

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Tuesday, 14th May 2019

The House met at 2:35p.m.

[The Speaker (Hon. Nduati Kariuki) in the Chair]

PRAYER

NOTICE OF MOTION

REPORT ON THE MURANG'A COUNTY HERITAGE

Hon. Joel Murigi: Thank you Mr. Speaker Sir, I beg to give Notice of the following Motion, that, this Assembly adopts the Report of the Youth, Culture, Gender and Social Services Committee on the Murang'a County Heritage, laid on the Table of the Assembly on 14th May 2019.

Thank you.

(Hon. Joel Murigi laid the Paper on the Table)

STATEMENT

REQUEST ON STATUS OF ACCESS ROADS IN KAGUNDU-INI WARD

Hon. Mburu Muthoni: Thank you Mr. Speaker Sir, I hereby wish to seek for a Statement pursuant to Standing Order 46 (2) (c), from Chairperson Public Works, Roads and Transport Committee as follows;

1. Is the Chairperson aware of the existence of the following access roads in Kagundu-ini Ward?
 - i. Gatwikira-Kiene road
 - ii. Kirirwa-Karuhiu road
2. Is he also aware that the access roads are not fully opened up?
3. Is he further aware that there are foot bridges in the Ward and also connecting other neighbouring Wards which are in dilapidated condition as they are made of logs which are now worn out thus posing a danger to school going children as listed below?
 - i. Kabati factory footbridge
 - ii. Kiriko-Kagogo footbridge
 - iii. Kamunyaka via scheme footbridge
 - iv. Githunguri-Muruka footbridge
 - v. Kiriguini-Njine footbridge
 - vi. Kagunduini-Gatitu footbridge
 - vii. Kioru-Coffee factory footbridge
4. Can the Chairperson inform this House when the access roads will be opened up and footbridges rehabilitated?

The Speaker (Hon. Nduati Kariuki): Chairperson Public Works Roads and Transport Committee.

Hon. David Macharia: Thank you Mr. Speaker Sir, I would humbly request to be given 14 days after which I will be able to respond to the Statement comprehensively. Thank you

The Speaker (Hon. Nduati Kariuki): Hon. Mburu Muthoni.

Hon. Mburu Muthoni: Thank you Mr. Speaker Sir, I want to echo the words I said in the morning based on the order you released in the liaison Committee four nights ago I agree with the Chairperson I am very optimistic that something is going to be done.

The Speaker (Hon. Nduati Kariuki): I am also optimistic because 14 days seems to be very popular.

MOTION

ADOPTION OF REPORT OF LAND, HOUSING, PHYSICAL PLANNING AND SETTLEMENT COMMITTEE ON VISIT TO STATE DEPARTMENT FOR HOUSING AND URBAN DEVELOPMENT

Hon. Gerald Wambugu: Thank you Mr. Speaker Sir, I beg to move the following Motion;- That this Assembly adopts the Report by the Land, Housing, Physical, Planning and Settlement Committee, on a visit to state department for Housing and Urban Development, laid on the Assembly on 7th May, 2019.

The sectoral Committee on Land, Housing, Physical Planning and Settlement is constituted under the provision of Standing Order 204 (5). Further pursuant to Standing Order 204, second schedule the Committee is mandated to deal with all matters related to land, surveying and mapping, housing boundaries and fencing.

According to the Constitution of Kenya (2010), the right to housing is a constitutional right provided for in the Bill of Rights. Section 43 (1) (b) of the Constitution provides that every person has the right to accessible and adequate housing and reasonable standard of sanitation. The realization of this right is placed on the National Government which has prioritized this right as one of its national agendas.

The Finance Act 2018 revived and renamed previous housing established in 1967 but not operational as the Housing Development Fund which is to be managed and National Housing Corporation (NHC). The National Housing Corporation is a statutory body established by an Act of parliament the Housing Act chapter 117. The primary mandate of National Housing Corporation is to play a principal role in the implementation of the government housing policy and programs established by State Department Housing and Urban Development on affordable housing.

The Housing Fund Levy is designed to finance the affordable housing scheme under the big four agenda with both employees and employers expected to submit the deductions to the National Housing Development Fund every month.

The Housing Act Hon. Speaker provides the legal mandate for the operations of the National Housing Corporation with the core aim of providing affordable housing to Kenyans.

