

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Tuesday, 4th June 2019

The House met at 2:35p.m.

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

PRAYER
COMMUNICATION FROM THE CHAIR
PETITIONS

The Speaker (Hon. Nduati Kariuki): Honourable members, Pursuant to Standing Order 214 (2) (b), I wish to Report that on 14th March 2019 the County Assembly received a public Petition submitted by residents of Maragua Sub-County, Makuyu Ward, Kimiriri location, Mugumo-ini village. The petitioners draw the attention of the Assembly to the matter of a broken down borehole in Mugumo-ini village. I further wish to state that the Petition is signed by 21 petitioners.

The petitioners confirm that the issues in respect of which the Petition are not pending before any Court of law or any legal body. The petitioners prayer is that;

- a. Inform the community whether there is any money allocated for the rehabilitation of the borehole and if not allocate funds for the same.
- b. To inform the community on the progress or status

Pursuant to the provisions of Standing Order 216 (1), the Petition is hereby committed to the Water, Energy, Forestry, Environment and Natural Resources Committee. Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today, respond to the petitioners by way of a Report addressed to the petitioners and laid on the Table of the Assembly.

Pursuant to Standing Order 214 (2) (b), I wish to report that on 14th March 2019, the County Assembly received a public Petition submitted by residents of Gituamba, Kakuzi/ Mitumbiri ward, Gatanga Sub-County.

The petitioners draw the attention of the Assembly to the matter of Poor bad condition of the Matunda Kawira road and Matunda hospital bridge. I further wish to state that the Petition is signed by 28 petitioners. The petitioners confirm that the issues in respect of which the Petition are not pending before any Court of law or any legal body. The petitioners prayer is that;

- a. To construct the road to enhance transport and accessibility
- b. To allocate funds to construct the road and the bridges
- c. To inform the community on the progress

Pursuant to the provisions of Standing Order 216 (1), the Petition is hereby committed to the Public Works, roads and Transport Committee. Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today, respond to the petitioners by way of a Report addressed to the petitioners and laid on the Table of the Assembly.

Pursuant to Standing Order 214 (2) (b), I wish to Report that on 14th March 2019, the County Assembly received a Petition by residents of Ithanga Ward Makuyu Ward, Gatanga Sub-County.

The petitioners draw the attention of the Assembly to the matter of poor drainage, lack of a proper solid waste dumpsite and open drainage in Kakuku market, Ithanga Ward, Gatanga Sub-County.

I further wish to state that the Petition is signed by 28 petitioners. The Petitioners confirm that the issues in respect of which the Petition are not pending before any Court of law or any legal body. The petitioners prayer is that;

- a. What are the plans of the County Government to improve the sewer system and solid waste management in Kakuku?
- b. Is there any allocation for the construction of the sewer system?

Pursuant to provision of Standing Order 216, the Petition is hereby committed to the Water, Forestry, Energy, Environment and Natural Resources Committee. Further, pursuant to Standing Order 216 (2) the Committee shall in not more than 60 calendar days from today respond to the petitioners by way of a Report addressed to the petitioners and laid on the Table of the Assembly.

MOTION

ADOPTION OF REPORT OF LAND, HOUSING AND PHYSICAL PLANNING ON PROPOSED KAMBITI INDUSTRIAL PARK LAND.

Hon. Gerald Wambugu: Thank you Mr. Speaker, I beg to move the following Motion;-

That this Assembly adopts the Report of Land, Housing, Physical Planning and Settlement Committee on proposed industrial park land.

Mr. Speaker, I appreciate this noble opportunity to address this House regarding the Kabati land issue registered as Mitumbiri/Wempa/2575. As a Committee we have extensively looked at this matter and the Report before this House is a representation of all the facts regarding this County owned Kabati land.

Hon. Speaker, at the onset of devolution, the County Government was faced with the challenge of adding value to the agricultural produce that our farmers produced, there was a pressing urgent need to establish an agricultural produce value addition road map.

Hon. Speaker, establishing a sustainable value addition framework requires the involvement of the County Government. This is in facilitating public private partnerships to attract industrialists into the County. With available agricultural raw materials, supportive County Government policies and market proximity, the major challenge faced by the 2013 agricultural value chain promotion strategy was lack of suitable land to establish an industrial park that would attract investors.

