactment of the Act.

(2) No person shall throw or cause to flow into or near a water resource any liquid, solid or gaseous substance or deposit any such substance in or near it, as to cause pollution.

Mr. Speaker, Sir, on 8<sup>th</sup> March, 2016 the Committee conducted an inspection visit to Wanjohi Ward, the source of river Wanjohi, to collect more information on the alleged poor management of both liquid and solid waste. On arrival at Wanjohi town the Committee observed the following;

- Small open trenches termed as drainage system from the buildings around the town, connects to a major line that directs the waste into Wanjohi River.
- Some of the trenches were blocked with plastic bags and other solid waste, causing blockage in several sections of the trenches. The Committee learnt that during the rainy season, this blockage would result to water spreading across the road rendering them impassable. This is the case in many towns in Nyandarua.
- The trenches with the untreated solid and liquid waste draining into the river posed danger to the residents consuming the water downstream.
- Stagnant water in the drainage trenches is foul smelling and repulsive.
- The town has one casual responsible for keeping the town clean, the Committee learnt that a casual worker, a lady from Miharati was sometimes deployed to help in unblocking the drainage, further the Committee learnt that the casuals were not provided with protective gears such as gumboots and gloves for cleaning the drainages, hence exposing them to diseases.
- The Committee coincidentally met with some water stakeholders who included; Chairman of the local WRUA (Water Resource Users Association), Regional officer WRMA (Water Resource Management Authority), Officer from (WWF) World Wide Fund for Environment and Imarisha officer from Naivasha who also had some concerns on the same River but had come for another different objective of monitoring the River status.

#### 1. Submissions from the CECMs.

The Committee resolved to invite the CECM for Water, Irrigation, Energy, Environment and Natural Resources and on 10<sup>th</sup> March, 2016 the CECM Hon. Grace Gitonga and the Chief Officer, Eng. Martin Kamami, appeared before the Committee. The Committee

had requested for some information on issues pertaining the department's operations. Among the issues she was to address was on alleged pollution of Wanjohi River. The CECM explained to the Committee that she had not received any complaint concerning the river. She noted that the only complain she was aware of was concerning the location of a public toilet in the area. The CEC member however promised to conduct a tour to ascertain the allegations.

It was noted that other departments needed to be involved since solid waste management was a function performed by the Health services department, while the county public works department is responsible for the storm water management systems in built-up areas. Urban planning including approval of building plans which lies squarely under Lands, Housing and Physical Planning department was also deemed as an important component to consider while dealing with this matter conclusively.

The Committee hence resolved to invite the CECMs in charge of the aforementioned departments to advise further on how to best address the problems experienced in Wanjohi and other affected towns.

On 16<sup>th</sup> June, 2016 Hon. Peter Mbugua, the CECM for Health Services, together with Eng. Martin Kamami appeared before the Committee. The CECM noted that;

- Upon the visit to Wanjohi town the CECM in the department of Health Services reported that Wanjohi town had no sewerage system since most of the residents used the pit latrines.
- The department was in a process of quantifying the level of pollution through analysis of water samples from the river during the dry and wet seasons to ascertain the danger posed by the poor drainage system.
- There were two permanent casuals attached to the town, and that garbage collection was done at least once in a week due to resources constraints, he further noted that a bid to increase the casuals was halted due to the freezing of employment in the Counties.
- The CECM noted that the department had provided the casuals with the protective gears including, boots, gloves and 5 wheelbarrows for their use.
- The health services departments mandate was on solid waste management while the liquid waste management was deemed to be under the ambit of the Water department.

The department on Water, Irrigation, Energy, Environment and Natural Resources reported the following observations;

- Waste water was being generated from buildings within Wanjohi town and disposed to the trenches dug by the residents into the river which was meant for the storm water management.
- There was danger of waterborne diseases since the stagnant water was very dirty and foul smelling yet was drained to the river which is the source of water to many households down streams. I am sure that you cannot go there because of the foul smell.

The CECM for Lands, Housing and Physical Planning appeared before the Committee on 23<sup>rd</sup> June, 2016 and had the following submissions;

- That his department was responsible for physical planning and approval of building plans but most of the residents in Nyandarua do not adhere to planning regulations.

He however noted that the department had sought approval from the cabinet to streamline the physical planning in the County.

