



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



(The Hansard)

Thursday 16<sup>th</sup> June, 2016

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

*The Hon. Speaker, Hon. Ndegwa Wahome, in the Chair*

Prayer

**QUORUM CALL AT THE COMMENCEMENT OF THE SITTING**

*(The Clerk-at-the-table confirms that there is no quorum)*

**Speaker:** There being no quorum, I, pursuant to Standing Order No. 34, direct that the bell be rung for an initial ten minutes or until such time within the ten minutes that quorum will have been achieved.

*(The bell is rung for 6 minutes and quorum is achieved as confirmed by the Clerk-at-the-table)*

Quorum having been achieved we can proceed to transact the business for the sitting.

First order

**COMMUNICATION FROM THE CHAIR**

**Speaker:** Hon. Members, I have a brief communication to make on a letter written to the Office of the Clerk by His Excellency the Governor on 16<sup>th</sup> day of June, 2016, which is today. The same pertains to the assent that we had sent to His Excellency the Governor as relates to the Nyandarua County 2<sup>nd</sup> Supplementary Appropriations Bill No. 2 of 2016. The memorandum is to the effect that he has returned the Nyandarua County 2<sup>nd</sup> Supplementary Appropriations Bill No.

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2 of 2016 to this House for consideration of some issues he thought that are pertinent. This he did through his statutory discretion conferred to him pursuant to Section 24 (2) (b) of the County Government Act.

I believe the Leader of Majority will highlight the background of the memorandum. Actually there has been a meeting between the Governor and the leadership of this Assembly concerning the matter in the memorandum. The House has generated a supplementary Order Paper on the said memorandum in order to address the same appropriately. There are provisions of the law that dictate the steps to be taken on processes that would be triggered by the aforementioned memorandum.

That is all concerning the communication from the Chair.

Next order

### **PAPER (S) LAID**

#### **REPORT ON THE STATUS OF BOREHOLES IN THE COUNTY**

**Speaker:** Yes Member for Charagita and the Chairperson of the Committee on Water, Energy, Environment and Natural Resources, Hon. Paul Kiruka Mburu

**Hon. Kiruka Mburu:** Thank you Mr. Speaker. I rise to table a Report of the Committee on Water, Energy, Environment and Natural Resources in response to a statement sought by Hon. Patricia Wanjugu on the Status of Boreholes in the County.

Thank you Mr. Speaker.

**Speaker:** Very well. That report is duly tabled. The House Business Committee will allocate time for processing the same.

Next

**NOTICE(S) OF MOTION**

REPORT ON THE CONFIRMATION OF DIRECTOR AND DEPUTY DIRECTOR OF  
MEDICAL SERVICES

**Speaker:** Yes Member for Githabai and the Chairperson of the Committee on Health Services, Hon. Peter Kairu

**Hon. Peter Kairu:** Thank you Mr. Speaker. I beg to give notice of the following motion:

That this House does adopt the report of the Health Services Committee on Confirmation of Director and Deputy Director of Medical Services in the Health Services Department in response to a statement sought by Hon. Peter Maina as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr. Speaker, Sir.

**Speaker:** Very well; the notice of the motion is duly given. The House Business Committee shall allocate time when the motion on the report will be moved.

Next order.

**MOTION(S)**

REPORT ON THE STATUS OF LAKE OL BOLOSSAT

*(Hon. Peter Maina rises on behalf of Hon. Daniel Kibebo)*

**Speaker:** I expect that Hon. Peter Maina is standing in for the Chairperson of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development, Hon. Daniel Kibebo

**Hon. Peter Maina:** Yes Mr. Speaker

**Speaker:** Proceed

**Hon. Peter Maina:** Thank you Mr. Speaker. Sure, I rise on behalf of the Chairperson of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development, Hon. Daniel Kibebo

Mr. Speaker, Sir, I beg to move the following motion:

That this House does adopt the Report of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development in response to a statement sought by Hon. Monica Wamuyu on the status of Lake Ol Bolossat as a report of this House and the recommendations therein as resolutions of this House.

Mr. Speaker, as I go through the report, I will cite pertinent issues pertaining to Lake Ol Bolossat. Lake Ol Bolossat is the only highland lake in Central Kenya. Several rivers with sources in Aberdare Ranges feed the lake.