Mr. Speaker, it is in addressing this challenge that the then County Government purchased 34 acres in Kabati area in Maragua Sub- County. In acquiring this land, Murang'a County Government adhered to the then Public Procurement and Disposal Act 2005, this Act has since been repealed with the enactment of the Public Procurement and Assets Disposal Act 2015.

Mr. Speaker, the Murang'a County Government placed a request for expression of interest in the Daily Nation of Monday 8th July 2014. The parameters for suitable land were as follows;

1. An accessible parcel well served by all the necessary social amenities like schools, hospitals and shopping complexes
2. Accessibility to a three-phase power supply
3. Accessibility to industrial water supply source
4. Accessibility to a waste disposal service
5. Served by transport line

6. The land does not to have any encumbrances

7. A well-drained land with undulating terrain

Two firms responded to the request, only one firm met the requirements, it presented 34.5 acres at Kshs414million.

Mr. Speaker, as required by Public Procurement and Disposal Regulations 2006, The County Government then engaged the Ministry of land valuers who placed the value of the land as Kshs340million.

Mr. Speaker, the valuers noted that lower prices of land were recorded within the immediate neighbourhood and in Kabati town, however, these were excluded from the valuers analysis because the sales occurred locally without proper marketing and in most cases the sellers were mainly the first owners under the influence of land agents in that area.

Mr. Speaker, it is important for this House to note that the valuers placed the land at Kshs340 million based on the following assumptions;

- a) Proper marketing was done to reach a wide range of potential investors before a sale is undertaken
- b) That the proposed project plan was to be implemented as planned
- c) That the then political establishment would not interfere with the implementation and subsequent sale of the land.

Mr. Speaker, the valuation Report informed the decision of the Tender Award Committee that presented a Report to the Tender Award Committee.

On Audit Query Mr. Speaker, as a Committee we are aware that this Kabati land has been subject to the Auditor General's questions. In the 2013/2014 Murang'a County Government audit report, the Auditor General questioned the methodology of land acquisition. The County has since responded to the audit questions at the Senate Public Accounts Committee and maintained that the process was above board since the acquired property was of special nature in regard to location, size and other set parameters.

Sale justification; Mr. Speaker, as a Committee we are recommending the following; among others,

1. That the County Executive Committee member in charge of Land re-surveys the 34 acres Kabati land and engage the National Land Commission (NLC) and the County Valuers to establish the market value of the land
2. That the Assembly approves the sale of the 34acre Kabati land owned by the Murang'a County Government to the highest bidder through an open tender system as stipulated in Section 163 of the Public Procurement and Assets Disposal Act 2015
3. That County Executive Committee member in charge of Land and the County Executive Committee Member (CECM) in charge of Finance initiate the process of selling off the 34 acres Kabati land and place a call for expression of interest within 14 days after the adoption of this Report.
4. That the sale proceeds be used to fund the County budget priority areas in infrastructure and water sectors

Mr Speaker, the Committee is recommending the disposal of land based on the following;

1. The land has since not been utilized due to inadequate finances following erratic funds releases by the Exchequer in the Financial Year (FY) 2014/2015 and Financial Year 2015/2016 and the subsequent years.

2. The land has been subject to numerous political and audit contests that have undermined the initial noble objective in acquiring the land
3. The dynamics in the agro- marketing industry have since changed with the entry of private value addition entities that have been serving the horticulture farmers in Murang'a. In addition to this, the County is due to acquire huge tracts of land since most of the land leases in the County are due to expire. The acquired land will support the agro- processing ventures for value addition.
4. The County has been experiencing Budget implementation challenges due to delayed Exchequer releases. Unlocking the County resources held in immovable assets which are underutilized is essential in addressing the Budget deficit challenges.
5. The changes in the implementation design of national government metropolitan train network have since undermined the geographical and transport comparative advantages that were part of the rationales in acquisition of this land.

Mr. Speaker, as a Committee we are not engaged in any political show, these are the facts that we need to contend with, changing our course is not cowardice.

Mr. Speaker, the process of disposing off this land is well provided for in the Public Procurement and Assets Disposal Act 2015 According to the Act, the Chief Officer Finance, will form a disposal Committee. This Committee shall be tasked to sale of the parcel of land as per Section 163 of the Public Procurement and Asset Disposal Act 2015. The functions of the Committee shall be to verify and process of all disposal recommendations in liaison with the head of procurement. The Committee will make a technical report that will indicate the real market price.

