



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



(The Hansard)

Tuesday 5<sup>th</sup> July, 2016

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

*The Deputy Speaker, Hon. Wambugu King'ori, in the Chair.*

Prayer

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

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

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

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

Quorum having been achieved let us proceed with the business of the day.

First order.

**COMMUNICATION FROM THE CHAIR**

STATEMENTS

Hon. Members, I would like to make a communication under Standing Order no. 44

(1). The article states that:

Notwithstanding Standing Order (40 (Sequence of Proceedings), there shall be time to be designated Statement Hour, every Thursday, commencing not later than 3.00 p.m.

This Order Paper therefore has two statements which have been slotted in by the House Business Committee. I made this communication so that Members don't raise questions like why the statements were not allocated time on Thursday as per the Standing Orders. Hence, the two statements are in the order paper because of a decision by House Business Committee to slot them there.

Next order.

### PAPER LAID

1. SPECIAL AUDIT REPORT ON IRREGULAR EXPENDITURE ON ROAD MAINTENANCE AND REHABILITATION WORKS IN NYANDARUA COUNTY FOR THE PERIOD JULY 2013 TO JUNE 2014

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

*(Hon. Dorcas Kihara rises on behalf of Hon. Kariuki Muchiri)*

**Hon. Dorcas Kihara:** Thank you Mr. Speaker. On behalf of Hon. Kariuki Muchiri, the leader of the majority party, I wish to table the Report on Special Audit Report on Irregular Expenditure on Road Maintenance and Rehabilitation Works in Nyandarua County for the Period July 2013 to June 2014. I table.

**Speaker:** Very well, the paper is duly tabled and it stands committed to the Public Investments and Accounts Committee. Yes chairperson, Hon. Silvester Kagiri, how much time do you require to bring a report to this House?

**Hon. Silvester Kagiri:** Thank you Mr. Speaker, since this is part of the report we are currently tackling, we only require 30 days.

**Speaker:** Very well, next order.

2. REPORT ON THE ENGAGEMENT OF CASUAL LABOURERS IN THE COUNTY

**Speaker:** Yes Member for Leshau Pondo, Hon. Josphat Njoroge Kamau.

**Hon. Josphat Kamau:** Thank you Mr. Speaker. On behalf of the chairperson committee on Justice and Legal Affairs, Hon. Peter Maina Mwangi, I wish to table the Report on the Engagement of Casual Labourers in the County by the Joint Committees on Implementation, Justice, Legal and Public Service and Education, Labour and Social Services.

**Speaker:** Very well, the paper is duly tabled. Time for the notice of motion will be given by the House Business Committee.

Next order.

### STATEMENT SOUGHT

1. STATUS OF OWNERSHIP OF KIOSKS AT TUMAINI TRADING CENTRE

**Speaker:** Yes County member from Kanjuiri Ridge, Hon. Rahab Wanjihia.

**Hon. Rahab Wanjihia:** Thank you Mr. Speaker. On behalf of the MCA, Kanjuiri Ridge Ward, Hon. Suleiman Kihika Kimani, I hereby request for a statement from the

Chairperson, Committee on Lands, Housing and Physical Planning addressing the following concerns:

Aware that the power to issue, and regulate land lease and rates within the County is vested in the County Government, and that trade development and regulation has been devolved to the County Government;

Further aware that traders at Tumaini Trading Centre have been allocated trading kiosks which they pay an annual rent but have not been shown their physical location despite having severally raised the issue with the department of lands;

Concerned that the uncertainty with traders on the specific kiosks may lead to double payment of rent for the kiosks;

Further concerned that this confusion is hampering economic growth and empowerment of the traders, and that it could lead to chaos amongst the traders;

Taking cognizance that there is need for order and certainty in respect to allocation of kiosks to avoid double payment;

Further guided by the fact that the County Government is required to show the traders the kiosks which they have been allocated;

Arising from the foregoing, I request that the Chairperson of the Committee on Lands, Housing and Physical Planning furnishes this House with the following information:

- i. How many kiosks have been allocated by the department to traders at Tumaini trading center.
- ii. How many of the allocated traders pay annual rent for the Kiosks.
- iii. Whether there are cases of double allocation of the said kiosks
- iv. Why the traders have not been shown the specific kiosks which they were allocated and pay rent for
- v. What measures have been put in place to ensure that there is no double allocations and that each trader knows their kiosks.

Thank you Mr. Speaker Sir.

**Speaker:** The chairperson of the committee on lands housing and physical planning, by when will you respond to this statement? Yes Hon. Githinji Mwaniki.

**Hon. Githinji Mwaniki:** Thank you Mr Speaker. The committee has a huge work load and therefore we can respond to this statement in two months' time.

**Speaker:** I would like to remind you Hon. Githinji that you have a lot of work and it seems like you will be added some more if you look at the statement. If you so wish you can give out some of this mandate to another committee.

**Hon. Githinji Mwaniki:** Mr Speaker, what has been drawing the committee back is lack of facilitation.

**Speaker:** The office of the speaker will work on that to ensure that you are facilitated. Next order.

### STATEMENT

#### STATUS OF PUBLIC LAND AT GATHUNDIA IN TUMAINI

*(Hon. Rahab Wanjihia rises on behalf of Hon. Suleiman Kimani)*

**Speaker:** Yes Hon. Rahab Wanjihia.

**Hon. Rahab Wanjihia:** Thank you Mr. Speaker, Sir. On behalf of Hon. Suleiman Kimani, I hereby request for a statement from the Chairperson, Committee on Lands, Housing and Physical Planning on the status of public land at Gathundia in Tumaini, addressing the following concerns:

Aware that the Constitution of Kenya 2010, under Article 62, provides that Public land shall vest in and be held by a county government in trust for its residents and shall be administered on their behalf by the National Land Commission;

Further aware that there has been encroachment of public land set aside for the cemetery and sewerage system in Gathundia village in Kanjuiri Ward;

Concerned that there is lack of clear demarcation of the land in question which has led to cases of double allocation on the said parcels of land and that there are ongoing private developments on land;

Further concerned that encroachment on such land may lead to denying the public very crucial services and that double allocation may lead to chaos;

Taking cognizance that there was a meeting held on the issue in which the District Commissioner had frozen the issuing of titles on the land in question;

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

- i. The demarcation of the land showing the boundaries of the public land set aside for the cemetery and the sewer land.
- ii. The documents relating to all the parcels of land including and not limited to development plans, registered index maps (RIM), survey plans, allotment letters and title deeds of the area in question.
- iii. The circumstances under which the individuals alienated the said plots from the public land.
- iv. The measures to be taken to ensure that the public land and utilities are in future not encroached by private entities.

Thank you Mr. Speaker, Sir.

**Speaker:** Thank you Hon. Rahab Wanjihia. The Chairperson, Committee on Lands, Housing and Physical Planning should tell the House when his Committee will table the response to the statement sort.

**Hon. Githinji Mwaniki:** Thank you Mr. Speaker. The Committee will be able to table the report within two and a half months.

**Speaker:** The Committee shall therefore table the report in two months' time.

Next order.

#### ADJOURNMENT

**Speaker:** Hon. Members, having exhausted the business for today's sitting, this House stands adjourned until tomorrow, Wednesday, the 6<sup>th</sup> day of July, 2016 at 9.00 a.m.

*(The House rose at 2.49 p.m.)*