Rehabilitation of the lake was a project we incorporated in the County Integrated Development Plan. A budget for the same was prepared. Nonetheless, not much has been done in the implementation of the same.

The Committee consulted with relevant departments on how to rehabilitate the lake.

The report is self-explanatory and my fellow Members could read some parts of the report for themselves.

When we talk of Lake Ol Bolossat, we talk of a tourist attraction site. The lake is home to 6000 birds of more than 60 species and 17 families. It is also home to 15 species of animals including hippopotamus and mudfish.

Mr. Speaker, the County Executive should gazette Lake Ol Bolossat.

Mr. Speaker, Pursuant to Article 44 of the Standing Orders, Hon. Monica Wamuyu sought a statement from the Chairperson of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development as follows:

*I beg to request for a statement from the Chairperson of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development on the following issues concerning Lake Ol Bolossat:*

*Aware that Nyandarua County is endowed with a natural feature in Lake Ol Bolossat and which has a great potential as a major tourism site in the County.*

*Further aware that there is widespread encroachment of the lake, which is a direct threat of the lake's eco-system,*

*Concerned that urgent steps require to be taken to safeguard the existence and sustainability of the lake as a major tourism site in county,*

*Mr. Speaker, premised on the foregoing, I now pray that the Chairperson of the Committee on Industrialisation, Trade, Cooperatives and Enterprise Development does issue a statement to this House addressing the following issues:*

- a) Whether there are existing boundaries of the Lake and the acreage thereof, and steps taken towards the final mapping and survey of the lake;*
- b) Whether the lake has been gazetted as a protected area;*
- c) What progress has been made towards securing the lake from encroachment; and*
- d) What steps have been undertaken to enhance and harness the tourism potential of the lake.*

In line with the Committee's findings and observations, the Committee addressed the issues raised as follows:

**1. Whether there are existing boundaries of the lake and its acreage thereof taken towards the final mapping and survey of the lake.**

The total acreage of the Lake area is approximately 4,330 Hectares. The size of the lake varies from various surveys carried out from time to time and by different government agencies. Encroachment on riparian land and receding water levels partly explain the variance in area size. For example, information obtained during this fact finding mission from Lands Office in Nyahururu indicates that the area of the lake is 4,323.94 owned by Settlement Fund Trustees (SFT)

under Plot No. 482. A map (*for a survey done in 2015*) at KWS Office, Nyahururu Station presents the following details about the lake;

- a. Total area of Lake Ol Bolossat approx. - 3,671.71 Ha
- b. Total encroached area approx. - 23.34 Ha
- c. Total squatter settlement area approx. - 73.94 Ha
- d. Total water encroachment approx. - 34.83 Ha
- e. Total area of submerged forest approx. - 53.50 Ha

The Lake area is open with no fence around it.

Mr. Speaker, as a County Government, we should ensure transferring ownership of the plot on which the lake is based from Settlement Fund Trustees (SFT) to Nyandarua County Government. You know other people or agencies may be eyeing at grabbing the land on which the lake is based.

## **2. Whether the lake has been gazetted as a protected area**

The lake is not gazetted as a protected area.

The Committee noted that the lake is referred to using varying names e.g. Lake Ol Bolossat, Ol Bollosat, Ol Borossat, among many other variations.

Section 34 of the Survey Act 25 of 1961 as Revised in 2012, provides for the establishment of a Standing Committee on Geographical Names where the Director of Surveys shall be the Chairman of the Committee. The Committee is mandated ‘to advise the CECMon the spelling of all names on maps of Kenya, and in so doing the Committee shall have due regard to historical, orthographical and ethnic considerations.’

Following advice given by the Chief Officer for Lands, Housing and Physical Planning, the County Government should write a letter to the Director of Surveys, indicating the reason for change of name and a resolution of the Assembly or Executive Committee, stating the old name and the new name. After receipt of the letter, the Director will initiate the process of change of name.

In the case of gazettelement, the correct boundaries will have to be established to ascertain the area to be gazetted and a map for it developed. This will require identification of original boundaries and whether there are persons that need to be compensated to pave way for enough riparian land. This process will have to be more consultative including all the stakeholders together with National Government Agencies.

The County Government through CEC Member in charge of Lands, Housing and Physical Planning and CEC Member in charge of Tourism, Sports and Wildlife should take a lead role in change of name and gazettelement as the process has since stalled. Records seen indicate that gazettelement was almost completed in 1980-81 but stalled due to lack of follow-up. The same was done in 2007 but was never completed.