The County valuer shall be expected to set up a reserve price which shall be the minimum acceptable price below real market value. The Committee shall then conduct a survey while considering the technical Report and recommend the best method of disposal to the accounting officer.

Mr. Speaker, the Land Committee comes to this Assembly with open arms, these are our facts, we urge this honourable House to adopt this Report and unlock the County assets held up in this land. We all need these funds to facilitate development in our wards. I call upon Hon. Lucy Ngugi to second the Motion. Thank you, Mr. Speaker.

Hon. Lucy Ngugi: Thank you Hon. Speaker, I stand to second this Motion but kindly allow me to put a few remarks for the record that are pertinent to the issues addressed by the mover.

Mr. Speaker as it has been earlier stated, the Committee is satisfied that all relevant procedures in the purchase of the land were meticulously followed. These procedures include that all procurement procedures as stipulated in Public Procurement and Asset Disposal Act 2015 and the regulations thereof and any other relevant law were followed and the amount payable was as advised by the authorizing officer, that is the national government valuer.

Mr. Speaker Sir, so far there is no government authority or agency that has challenged the procurement of the said parcel of the land and we have not received any provisional advisory challenging government valuation.

On the question on recommendation for sale of the land, I wish to reiterate what the Committee has said that due to lack of budgetary resources for County Government and in view of heavy demand on more other urgent sectors e.g. health, water and food security and ongoing economic activities, in view of the fact that the funds have to be released to pay all the pending bills to contractors and suppliers according to the presidential directive issued during the last concluded Madaraka Celebrations. Whereas it cannot be assumed that the funds raised by the sale of the land

will be added to cover all the above expenses, the amount that will be acquired from the sale will go a long way to cater for the budgetary deficit and provision of services to the electorate.

Mr. Speaker, it will be unreasonable and lacking economic sense for anyone to argue that we keep on holding on to the parcel of land whereas it is very clear that the land cannot be put to any productive use, any time soon. It is therefore the Committee's considered opinion that the land be sold and the amounts raised thereof be used for immediate projects and that have priorities like the provision of water for example, which is a commitment and mandate of the County Government. I imagine our County electorate receiving several feet of water pipes from the proceeds of sale of this land.

Mr. Speaker Sir, in disposing the land relates to the Public Procurement and Disposal Act of assets and the Committees in this House will follow this very strictly. In addition the proceeds from the sale which we expect will not be less than Kshs500million. This House will be involved in appropriating this money in a Supplementary Budget. This is not to say that the County is abandoning the market idea, we are certain of possessing a much larger parcel of land in the same vicinity once the current Government leases held by some present occupants expire thus reverting to the County.

Whatever the amount of land that will be availed to the County as proceeds of this County-private partnership guided by the Public-Private Partnership Act No. 15 of 2013 that allows investors such as co-operatives, the private sector and others plans to upscale the market idea to a more ambitious plan. That will then occupy a 100 to 200 acres of land, it can be considered.

Mr. Speaker, we envision a Murang'a that will be a one-stop shop that will be an international market for most of the products coming from Mt. Kenya region and even for our avocado market which we have been marketing so vigorously. I wish to bring to the attention of this House that the previous House approved the establishment of a County land bank through the Murang'a County Corporation as evidenced in the Murang'a County Assembly Hansard dated 19th November 2014, thus enabling the County Government to purchase land and help attract agrarian investors considering the County is predominant in agricultural based.

Mr. Speaker, our slogan as a County is "kamuingi koyaga ndiri (unity is power)" how then are we going to live to what we strongly believe in if we fail to amalgamate the resources at our disposal to the advantage of the people we represent. The ultimate plan is to have a mega market for sale of agricultural produce to national and international markets, not only from Murang'a but also from Mt. Kenya region. Murang'a is currently at the forefront of avocado farming. We would therefore want this market to be a major market for avocado and any other. We also envision a manufacturing bit of this market where we will have the left-over produce being manufactured into other value based products. Maybe we can even have some coolers. We will have industrialization and manufacturing in the same market, that is why we think 200 acres of land will be more worthwhile.

Mr. Speaker you will agree with me that such an ambitious plan cannot be viable in a 34acre land. I urge the Honourable members of this House to be ambitious and embrace progressive solutions to seize all opportunities that will be of benefit to our people, both now and in the long run. Let us keep off the myopic short term thinking for political applause and think better for our electorate. Thank you, I second.