- That his department had just completed the acquisition of dumpsites in the County. He informed the committee that for disposal of Wanjohi town, the nearest disposal site at Miharati parcel number *Nyandarua/Malewa/1570* was now available and their title deed processed.
- That most of the towns in the County emerged from agricultural land Wanjohi being among them, hence this means that the towns are on individually owned land while others are under Settlement funds trust (SFT) and therefore no land is set for public amenities including public toilets and sewerage infrastructure.
- The CECM promised to send officers from the department to Wanjohi and other towns to come up with ways in which the town can be re-planned.

We can now go to the key findings. Upon deliberations, the committee deduced the following;

- That pollution was emanating from the buildings within Wanjohi town, and that most of this buildings were built on small plots hence no prior town planning. It was equally reported that other towns in the county suffer the same predicament and hence need for their planning.
- The issues experienced in Wanjohi were cutting across four Departments, that is Health Services, Land, Housing and Physical Planning, Roads, Public works and transport and the Department of Water, Irrigation, Energy, Environment and Natural Resources which is unable to conserve the River without the cooperation from the other departments.
- The purchase of the dumpsite in Miharati would enhance garbage collection and dumping, this would in return reduce the amount of solid waste around Wanjohi and hence reduce blockage of drainage trenches.
- That there was need for physical planning in most of the towns in the County since it was noted that apart from Wanjohi other towns lack social amenities since they developed from agricultural land, the committee noted that this could only be done by either purchasing land for the public amenities around the towns or ensuring that those selling land to be subdivided into plots around the towns set aside 10% of the land for such facilities.
- The health service department claims that they had provided protective gear to the casuals was not confirmed because during the town visit, the committee did not find the cleaners using any protective clothes. This is not good because we always budget for these items.
- There was is no clear action or even an attempt that the department of Water, Irrigation, Energy, Environment and Natural Resources have considered any initiatives to conserve the river. The chief office reported that storm water management is under the department of public works while waste management is a function under the Health services department.
- Many households whose source of water is river Wanjohi are at a great risk of waterborne diseases and in case of an outbreak the situation would not be contained easily.
- Provision of a sewerage treatment plant to treat the liquid waste from households in the area would cure the problem. However this is not feasible in the near future owing to the huge capital, regulatory and locational limitations. Septic tanks and cesspools are more affordable in the short term but can only be enforced through

the department on Lands, Housing and physical Planning. Challenges foreseen includes limited land for the location of waste water treatment plants or cesspits and septic tanks and lack of funds.

Let us go to the recommendations.

1. That the plot owners in Wanjohi town aspiring to open shop should be compelled to provide septic tanks in their plots before approval of their occupation licenses.
2. That the department on physical planning should enforce that businesses already operating businesses in the town put up septic tanks for liquid waste disposal before renewing their business permits.
3. That the department on lands, housing and physical planning should fast track the development planning for the existing towns to include the relevant public amenities and also advise on acquisition of land for the same in already existing towns.
4. That the Roads, Public Works and Transport department should consider and budget for construction of a feasible drainage system in Wanjohi town and other towns in the County. This is in consideration of the funds to be allocated in the budget for towns' drainage and for long term waste water management. There is there need for increased budgetary allocation so that we can have these drainage system.
5. That the Health Service department should consider providing guidelines of operating business enterprises in towns and conduct civic awareness of the need to plan for waste disposal. The department should provide the relevant protective gears to the casuals working in all towns in the County.
6. That the health service department should ensure that waste disposal and particularly the solid waste around the county is prioritized and the frequency of collection increased.
7. The CECM in the Health department should consider doing impromptu visits to ensure that casuals are doing their work efficiently. The department should Fast-track the process of measuring the level of pollution in Wanjohi River, and coming up with a plan in conjunction with other relevant departments on how to conserve the river.
8. That the Lands, Housing and Physical Planning department should work hand in hand with the relevant departments like Public health division to ensure that laws pertaining to buildings including on those of waste disposal are adhered to.
9. That the department on Water, irrigation, energy environment and natural resources in collaboration with the national environment management authority should form a County environment committee to look into the environmental concerns in the county with an aim of developing the County Environmental action plans as well as County policies to safe guard the environmental integrity.
10. That the department on Water, irrigation, Energy, Environment and Natural resources should conduct a survey of the Water in the Rivers to ascertain its purity and where compromised plan for measures to prevent further pollution. Enforcement will require legal framework and therefore calls for policy formulation for the County and adapt regulations in line with the National regulations and the Constitution.
11. That the National Environmental management Authority(NEMA) should assist the county in this matter by building capacity and creating awareness to all sectors players that have a potential to degrade the environment by offering technical support for compliance with the national policies on environmental conservation.