There is need to contact all the key persons in KWS, NEMA & NLC and the Advisory Committee on gazettelement to establish enough facts and the extent to which the matter had been pursued.

In summary, the following is the expected action plan:

- i. Map out the riparian land to ascertain the acreage (land size) before transfer, registration and gazettelement as a reserve can be done. To this end, the Department of Tourism, Sports and Wildlife should allocate enough money for stakeholder engagements and mapping out the contours around the lake area;
- ii. Development of a settlement and compensation plan;
- iii. Document the ownership status so that the lake area transfers from STF to the County Government of Nyandarua;
- iv. Obtain old maps for the land to ascertain the original land size;
- v. Develop a business strategy that can be marketed to potential investor for implementation through Public Private Partnerships (PPPs)

### **3. What progress has been made towards securing the lake from encroachment**

The lake has not been gazetted and it is therefore prone to encroachment. The County Executive Department of Tourism, Sports and Wildlife has met with the Director General of NEMA, who informed them that the national government through the National Land Commission

has budgetary allocations to compensate people occupying water catchment areas and wetlands. The Director advised that during the stakeholder engagements it would be wise to bring on board NLC in case of compensation and /or compulsory acquisition. . The department is still following up on the same where a meeting with key stakeholders is awaited.

**4. What steps have been undertaken to enhance and harness the tourism potential of the lake**

The lake supports various livelihoods including agriculture, livestock, fishing and tourism related activities, though the biodiversity resources remain largely underutilized. The County Executive Department of Tourism, Sports and Wildlife has further engaged NEMA on the proposed Tourism Leisure Park, and the Environmental Impact Assessment report on the lake is being done, in support of the proposed project to be undertaken along the riparian land along the shores of the lake. The Department has encouraged youths in the area to form a group to empower them economically. Other measures taken include:

- a) Erection of signages along OL Kalou-Nyahururu road
- b) Rehabilitation (graveling) of roads leading to the lake, that is, Mukindu road and Kasuku road.
- c) The Department also plans to rehabilitate Kianjata Road from Tabor Hill this year

These roads are aimed at opening the routes to the Lake hence easing access for tourists. Three signages have been erected; Kasuku – Ol Bolossat signage, Rurii Junction signage, Kianjata View Point signage. These are meant to mark the routes and provide direction and distance from the main road to the lake.

**RECOMMENDATIONS**

The Committee unanimously made the following recommendations:

- a) That the County Government should fast track transfer of land (lake area) from SFT to the County Government of Nyandarua, registration and gazettelement of the lake as a protected area.

- b) That the Department of Tourism, Sports and Wildlife in conjunction with that of Lands, Housing and Physical Planning should, as a matter of urgency, carry out land audit within the precincts of the lake to establish the settlements land that is currently inhabited by people belonging to the lake buffer zone and initiate a recovery strategy. The old maps should be obtained to ascertain the original land size.
- c) That the County's Department of Land, Housing and Physical Planning should collaborate with the National Government's Ministry of Lands, Housing and Urban Development to develop a settlement and compensation plan to allow for conservation.
- d) That the County must come up with a structure to streamline conflict between the County Government and the other national government agencies such as NEMA, KWS, and KFS to eliminate conflict of interest in the event that the County embarks on any development activities.
- e) That thorough environmental impact assessment should be carried out to ensure compliance to existing laws and regulations on environmental protection.
- f) That the County Government should encourage investors and/or partners to invest in the area through offering incentives such as tax waiver and tax holidays. The department must increase its efforts in marketing the area as an investment opportunity for private developers. In view of this, the County Government must develop a business strategy that can be marketed to potential investors for implementation through Public Private Partnerships (PPPs).
- g) That the County Government should fast track the formulation of a Tourism Policy and Act that will enable collection of tourism fees which will increase revenue sources for the County.
- h) That the Department of Tourism, Sports and Wildlife should fast track the efforts by NEMA and other related agencies to prevent further encroachment on the lake.

## CONCLUSION

Tourism is a key sector as far as economic growth is concerned. The traditional *big five* is no longer the key driver in choosing destinations. This has given previously less-known areas to

receive visitors with a special interest. The Lake Ol Bolossat catchment is one such unique ecosystem containing a variety of habitats and promotion of Tourism around the Lake will definitely change the Tourism agenda in Nyandarua.