(Question Proposed)

Hon. Murigi Amos: Thank you Mr. Speaker Sir, I stand to oppose this Motion because of the following facts, and I would appeal the Honourable members to treat this Motion as a very emotive Motion. For the first time let us not have the tyranny of numbers but the tyranny of reasoning.

Mr. Speaker sir, as I say this the role of the Assembly is to take care of the public interest of the electorate we came to represent here. In safe guarding the interest, it is for the first time in a number of years where I have heard a government selling property like land. What worries me most is that this one is not the initiative of the executive but an initiative of the Committee.

This is a very sad moment for this Assembly, taking into consideration that I am a member of the House Business Committee. There was a time we sat and said that there is no way a notice of Motion can be given and the Motion passed the same day. This is to give the members room to go through the said paper. This paper was laid last week but it disappeared immediately. The reason being given that the photocopier had broken down that one is just an excuse because we have been receiving other papers. We have had Order Papers being printed but it could not print the Report. I know there were other hands over this matter. I am also sorry to say that the County Assembly leadership is not safe because I believe there has been a lot of conspiracy to make sure people don't get this Paper. We got this Paper this morning. I believe that kind of sabotage is not good for this Assembly.

I know if we pass it and I know there are people who are ready and will move to court fighting for this Paper. I think that is one of the reasons we could not access that Paper. I don't think this is the way to go. This is a House of honour and that kind of sabotage should not be entertained.

The other issue is that this area is in my ward and I would not support such a thing even if it is not in my ward. I would never support such an endeavour. This land was bought for the purposes that were laid down here. We have been passing Budgets for this. Sometime back we were to put an industrial park and twice we passed a Budget. There was also an intention to put a stadium there. I can remember when the Governor was saying about a stadium in Kenol, he was talking about this particular land.

We know we have Kenneth Matiba hospital, the lease that we have today is expiring on 1st August this year. The chances are that the owner does not renew the lease we will have a lot of issues of where we are going to take the Kenneth Matiba hospital. I know His Excellency had planned to give money for a state-of-the-art hospital, I know this is the suitable land for that.

I know the community and Mr. Speaker you come from that area, there was a time the County Government brought some tractors, they were almost to be burnt because they were saying apart from the issue to do with the industrial park, they have underlying issues. If you go to that area we don't have a school, the school that we have the P.K. Primary--- thank you Mr. Speaker the land was donated by your family. As we talk, the total enrolment for that school is 2000. In class eight they have nine classes, the nearest school we have is Mukereju primary school which has a total enrolment of 1700pupils. The community has already written to the County Government to put a school in that particular area because those two schools are really unmanageable. Also because of the distance involved and if we can do this then it can be very sad for the future generation.

What we are doing is not for today, we should think of the future of Murang'a for the 100 years to come but not of the interests of today. As we talk now, the road between Kenol and Marwa will be constructed from January next year. Kenya National Highways Authority (KENHA) has promised if the County will give land, they want to construct a bus park for free for the County and a market, as long as the County will look for land.

The reason that has been given here, that we are getting land from Delmonte. Kiambu County got land last year and where they got that land is around Kilimambogo. If the land we are getting from Delmonte is around Kinyagi or Ithanga, are those the things we are going to do there? That can definitely be an excuse so that we dispose this land and wait for the land which we are going to be given by Delmonte.

As we talk about this issue, last week but one, the land is under investigation by the Ethics and Anti-Corruption Commission (EACC) and in the papers we know our Governor was recording a statement over this land. About Kshs390million was used, Kshs340million was used to buy that land. The rest was used to pay the stamp duty and the Ethics and Anticorruption Commission is on top of this matter because it is under investigation. We support the government when it comes to some of these issues and I think we should give room so that the EACC can complete its investigations when it comes to this particular land.

I would also wish to mention the following; that the issue of public participation according to the Kenya Constitution 2010, Article 174 and 196 is very important and I wonder why I have not seen in the Report if public participation has ever been conducted before the Committee came up with such a Report. This one is very crucial, and we hope that the members will support me in this not because it is in Kimorori/ Wempa but for the integrity of this County Assembly. I am sure Hon. Speaker once we pass and people will go to court, the Executive will say it is not us, it is the Assembly which wants to sell your land because this is the initiative of the Assembly and not the initiative of the Executive. It will definitely be very sad for this Assembly and we have time to redeem ourselves.