NEMA should work with the county government to see to it that the environment is conserved.

In conclusion Mr, Speaker, Sir, protection of the Environment and Natural resources, which includes water protection, is a National government function as stipulated under the fourth schedule of the Constitution of Kenya. The County government however is tasked to implement specific National government policies on natural resources and environment conservation including soil and water conservation as well as County public works and services including- storm water management systems in built-up areas and water and sanitation services. This therefore calls for cooperation between the two levels of governments to ensure that the County residents are provided with a clean and safe environment and water as envisioned in the constitution.

The people of Wanjohi town and other towns in the County have a right to accessible and adequate housing, and to reasonable standards of sanitation as well as clean and safe water in adequate quantities pursuant to Article 43 (b) (d) of the Constitution of Kenya, 2010. This however has been compromised by poor planning leading to lack of sanitary facilities and waste water discharge infrastructure. This is not a Wanjohi town problem but other towns are facing similar problems and hence the need for integrated interventions to save the situation.

I therefore urge the members of this Honourable House to adopt this report with its recommendations as resolutions of this House. It is now my pleasant duty and privilege to, on behalf of the Committee on Water, Irrigation, Energy, Environment and Natural Resources, move the motion for adoption of this report.

Thank you Mr. Speaker, Sir, God bless this Assembly, God Bless Nyandarua County.

Article 43 (b) and (d) of the Constitution provides that governments in Kenya should ensure that the people have access to basic needs. Implementation of the recommendations of this report will ensure good drainage of Wanjohi town and residents thereof will enjoy the services of the County Government.

Money should be allocated in the budget to install good drainage systems in our county. At this rainy season, streets in our urban centres are impassable. The county government should ensure that people live in clean environments. This will give the people longer lives due to lack of diseases that emanate from poor drainage.

I now wish to call Hon. Kimani Njiraini to second.

**Speaker:** Very well. The Member for Kaimbaga, Hon. Kimani Njiraini.

**Hon. Kimani Njiraini:** Thank you Mr. Speaker, Sir. I thank Hon. Kiruka Mburu and the Member who came up with the request for a statement that led to coming up with this report.

The issue of Wanjohi town addressed in the report exemplifies issues affecting other towns in our county. It is hazardous that toilet wastes drain into rivers. People draw water for domestic uses from Wanjohi River that flows from Wanjohi to Naivasha. Even animals drink water from the river.

The late Wangari Mathai said that if we do not nurture Nature, Nature will turn against us. We write good reports but resolutions of this House emanating from the same are mostly not implemented. Construction of septic tanks would, for example, help in alleviating drainage challenges in our county.

Recommendation two of the report states:

That the Department of Lands, Housing and Physical Planning should ensure that the businesses within the town put up septic tanks before renewing their business permits.

This will stop disposal of liquid wastes into Wanjohi River. Pollution of rivers is very common. At Jua Kali estate, for example, toilet wastes are directed into water tunnels that drain into Ol'kalou stream. Ol'kalou stream drains into Malewa River.

With proper planning, there would be good access roads and exhauster services would easily be accessible. History will judge us harshly if we, the County Assembly, fail to do things for the benefit of posterity. Money should be set aside in the next budget to install proper drainage systems in our major towns like Magumu, Njabini, Ndaragwa, Mirangine, Miharati and Ol'kalou. Drainage policies should be drafted especially for use in the building sector.

The executive should purchase protective gear for the casual workers who clean our towns. NEMA should also aggressively ensure that homes and related property owners install proper sewerage drainage systems. We need to know the collaboration that is there between NEMA and our County Government. The report at hand is elaborate and recommendations thereof, if implemented, will help in enhancing proper drainage especially in Wanjohi town.

Mr. Speaker, you caution us that if we do not do things for posterity, nobody will remember this first assembly. So we should give our towns new faces especially with regard to drainage.

With those remarks I second the motion.

*(Question proposed)*

**Speaker:** Yes, Member for Kiriita, Hon. Paul Nderitu.

**Hon. Paul Nderitu:** Thank you Mr. Speaker for giving me this chance to contribute. I rise to support the motion. I thank the Chairman of the Committee of Water, Environment and Natural Resources for moving the motion. I also thank the Member for Wanjohi for his statement request that informed the report at hand.

I have a few comments to make. The officials we invited to give information on the matter addressed in the report, including the CECM for Water, Environment and Natural Resources, engaged in blame games. No one accepted that the failure is in their docket. Nevertheless the Committee came up with the report.