However, the gaps between the existing national legislations and regulatory frameworks and the devolved County functions need to be reviewed to streamline the emerging issues. Co-operation and consultative measures between the different government agencies at both levels of government must be enhanced if effective tourism promotion in the County is to be achieved.

The County Executive Committee Member in charge of Tourism, Sports and Wildlife needs to fast-track the legal process of classifying Lake Ol Bolossat as a protected area through a gazette notice as well registration.

Mr. Speaker, Sir, it is my pleasant duty and privilege on behalf of the Industrialization, Trade, and Co-operatives & Enterprise Development Committee to present this report to this Hon. House for adoption.

Now, Mr. Speaker, I call upon Hon. Tiziana Mwangi to second. Thank you.

**Speaker:** Yes County Member from Engineer, Hon. Tiziana Mwangi

**Hon. Tiziana Mwangi:** Thank you Mr. Speaker. I rise to second the motion. Lake Ol Bolossat is the only lake in Nyandarua County. We should direct a lot of efforts to rehabilitating the lake to make it a choice tourist attraction site that earns revenue for the County Government.

Events such as races should be held in the name of the lake. Such events would attract participants from other counties, thereby making the lake not only a tourist attraction site but also a revenue generating resource.

Lake Ol Bolossat could also be used as an educational resource. Pupils from our County, for example, during their learning processes could be taken to the lake. Such educational tours would be cheaper compared to those made by pupils from our County to other lakes such as Nakuru and Naivasha.

The lake should also be gazetted and highly advertised to attract potential tourists. Mr. Speaker, I remember last year when we participated in that Tourism Expo at KICC, the Deputy President, who opened the expo, was much interested in Lake Ol Bolossat and he stood at our

stand examining the artist's impression of the lake. This implies that many people would be interested in the lake should it be advertised for awareness. Actually, advertising Lake Ol Bolossat should be taken seriously. Remember the lake is a national feature and many counties do not have such a feature.

Mr. Speaker, since a lot about the lake has been captured in the report, I do not have much to add. Therefore, I beg to second.

Thank you.

*(Question proposed)*

**Speaker:** Yes Member for Shamata and the Majority Whip, Hon. Kinyanjui Gachari

**Hon. Kinyanjui Gachari:** Thank you Mr. Speaker, Sir. I stand to support the motion. The importance of Lake Ol Bolossat cannot be overemphasized. A big part of the lake is in Shamata ward.

Some time back I visited the lake and, based on the fact that the lake is home to many species of animals and birds, I can compare it with Lake Baringo which attracts a lot of tourists.

KWS has opened a main gate into the lake. This gate lies in Shamata Ward. In addition, Muthama Road was upgraded, thereby making it easy to access the lake. In view of this, tourists would easily visit the lake especially those who visit the hotels in the Aberdares.

Birds migrate from Europe to Lake Ol Bolossat. Actually, birdwatchers of Switzerland track some species of migrating birds on which they put marks and find their destination at Lake Ol Bolossat.

The County Government must put up an electric fence round the lake. The County Government should also build hotels at the lake.

The motion on the lake in question was moved in this House some time back. Now it is high time we took action. We cannot keep on moving motions on Lake Ol Bolossat; we might end up doing so until the end of this term.

Mud fish as heavy as fifteen kilogrammes are harvested from Lake Ol Bolossat. That shows that the lake is a potential economic resource.

We should not take tourism as a topic of debate. Instead we should allocate enough money in the budget to revive tourism. We must set real and viable priorities on reviving tourism in our County.

Mount Kenya region has no other lake like Lake Ol Bolossat.

We should look for alternatives of water sources for our people in order for them to stop exploiting the only sources of water that feed Lake Ol Bolossat. One of these alternatives is sinking boreholes. When I was young I heard old people saying that in the 1930s Lake Ol Bolossat was a small lake; but it grew to be its current size due to rains over time.

The lake, being in our County, can be of great importance to us if well rehabilitated. Remember the lake can be a better tourist attraction site than Thomson Falls. In view of this, falls in the Aberdares can be rehabilitated to become choice tourist attraction sites.

Our County Government should eject enough funds into boosting tourism industry in our County. In addition to this, Lake Ol Bolossat should be advertised on Internet to attract tourists even from outside the country.