As I conclude Mr. Speaker Sir, the issue that this land was not being bought for speculative purposes, the County Government was not in business but they have issues as to why they were buying this land and I know people outside there they are waiting for this crucial debate in this House . The reasons which were being given that, they are selling this land so that we can build 35 water tanks in our County. This one is a hoax; this is not the first time we have seen this. I remember when the Executive wanted to bring the controversial Water Act we were taken to Kasarani and we were promised Kshs1million for every ward and I know there are two Honourable members in this Assembly from there, the following day they mobilized their people to dig trenches for these pipes and the pipes never came. This one I know it is a hoax and I know some of these things we require to look at them very seriously because Mr. Speaker, if you allow them to happen and I am certainly sure this land will not be sold , this land will never, never be sold because I know this will never be allowed.

Mr. Speaker, I believe, my final remarks I beseech these members as I said when I was starting that today let us have tyranny of reasoning but not tyranny of numbers. With that I totally oppose.

Hon. Stephen Chege: Asante sana Bwana Spika. Nataka kusimama kuunga mkono mjadala huu na sababu za kuunga mkono Bwana Speaker watu wetu wengi wanaumia kwa sababu hawana vitu kama maji. Kuweka shamba ambalo hakuna kitu linasaidia mwananchi wa Murang'a sioni haja yake. Kwa hivyo mimi nataka kusimama nikisema, kuna mambo kadha wa kadha ambayo tunaweza fanya na ile pesa. Kama vile Mwenyekiti wa kamati ya Ardhi amesema, tusaidie Wanjiku wa kawaida. Kuna viwanja vya michezo ambavyo tunajenga, maji, hizo ndizo sababu kuu nataka kuunga mjadala huu mkono. Nikiketi, niseme Bwana Speaker kwa ruhusa yako, nataka kuchukua nafasi hii kutakia ndugu zangu na dada zangu sikukuu njema ya Ramadhan kwa sababu, kwa imani yao wamefunga kukula na kukunywa mwezi mzima wakituomba kama viongozi wao.

Nawaalika sikukuu kubwa sana ambayo tunahudhuria na Gavana huko mjini siku ya kesho. Nasimama nikiunga mkono mjadala huu, asante.

Hon. Charles Ng'ang'a: Thank you Mr. Speaker. I stand to support the Motion. One point is very clear that my predecessor Hon. Murigi said that we need a tyranny of reasoning and not a tyranny of members and that is the main I have stood here to tell him that when we are discussing about the challenges, we say challenges are what makes life interesting, overcoming them that is what makes life meaningful. We have a mindsets and I think the importance of changing the mindset to have a flexible mind is a one point clear, which states clearly that, the County Government when it managed to buy that property it was looking for value addition to the *wananchi*. County Government of Murang'a is among 48 County governments, because we also have National government which is also a government on its own. Mr. Speaker Sir, when we are talking about *Wanjiku* we are talking about how she can get value on all properties, on all matters regardless of what they are coming over as long as *Wanjiku* in Murang'a is benefitting. It will be a challenge to let *Wanjiku* die and we keep the property which is not going to help us at anything. It is better to have a small thing; a small issue that can make *Wanjiku* achieve his livelihood rather than getting *Wanjiku* die on matters that we can say its wealth which is not helping us. With this I support the Motion. Thank you.

Hon. Sospeter Nyoko: Thank you Mr. Speaker. I stand to support the Motion. *Wanjiku* outside there is suffering whereas we have idle land which is helping nobody and which should be sold in order to get that money and continue serving *Wanjiku* better. It is a good idea to sell this piece of land and also if we have some other pieces of land lying idle whereas our *Wanjiku* there, our electorate is suffering we better dispose off. Get this money and put it into proper use. I would be very happy to see that each and every ward in Murang'a County, of the 35 wards gets a portion of that money because this money was County money and that is a County property but it should not benefit only one ward. Thank you and I stand to support the Motion. Thank you

Hon. Waweru Mwangi: Thank You Mr. Speaker. I stand here, I am a member of that Committee which looks into this affair and I want to stand here and support this Report. I am a signatory to this Report, I am conservant to the Public Procurement Disposal Act 2005 and 2012. When we were discussing this issue, personally I went back to refer to this Act to see whether our Committee is working within the requirements of this Public Procurement Disposal Act of 2005 and revised copy of 2012. It is the common knowledge that Delmonte is going to--- the lease is expiring and we are going to acquire land far much bigger than what we are discussing here we are discussing only 34 and we are going to acquire over even 1000 and above acres.