Four Executive departments are mentioned in the report: Department of Roads, Physical Planning and Transport; Department of Health Services; Department of Water, Environment and Natural Resources; and the Department of Lands, Housing and Physical Planning. We should consider the fact that some of our towns operate for twenty four hours. Issues of drainage, septic tanks and planning are addressed in the report. Mr. Speaker, if you consider a town like Mairo-Inya, which is in the ward that I represent, I can tell you for free that there is no single public toilet despite the fact that the town has around thirty thousand inhabitants.

We have to look into the issue of implementation of the resolutions we pass here. As an assembly, we perform our duties and our work diligently. For instance, this committee has come up with a report that we shall adopt today but I am worried that the resolutions will not be acted upon. Recommendation number 8 reminds me of a report on Mirangine Kiosks through which the House resolved that the Department for Lands, Housing and Physical Planning should come up with a Kiosks Bill.

It is now two years down the line and nothing has so far been done. Some months ago, the then Chairman of the Committee, Hon. Kariuki Muchiri, requested the House, through the Committee on Implementation, to be updated on the status of implementation. Being the Chairman of the Committee on Implementation, it is important that I mention that we have a serious challenge on implementation.

Mr. Speaker, the committee has recommended that we have elaborate drainage systems in the major towns of the county. However, there might be no money allocated in the budget for that and actually, many CECMs we have summoned have cited lack of funds as the main challenge hindering implementation.

It is my view that after the recess, let all the chairmen facilitate all their members either in the committee of the Whole House or in the departmental committees so that they can summon their respective CECMs and know the status of implementation. We should know how the Executive has acted on the resolutions of this House. Thereafter, they can forward that report to my committee for compilation of a comprehensive report. This is our last year in office and we must deal with all resolutions we have made in this House.

Mr. Speaker, I would like to mention that when the committee summoned the CECM, she said that there are two workers employed to do the cleaning job but when the committee visited, we only found one. It seems that there are some ghost workers in this county and we need to follow up on the issue so that we can eliminate these people. In addition, we should respect the casual labourers because they are our brothers and sisters. These people are like volunteers and they should be accorded the respect they deserve because the salary they get is very little. However, even if the county government will not increase their salary, I think it is important that they get the right working tools and equipment for them to work effectively.

With those few remarks, I support. Thank you.

**Speaker:** Yes, Member for Wanjohi, Hon. Joseph Mumba Gichini.

**Hon. Mumba Gichini:** Thank you Mr. Speaker, I rise to support the motion brought by the Chairperson of the Committee on Water and Natural Resources. At the outset, I would like to thank the committee for what it has managed to do. When I requested for this statement, everyone was aware of the situation at Wanjohi River. Much of the pollution emanates from Wanjohi town which has no elaborate drainage system. Nothing much has been done in the town to ensure that pollution is stopped. It has been some few months now since the committee visited this area. However, nothing has changed as of today. We still have blocked trenches.

Mr. Speaker, I would also like to clarify on the issue of the workers. As the CECM put it, I agree that we have two workers. I want to make this point very clear so that the Chairman can understand. One of the two workers is 'abnormal'.

*(Laughter)*

He goes to work when he decides to and even if you go the responsible departments, they say that he should stay. The reason is that this person was given a job just because of his father who passed on.

*(Hon. Kimani Njiraini rises on a point of order)*

**Hon. Kimani Njiraini:** Thank you Mr. Speaker. Is it in order for the Hon. Member to assert that the casual labourer is abnormal? I don't think that the Hon. Member cannot substantiate his position and therefore he should withdraw.

**Speaker:** Very well. I think that intervention was timely for the reasons that if someone is a public servant and has a mental illness, it is not by choice. But if that happens, the person should be retired on medical grounds. Now that this has not happened and we have no evidence that the person is in that state of mind, we can only discuss him through a substantive motion. I would request the member therefore to withdraw and proceed with contribution.

**Hon. Mumba Gichini:** Thank you Mr. Speaker. I withdraw but the person has a mental illness. I cannot withdraw that because even if he was to come here, you will clearly see...

**Speaker:** Member for Wanjohi, withdraw and apologise because you were unable to substantiate that particular position on a very grave issue.