I stand to support. Thank you Mr. Speaker.

**Speaker:** Yes Member for Charagita, Hon. Kiruka Mburu

**Hon. Kiruka Mburu:** Thank you Mr. Speaker, Sir. I rise to support the motion as a member of the Committee on Industrialization, Trade, Cooperatives and Enterprise Development.

I agree with people who say that our County is ranked among the last in revenue collection. But we would collect more revenue if we rehabilitated Lake Ol Bolossat. If, for example, we built hotels at the lake, tourist would find the reason to visit the lake to enjoy the diversity of its natural endowment. Additionally, we, instead of booking hotels in Naivasha or Mombasa to write reports, we would book hotels at Lake Ol Bolossat to do the same.

Nyandarua County has many potential tourist attraction sites. These include Nyandudo Hills on top of which site seeing can be exercised.

Our County Government's annual budget cannot fully cater for the needs of our County's tourism sector. So our Senator and area MPs should solicit for more money from the National Government through the Ministry of Tourism to boost the tourism industry in our County.

Remember in our County we do not have large towns from which we could collect huge revenue. The only big town we have is Ol' Kalou. Urban centres like Charagita, Boiman and Kaimbaga are small and therefore they generate very little revenue.

Actually the National Government should consider the needs of our County. Since the current area MPs do not present the needs of our County in the National Assembly, Members of

our County Assembly should consider vying for the seat of MP in order for them to have a chance of presenting the needs of our County in the National Assembly. I will support those in this House who will vie.

*(Laughter)*

**Speaker:** Yes County Member from Kipipiri, Hon. Nancy Ng'ang'a

**Hon. Nancy Ng'ang'a:** Thank you Mr. Speaker, Sir. I rise to support the motion. It actually touches on a very important docket: tourism.

*(Consultations)*

Mr. Speaker, Sir, please protect me from Hon. Teresia Njoki

**Speaker:** Hon. Members, obviously the House needs order in order to debate on the motion at hand. Proceed Hon. Nancy Ng'ang'a

**Hon. Nancy Ng'ang'a:** Thank you Mr. Speaker, Sir. Mr Speaker sir, we know that tourism is a very important docket in the Republic of Kenya. It brings a lot of income. We know that every county that has tourist attraction sites the revenue collected is high. It would be good to have the only lake in Central Kenya gazetted because in the process it will be known to the whole world. If this lake is conserved, so many youth will get employment. This will attract investors and hotels will be constructed there. When tourists come to our county they will see that it is a good place to be. You might find that agricultural industries might be put up in the process.

It will also help us to promote our culture. Most of the tourists' attraction sites have traditional dancers. They dance for the tourists and earn something. If people from all over the country, people of different ethnic groups, come to see the birds and the hippos, we shall have our girls married by their men and this will help kill this animal called tribalism which is killing our country even if the impact will not be so big. These people will also have a different story to tell about the Kikuyu of Central Kenya.

Mr Speaker, this will now be the chance for the long awaited airstrip to be constructed. I hope that then there will be no so much opposition. We need the tourists to be using the airstrips; we do not expect all of them to be travelling by road. As we think about setting aside money for that lake, we shall also be thinking about the airstrip. It will play a major role in local and foreign tourism. Thank you Mr Speaker.

**Speaker:** Yes County Member from Weru, Hon. David Ndirangu Mwangi

**Hon. David Ndirangu (County Member):** Thank you Mr Speaker. I rise to support the motion on Lake Ol' Bolossat. I call it a sleeping giant that we have not noticed in terms of revenue collection. It needs to be thought about when we shall be doing the budget.

Fencing the lake is a good idea because we shall be protecting it from disturbance and probably making a certain unique species of a bird known as the Sharpe's Long claw bird. You get this bird in Lake Ol' Bolossat only. This lake was known as Wangatafuthi which is a Maasai name that means a vast area. They have made recommendations that it be gazetted and the name be changed. If the name will change for the good of this county then it can be changed. I support the motion.

**Speaker:** Yes Member for Murungaru and the Leader of Majority, Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr Speaker. I rise to support this motion. We all know the importance of tourism in this county. It earns a lot of foreign exchange for this country. If Mr Speaker we identify the tourism potential of this county and develop it we shall be earning a lot of revenue. This will help fill the gaps. Unless we look for ways of increasing the local revenue, we shall see a county like Turkana developing and surpassing Nyandarua because of the allocations that it gets. One way of increasing local revenue is by developing the tourism potential that we have.