All of you know that I come from an area where there are deficit of roads, you were there the other day and there are no roads that connect us, there is no water. If this money is going to be used to really cover those deficits so that my people in Ithanga have water, has good hospitals, has good roads then I have no reason as to why I should oppose this Motion. Article 194 and 196 talks about public participation and it does not specify exactly at what time public participation can be done meaning even after we have passed---

(Hon. Murigi Amos rose on a point of correction)

The Speaker (Hon. Nduati Kariuki): Do you want to be corrected?

Hon. Waweru Mwangi: I do not need to, I am expert, meaning that even after we have passed this Motion still we can do the public participation, so Mr. Speaker I stand to support this,

Disclaimer: This version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.

it is a very good idea; because we want to cover the deficit so that we can be able assist the government projects especially on water and roads and therefore I stand to support. Thank you.

Hon. Peter Mweri: Thank you Mr. Speaker. First of all, I would like to congratulate the Lands Committee for coming up with this very noble idea of selling these 34 acres of land which was acquired during our last Assembly and it has been idle since then. Thank you very much Chair and the team. When we came in the last Assembly, agriculture was devolved fully and that is the time we thought we need to look for land so that we can do value addition. I remember we went through several sessions to be trained on value addition and that is one of the reasons that we came up with the idea of buying the land. Unfortunately, as the Chair has said, there have been issues of Delmonte and Kakuzi coming to the end, I know there has been negotiations on getting a portion of that land back to the County. If that works well, I think we will be covered because the County has a vision, we will do industries and stadiums on that land. The value addition which is the reason the land was acquired will be done there. I appreciate the County has been effective in pursuing Public-Private Partnerships in streamlining the agricultural value chains. I have seen these avocados and other fruits, if we do this and get huge chunks of land, and we will be able to support our people.

Finally, as I end, it is good to appreciate as investors, sometimes we buy land and the value of land increases with time, it never goes down. I presume even that land will get a better value. I appreciate the Committee has given good recommendations that after the sale the proceeds should go and support other necessary projects like water and maybe road works in our County. As you are aware, water connectivity in the County is not very high and as you are aware my people in the ward and other wards will be very happy to have the proceeds going to support the project.

Hon. Lucy who seconded this Motion clearly stated that after the sale we can have a Supplementary Budget where we can accommodate the proceeds and allocate them to relevant priorities. Thank you very much. I urge members to support the Motion so that we can have more funds to support our people.

Hon. Morris Thuku: I rise to support the Motion. Two points, I think it is the high time that this County had taken our priorities right. The up- bottom approach does not work for our country, putting our priorities in place will help our County get fundamental preparations as we look forward to do the proposed industrial park. An industrial park is good Mr Speaker, but is it necessary at this time? Mr Speaker, disposing the land will ensue that the proceeds from the land will go towards ensuring that all what the industrial park was to do is already taken up for our processing plant that will come in future.

Our youths will benefit a lot if we dispose of the land. It is the high time for this House to put into consideration in the Supplementary Budget and ensure the sale proceeds go into developing this County. All what honourable Murigi is talking about works, to me as a member of this Assembly I am happy, I am one of those members who mobilized to dig up the trenches in preparation for water and finally the dream that I had, members of my ward are finally going to get the water I promised. Thank you Mr Speaker.

Hon. Dinah Muthoni: I congratulate the Lands Committee for the good work. Mr. Speaker, as we know we cannot all be in the Committee, first, the 34 acres land is now used as a grazing site because the land is bushy. It is a danger to our children who pass through that area. Mr. Speaker, it is in order to sell that land and utilize the money in the water and land sector. I support.

Hon. Kibe Githuka: I rise to support the Motion. I wish to congratulate the Committee, sometimes even under normal circumstances, you cannot have a child sent home and you have a

property. You will sell it if the property has no value that can be compared to the child. Number two, that land was bought in year 2014. If you look at the value of land from 2014 to today, that is five years down the line, how beneficial has the land been for the last five years? If there were prospects that counties will be getting 100percent of the equitable share that the counties were promised, the land would have been more valuable, but because the counties have not been getting the 100 percent promised value, the idea came up because of the amount of money promised, then the land may not be valuable to our County. As Hon. Murigi is saying, the County of Kiambu, which is their business, now we are talking about the County of Murang'a. If the land comes back to their County we are not going to negotiate to be given where Hon. Murigi is talking about, we are going to negotiate to be given in prime areas.