Hon. Speaker, The Kenya Vision 2030 is Kenya's development blueprint covering the period 2008-2030 with the aim of transforming Kenya into a newly industrializing middle-income

country. The social pillar for Vision 2030 for housing is a safely, adequately and decently housed nation in a sustainable all-inclusive environment. The vision foresees better development of and access to affordable and adequate housing and enhanced access to adequate finance for developers and buyers. It pursues targeted key reforms to unlock the potential of the housing sector.

Hon. Speaker, urban areas in the third world are characterized by rapidly increasing populations which results from internally generated population growth and from rural-urban migrants who move to towns in search of comparatively better socio-economic alternatives and opportunities. Since the rate of housing development has not matched the population growth, urban areas has experienced housing gaps which in turn have led to high house rents being charged by landlords and overcrowding and overstretching of support services and infrastructure. Shortage of housing and the low financial capabilities of the urban citizens have led to unplanned neighbourhood and the emergence of slums and squatters' settlements characterized by substandard housing fabric and lack of basic and physical and social infrastructure, water and sanitation, power and security. It is therefore the national government desire that the National Housing Development Fund helps in realizing the government's goal of delivering 500,000 affordable units in five years as a means to stop the expansion of slums in informal dwellings in major towns countrywide.

The Committee wishes to sincerely thank the office of the Speaker and the Clerk to the County Assembly for the support extended to it in the execution of its mandate.

The Committee further wishes to thank the staff attached to State Department for Housing Development for support and co-operation during the session.

The Chairperson of the Committee takes this opportunity to thank all the members for their profound contribution through dedication of time and efforts towards the realization of the mandates of the committee.

Hon. Speaker, the Government of Kenya has committed to deliver a series of ambitious social programmes to promote long-term economic development for Kenyan citizens through its Big Four agenda: affordable housing, universal health coverage, enhancing manufacturing, food security and nutrition.

And as part of this vision, Hon. Speaker, the State Department for Housing and Urban Development has been mandated to deliver the affordable Housing Program and will manage the delivery throughout the project lifecycle.

In this regard, the Sub-Committee on Land, Housing, Physical Planning and Settlement visited the State Department for Housing and Urban Development on Monday, April 8 2019 in Nairobi to have an interactive session on the following: housing policy management, development and management of affordable housing, management of civil servants housing scheme, development and management of government housing, urban planning and development.

During that session we interacted with the following people; Jane Mwangi, the director of state department for Housing and Urban Development. During her submissions she explained to the Committee that the affordable housing program is an initiative by the government as one of the pillars under the big four agenda which ensures-----

(The Speaker called for order)

The Speaker (Hon. Nduati Kariuki): Order! Order! Can you just sit down. Hon. chairman you are moving for adoption of a Report and it is assumed that members have or should have read the Report, you are therefore not supposed to read the Report verbatim as it is written word for word. You are supposed to summarize the Report and explain the important points but not to read the whole Report.

Hon. Gerald Wambugu: Thank you Mr. Speaker for your advice. Mr. Speaker the main role of the government is primarily that of a facilitator, that is one that aims to create an enabling environment for a private sector led solution that will ensure that the ambitious and capital-intensive program becomes a reality. This will be done through several interventions such as; provision of state-owned land, delivery of bulk infrastructure to the sites where the housing units are earmarked for development including access roads and transportation network, power, water and sewerage, one stop shop to steam line and fast track statutory approvals including transfer of titles and architectural drawings amongst others, offering tax incentives. Registered persons will be eligible for a tax credit equivalent to the lower of the tax payable or the amount contributed.

The government is working on other legislative and policy reforms required to level the playing field, the government has also produced and published the development frameworks which provides qualitative guidelines on how affordable housing programme will be implemented, how projects will be prioritized and the programmed and how developers or investors will be engaged.

Mr Speaker, as it is, we had the following recommendations; one, that the program seeks to make affordable housing available for all Kenyans and allows the poor to access housing, basic services and infrastructure necessary for a healthy living environment especially in urban areas. that, the affordable houses will be financed and built by private developers on both private, national and county government land.

Three, that, the affordable housing programme differs from other housing schemes in Kenya as it is the first comprehensive program in which the Government of Kenya seeks to use private sector funding to facilitate provision of homes to Kenyans in the lower and middle income brackets, Four that, it provides accessible and affordable financing options for potential homeowners using the National Tenant Purchase Scheme (NTPS) method where users will pay an affordable monthly payment. Five, that, once the houses are built, the Housing Fund will purchase the units from the private developers and offer them to its members.