Mr Speaker, I want to speak about encroachment. I happened to visit that area and saw how the area has been encroached. Some of the people have settled there. Some of them are the squatters that were settled there by the government but some go there, subdivide the land and settle. Before we even talk about tourism in that area, as a county we need to address the issue of encroachment and the squatters that were settled there. Without addressing that, development in that area will be hard. The settlement in that area is interfering with that ecosystem.

If a simple program like feeding the hippos is started, we know that during the rainy season the many cabbages we have in the county go to waste, for instance setting a certain time of the day to feed the hippos and a bell is rung, these hippos will be conditioned such that they will be coming

at that time. This will attract both international and local tourists. This is something that we should give a shot. We do not need a lot of money, all we need is to consult experts in matters of wildlife we have them here. If this county has the will to develop tourism it can. We do not have to do like Malaysia. You remember Legoland in Malaysia. They have developed that place so well such that so many tourists go there.

The bird that Hon. Ndirangu was talking about, the Sharpe's Long claw, is an endangered bird and there are those organizations in Europe that are so much interested in this bird. If we are serious in conservation of this bird we can get partners to do this with us. The bird is in both Lake Ol Bolossat and Kinangop. I know that Kinangop residents know it. It is a small bird that is brave, it does not fly away fast when you approach it. It is like it does not want to go away. If we conserve this bird we shall get so many tourists and people who can finance the conservation program.

Nature Kenya has bought so many pieces of land to act as bird sanctuaries in Kinangop and specifically for this particular bird. If the county government partners with Nature Kenya which has many connections worldwide, we can develop this potential in Nyandarua County. We cannot fail to talk about the over 200 species of birds in that lake. All that we should do is budget for that.

So many people have done studies on that lake and all we should do is getting the records and use them to get serious partners so that we can develop tourism in this county. If the county government writes a good proposal I do not see how we cannot get donors for the program. They can even help resettle the people that have encroached Lake Ol Bolossat. With good will we can do this. With those few remarks I support the motion and call the mover to respond.

**Speaker:** Yes mover, and the Member for Central, Hon. Peter Maina

**Hon. Peter Maina:** Thank you Mr Speaker. I am happy that the members have contributed to this motion passionately. Everyone had something to say about the lake.

Mr Speaker, a research has been done by the government of France because of Bio deposits and they came up with a report indicating that the Bio deposits can be used as very good organic

fertilizer which is better than the fertilizers we are using nowadays. That can only be done after desilting the lake.

The other issue that has been mentioned by Hon. Muchiri is feeding the birds and the hippos. We have seen elephant races in some countries and this attracts many tourists who come to see those elephants racing. We can do what the member said so that we can market and attract tourists in this county. To increase our revenue we do not have to work very hard but in this county we are used to phrases like, we are doing, we are going to do, we shall do, we are planning to do and we need to move from that because it is going to waste this county.

The last two years we were here shouting so loudly that the county would deliver clean water to the residents and this has hit the rock bottom. If you look at this report it has some place where the CEC Members have said that they are planning. We need to set the line straight. The executive needs to move with speed to see to it that the resolutions of this House are implemented. You have developed this assembly and it has very good brains but once the resolutions reach them they say that the assembly has passed but we shall do what we want. I beg to move

*(Question put and agreed to)*

**Speaker:** The motion is carried and the report is now a report of this House. The resolutions will be duly communicated to the executive for the necessary action. I also expect that the committee is expecting that within 60 days it will be reported to this House on the progress made on the recommendations and the resolutions of this house. According to our Standing Orders as we communicate to the executive, we are going to make such indication, that we expect the executive to report to us in 60 days and confirm what has been done to that end.

Hon. Members, we had been told that this gazettelement was almost complete in 1980 or 1981 and then 2007. When you are told that the gazettelement was almost complete you are being told that documentation had been done, the survey was done, the write ups were done and what was pending was only gazettelement.