**Hon. Mumba Gichini:** Mr. Speaker, I withdraw. What I meant is that the person has not been working. Just the other day, he brought me a letter from a health officer excusing him from work. He always claim that he has no gumboots to work. There was a time he told me that he had no scythe to work with. I went to the shop, bought a new one and bought him a new flat file. He later lost it and he was working with a small one, the size of a 'panga'. He claimed that the 'slasher' (scythe) had been stolen and these excuses do not cease.

Mr. Speaker, my request was that the department should employ another person in the area because the town is growing. They can also transfer the person and bring another one. This is because the town will never be clean if we only have one employee.

Additionally, the committee recommended that each and every plot should have a septic tank. Where will they drain their sewage or solid waste? The committee should have told us the solution for this so that we can have an idea. We should know where the sewage drains so that we devise a solution if there is none.

The other thing is on planning. We don't have a proper plan for towns springing up in Wanjohi ward. I have just spoken with the CECM for Lands, Housing and Physical Planning to look into the issue because many of the problems that we face are primarily due to lack of planning. I request the department to ensure that the small towns are properly planned.

It is also my request that the workers are equipped with protective clothes. I was very much surprised to hear the CECM saying that the workers had already been equipped with the clothes. Speaking truthfully, this has not happened. The workers have not been given any of these clothes since I was elected.

Finally, the problem of sewage disposal and planning is not unique to Wanjohi town but it is all over the county. Many exhausters fail to do their jobs because they have nowhere to take the solid waste. In Magomano, Wanjohi Ward, there is a piece of land that was bought by the defunct local council purposely for disposal but it has remained unutilized. Why can't we use that piece of land for disposing our waste? This will be used by Wanjohi and other towns around and it will ease the problem.

With those few remarks, I would like to thank the committee because I think this is their best work so far. Thank you, I support and call the mover to respond.

**Speaker:** Yes, the mover.

**Hon. Kiruka Mburu:** Thank you Mr Speaker. As the members have cited, it is important that we have better drainage. Every plot should have a septic tank and I also remember, that last year we budgeted for a new exhauster but it has still not been bought. A modern exhauster will go a long way in ensuring that we have cleaner toilets and latrines. Additionally, it is important that our health workers have protective gear. A pair of gumboots costs only 600 shillings. I also wish to tell the members that we have a dumpsite in Miharati. As I conclude, I wish to thank the members for supporting this report and I can assure you that if the reports we generate in this House would be implemented to the letter, none of us would need to campaign so rigorously. Thank you Mr. Speaker, I beg to move.

*(Question put and agreed to)*

**Speaker:** The motion is taken and the requisite communication shall be made. Hon. Members, I agree that we have a serious problem regarding the resolutions we make in this House. Despite the fact that all of them are well intended; there is not a single resolution that we have ever made that was not for the good of *Wanjiku*. Most of them remain unimplemented. The standing orders and the County Government Act are clear that on the expiry of 60 days, the resolutions of the assembly ought to be implemented.

Even when there is no implementation, we should at least know what is being done or what cannot be possibly done. We have decided with His Excellency the Governor and I had notified the chairmen of committees, that we are going to meet the committee on education and the department of education, all the way from the CEC to the officers concerned, the week after KICOSCA games, so that they can tell us why nothing is happening in that department. Subsequently, we will meet with the Cooperatives department and all the other departments. We have already met the officers from the departments of Roads and Agriculture.

I am pleading with the chairmen of all committees to look into the resolutions that we have passed but are not implemented so that the executive leaders can tell us why nothing is happening in their departments.

*Applause*

Members, I am aware that there is a Bill before the Senate, ‘The Natural Resources Benefit Sharing Bill’ and I wish the Committee on Water would follow it up. It’s about resources benefit sharing and was sponsored by the nominated senator from Kwale, Agnes Zani. It is a very critical bill because the executive is always complaining of being underfunded. If this bill is enacted, Nyandarua could benefit immensely from the forest products that leave this county without any benefits accruing to it. A big percentage of the funds ought to be ploughed back into the county. We, as CAF, talked about it and we hope that it will pass. Currently we have over 70 enforcement officers who are just idling here and they should be able to go to these places and ensure that drainage is well done. Let the owners of these plots be issued with notices to do what they should do to ensure that our towns are well drained. Let the chairs of various committees follow up on these issues.

Next order.

**ADJOURNMENT**

**Speaker:** Hon. Members, having exhausted the business for this sitting, the House will now adjourn to tomorrow, Thursday, 11<sup>th</sup> August, 2016 at 2.30 p.m.

*(The House rose at 4.00 p.m.)*