Six, that Murang'a County Government is embracing the affordable housing programme however, there is need to come up with a policy on affordable housing programme and conduct public participation on the same. Seven, that, the County Government needs spatial planning as it will provide an overall integrated spatial framework for co-ordinating the various development efforts by different agencies so as to have sustainable development within the County. That, there are no existing policy and legislative frameworks for planning, financing and management of urban areas in Murang'a County.

Mr. Speaker, the Committee had the following recommendations; one that, the County Executive Committee (CECM) in charge of Housing and Urban Planning in conjunction with the Land, Housing, Physical Planning and Settlement Committee to formulate specific legislation to address the management of urban areas in Murang'a County. Two, that, the CECM in charge of Housing and Urban Planning should come up with a policy on affordable housing programme and

conduct public participation on the same. Three, that, the Murang'a County Government should identify sites/set aside land for development of affordable housing with immediate effect.

Four, that, in planning, the CECM in charge of Housing and Urban Planning should ensure that every county affordable housing plan conforms to the laid down procedures and development framework guidelines for urban development. Five, that, the County Executive should conduct public participation to make it easier for Murang'a residents to take part in decision making and determine what is good for them and demand that it be implemented to improve the quality of their lives. I now call Hon. Lucy Ngugi to second the Motion.

Hon. Lucy Ngugi: I second the Motion

(Question proposed)

Hon. Murigi Amos: As I stand to support this Motion, there are some issues that need to be taken critically, when we come to the findings and recommendations. On the issue of big four agenda from the President which requires consideration, from now to 2022, we have about three years, of which nothing much has started so far, as a County, considering our proximity to the capital city in Nairobi and courtesy of the Thika Super highway and considering the fact that we have people moving from rural areas and settling in urban areas, I think the Committee needs to get in touch with the County Executive of Land and Physical Planning whereby we can be able to plan our towns. Failure to do so, sometimes we will be blamed in future. This is something that needs to be taken seriously. Unplanned expansion will be a big problem.

The other issues is that as an Assembly we should play our role especially when we are considering the Finance Bill, like the one we did last time. I think there were some increases when we come to the cost of building material like sand and when you levy to people who are transporting, that cost is transferred to the consumers. Going forward if we are going to help His Excellency the President, it is important we take into consideration when we are passing the Finance Bill so that we can give some waivers so as to encourage our people to put up these houses.

The other issue I also am not convinced what the National Government is doing about the housing levy that we also being state officers we are supposed to contribute 1.5% and the Assembly our employer should also contribute 1.5 %. I join other Kenyans and also the national parliament I do not think this is the way to go since I am not convinced that those earning salaries are the ones who should house the Kenyans. The government should look for money, lend money through financial institutions and reduce the interest to 3% so that those in that sector can build those houses but should not be passed to those people who are all salaried.

Mr. Speaker, as I mentioned, we are also state officers and I saw in the National Assembly that from the month of August, Members of Parliament (MPs), who are state officers, will be getting house allowance. The only state officers who will not be enjoying the house allowance are the Members of County Assemblies (MCAs). The MPs are already enjoying it. I thought this would come from the County Assemblies Forum (CAF) but I am not seeing that yet most of the time, I see our representative, Hon. Charles Mwangi Ng'ang'a, on television and radio shows in the morning. I see him most of the time on the television but not in this Hon. House. He owes us an answer on the issue of the house allowance for the MCAs because it is an issue for our welfare.

Speakers are getting house allowance and I think they will also get arrears but the MCAs are not getting and CAF owes us an explanation why we as state officers are not getting the same.

I ask the Budget and Appropriations Committee to give provisions for our house allowance and put it in the next budgetary estimates for this Assembly so that we can also enjoy like the other State Officers. We should not be left behind and this is something they need to take up seriously. With those few words, I support. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): I ask the mover to respond.

Hon. Gerald Wambugu: Thank you Mr. Speaker, I sincerely thank my colleague Hon. Amos for the good advice and bring to your attention that, today, we had a consultative meeting with the County Executive Committee Member (CECM) and the Sub-County Administrators where we decided that they should come up with a Housing Policy that will be brought to the Floor of the House very soon.

On the Finance Act, I agree with my colleague, Hon. Amos that we should have waivers for those who want to come up with the housing programme. On the issue of the house allowance, I am also in the dark. I am waiting for directions because I am also a state officer and I am not having the house allowance as per the Constitution. I therefore beg the Members to support this Motion.

Thank you, Mr. Speaker.

(Question put and agreed to)

ADJOURNMENT

The Speaker (Hon. Nduati Kariuki): Thank you, the House adjourns until tomorrow 2:30 p.m.

The House rose at 3:05 p.m.