Without throwing aspersions, I firmly believe that some people interested in grabbing land belonging to lake intervened with the gazettelement of this particular lake. What the executive

should ensure that it has done is to gazette this lake. Let us deal with the other collateral issues later. If a person's land had been gazetted within the lake let us deal with that particular person when the gazettelement has already been done. If we again open up this matter for stakeholders meetings, which I believe they were done when the documentation was taken to the minister for gazettelement. Why should we go back to the same issue? This will clog us down and we shall not go anywhere. I entreat the committee to follow up with the executive and ensure that gazettelement has been done and then we deal with the issue after the gazettelement has been done. Before the gazettelement we cannot tell who we are going to compensate. If a person does not fall within the gazetted area of the lake, how can we even talk about gazettelement? Let us gazette the lake, find the people lying within that land or the area we want to create and then we involve the N.L.C (National Land Commission) so that we can be able to compensate those people who will be affected.

I do not want to talk about it but the Tourism Development Authority has not come to build a hotel here because of lack of gazettelement of that lake. They are ready and have been ready to come and build a hotel for us, a three star, four star or five star but they cannot do that because the lake is not gazetted and therefore they are not sure of the status of that land. This gazettelement is therefore very critical.

As the member for Shamata has said Thomson falls is not as attractive as the lake but from it about Ksh. 100 million is collected every year. Our lake is not collecting even a cent. This is a very significant source of revenue and we cannot continue crying wolf when we have ways of getting revenue. Feeding of the hippos is happening at Haller Park in Bamburi. You know that those animals are fed at a particular time and you know that the tourists are overflowing there at that time because the animals know when they are fed. Lots of revenue goes to the city county of Mombasa.

This is a challenge to the Industrialization Committee let us have a commitment to this issue by the executive. Let us have report in this assembly within 60 days as per the Standing Orders so that we can know the direction we are heading on this.

Next order

Yes County Member from Engineer ward, Hon. Tiziana Mwangi

**Hon. Tiziana Mwangi:** Mr Speaker, I would want to get some advice from you because we were handling this issue before the changes in the committee. We now have the tourism committee which was separated from committee on industrialization, we are asking for a way forward on this issue.

**Speaker:** Let me communicate formally because that is an issue I had not foreseen. This is work that had been started by the Industrialization Committee, let us look into it and see whether it is prudent and rational for it to complete it or whether the Tourism Committee can take it up. We shall communicate formally.

**Hon. Tiziana Mwangi:** Thank you Mr Speaker for your advice

**Speaker:** Very well. Next order

## **SUPPLEMENTARY ORDER PAPER**

### **PAPER(S) LAID**

#### **MEMORANDUM OF THE NYANDARUA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL NO. 2 2016**

Yes member from Murungaru and the Leader of Majority Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to lay the Memorandum of the Nyandarua County Supplementary Appropriations Bill No. 2 2016.

**Speaker:** The paper is duly laid and I think I am going to give the Leader of Majority some leeway to expound on the content of the paper and what is required to be done on it.

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, the paper is about the Supplementary Appropriations Bill. The members are aware that we did pass the Second Supplementary Budget Appropriations bill and that bill has not been assented to but the governor sent a memorandum to this assembly so that this assembly may consider some issues that His Excellency the governor wishes that they be incorporated. He is of the opinion that we should handle one Supplementary

Appropriations Bill and if we consider what is contained in the memorandum than we shall have one Supplementary Appropriations Bill. That is the content of the memorandum and I am sure that I will expound on the same in the next item in the order paper.

**Speaker:** Very well, I think the Leader of Majority has been able to expound on the content and may be the other comments will come in, in the next item in the order paper, which is the motion for adjournment. To make a comment there is that once the paper is laid I was supposed to give directions on where to refer it, that is the relevant committee but the way things are, you can see that the chairperson of the Budget Committee is not here neither is the vice chairperson and pursuant to the provisions of The County Government Act 2012 section 24 it is not a requirement that a memorandum by the governor is referred to a committee for consideration but we had thought in consultation with the Leader Of Majority and Minority that we might be required to refer it to the Budget Committee for them to do an executive report so that it can guide members on how to go about the memorandum but with the obtaining situation and pursuant to section 24 of the County Government Act 2012, members will be supplied with the memorandum before they leave so that they are able to look at it. If you allow that we meet tomorrow so that we can look at the memorandum because it is critical for the continued operation of this House, then we can come and look at it as it is contemplated within the law.

It is the House that is supposed to look at it but House operates through committees but the way things are we might cause a lot of inconsistencies if we refer it to the committee and it is not able to convene and do something because we shall be bound to wait for the report of that committee. It is prudent that we go straight and deal with the business as a house as contemplated under section 24 of the County Government Act 2012. Next order

## PROCEDURAL MOTION

### ADJOURNMENT

Yes member for Murungaru and the leader of majority, Hon. Kariuki Muchiri

**Hon. Kariuki Muchiri:** Thank you Mr Speaker, I beg to move the following motion;

That pursuant to the provisions of Standing Order No. 28, this House does adjourn its sittings to tomorrow the 17<sup>th</sup> day of June 2016 at 10.00 a.m. for consideration of the memorandum on the Nyandarua County Supplementary Appropriations Bill No. 2 of 2016.

Mr Speaker this is a matter that has been occasioned by the memorandum on the Nyandarua County Supplementary Appropriations Bill 2016. Standing order No.28 has given us that provision that we can move a procedural motion if the house is going to sit another day other than the next scheduled day which is Tuesday. I urge the house to consider adjourning to tomorrow so that we can dispense with the business that is with us. It is important to note that we passed the bill and we were waiting for His Excellency the governor to assent to it. You remember that we had only considered matters of this assembly. We had not incorporated the matters of the executive. This assembly is not to be blamed for that, it is the executive that delayed in bringing their supplementary budget estimates.

*(The Hon. Speaker leaves the chair and temporary speaker Hon. Dorcas Kihara, takes the chair).*

We were supposed to consider it as a whole but we found that we were not moving because the executive had not brought its estimates. However in the process the executive brought its supplementary budget and we considered it. With the times lines that are there, we are just about to close the year, if we do not go by this Madam Speaker you are aware that 14 days will take us to 24<sup>th</sup> June 2016 and the IFMIS system becomes slow at the end of the financial year.

The board sat today and we decided to go and see the governor on this matter. We adjourned the sitting of the board and we went there. The issue they were raising is that if our appropriations bill is assented to and then another one follows soon after that one the controller of budget will raise queries. We had a sitting with His Excellency the governor and agreed that we do this memorandum on the Nyandarua County Supplementary Appropriations Bill so that we can incorporate the supplementary estimates of the executive.

Madam Speaker, I urge the members to support this motion so that within the shortest time we are able to have it gazetted as one. It is immediately after the gazettelement the officers will take the act to the Controller of Budget so that it can be fed into the system. If this is done we can be able to access the funds as from Tuesday. This is a very important issue and I am asking the Chief Whip to whip the members tomorrow so that we do not lack quorum. Members need to come so that we can dispense with this issue. If you do not come then it will be so bad for us all. I do not want to belabour more on this. I urge the members to support the motion. I call upon Hon. John Gachari to second the motion

**Speaker:** Yes Hon. John Gachari

**Hon. Kinyanjui Gachari:** Thank you madam speaker, I second the motion. We need money to run the assembly. I urge the members to come tomorrow. I know the situation you are in but this is the time for you to come and solve your problem. The bill will be assented to and you shall get your money. Madam Speaker, I am sure that they will be here tomorrow I second.

*(Question proposed)*

**Speaker:** Hon. Peter Maina

**Hon. Peter Maina:** Thank you Madam Speaker, I rise to support the adjournment motion. Members go home on Thursday evening and tomorrow they will be travelling all the way here because they were not facilitated to spend the night in Ol'kalou. We know that there is no way that the assembly will pay sitting allowances to members for more than four house sittings in a week and I am therefore requesting that it be considered as a Special Sitting so that the members will be paid. I urge the members to remember that two supplementary appropriations bills cannot be signed unless there is a difference of sixty days since the signing of the first one. It is therefore important that we do it as one so that we can accommodate the executive one. It is also important all of us come so that we can debate on this. With those few remarks I call the Leader of Majority to respond.

**Speaker:** Hon. Kariuki Muchiri.

**Hon. Kariuki Muchiri:** Thank you Madam Speaker, I thank the members for supporting this motion. I am sure that tomorrow they will come so that they can undertake this noble task for the benefit of the people of this county. Madam Speaker, I beg to move.

*(Question put and agreed to.)*

**Speaker:** This House stands adjourned to tomorrow Friday 17<sup>th</sup> June 2016 at 10.00 a.m.

*The House rises at 4.06 p.m.*