If you look at the Public Procurement and Assets Disposal Act clause 58, it clearly states that the CEC in charge of Finance should set a Committee that involves outside members who are experts in that field, not only the members of the executive but other members who have the knowledge. If we shall get the CEC in charge of Finance including those people who are experts in selling the land, the land even if it was not a business it would be more valuable than as it is lying idle now. I support and urge the members to support since the remaining three years the land will remain as it is and we want it profitable within the three years that we are in the Assembly. Thank you.

Hon. Daniel Chege: I rise to support the Motion. I would like to congratulate the County Government of Murang'a for initially coming up with this noble idea of having a place where we can accommodate and have a place to add value to our agricultural produce, and the thoroughness that they involved as it was given out by the Chairperson Land Committee. Mr. Speaker, the idea of acquiring land was a good idea, our County is an agricultural County and we need an industrial park where we will be doing value addition and set up industries that will add value to our products so that when our products go to the market, it will have an added value and bring us more cash. It is good to note that a good idea gives way for a better idea; the idea of acquiring the land was good. There was a better idea, this land has been lying idle since it was acquired and since then it has gained value and I am sure not less than twice the amount it was bought.

As we are talking, our County is stuck in implementation of its major core Budget and yet we have an asset lying idle somewhere acquiring dust and becoming bushy and even a security threat to the people surrounding the area in the name that the County Government has an asset. Hon members, I can see most of us went through a system which trained us in the possession of wealthy, there is something we call assets, a recurrent asset and a fixed asset, there is a way of converting the asset from one form to the other. We are not saying we dispose and throw away our assets, no. We are demanding to convert our fixed asset from land to a recurrent asset called money so that it can be readily usable into other areas that are in total demand of urgency for that amount of money. I am the Chairperson for the Health Services Committee and I have a deficit. This year, I was expecting to be given Kshs100million in terms of Development Budget in my Department of Health.

Mr. Speaker, through the allocation and the appropriation in the Budget, we have only managed Kshs20million. The Kshs80million deficit is giving me a headache, day in day out because every day, the Members of this House are telling me that they need dispensaries done in their areas and completion of health centres. In Gatanga, there is the Kirwara hospital which has not been completed, there is another one in Kigumo and there is no Level Four hospital in Ithanga and Kakuzi/Mitumbiri. The members of those areas are going to Thika and are coming all the way to Murang'a hospital. They need a liquefied asset that can convert into something they can see and

help them. So, because I am sure that we are going to go through this, I am appealing to the Hon. Leader of Majority that when this asset is sold during the appropriation, he gives my Committee and department Kshs80 million so that we can deal with the issues.

Mr. Speaker, I have noted in the Committee finding number five that the dynamics in the agro-market industry have since changed with the entry of private value addition entities that have been serving the horticulture farmers in Murang'a. I challenge the Trade, Industrialization, Tourism and Wildlife Committee to take up this challenge. As you have seen, it has been noted in this finding that there have been increase on private investment in this County doing that which we intended to do by setting aside the 34 acres. The mandate of the Committee, and I pass the challenge to them, is to ensure that we have a policy and a framework that is luring investors into our County. We can even have tax breaks for those companies which are going to come and set up industries in this County to do value addition. We can have those incentives so that we can lure more investors to do the same thing that we, in the first place, intended.

Finally, Murang'a County Government has the word government, which is not just an adjective, it is a very strong noun- a government; it is not a village *baraza* (meeting).

(Laughter)

Hon Daniel Chege: It is not a village system; it is a very strong institution. A government in possession of a land which is coming to an expiry and an institution owing this government that land called Delmonte, the land in an area that we all know. As a government, we have the mandate to say that we are not going to renew land that is covered within this area. It is our prerogative, it is our mandate and it is within our power to say which area of the land we are going to renew or which one we are not going to renew.

(Applause)

Hon Daniel Chege: So, to settle an anxiety that I have felt one Member expressing, we are going to demand a prime area when we are going to renew that lease. I support the Motion. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): Let us have Hon. Beth.

Hon. Waithera Ndung'u: Thank you Mr. Speaker, I am a nominated Member of County Assembly (MCA) from Kahumbu Ward and the Chairperson for the Education and Child Welfare, Research, Information Technology and E-Government Committee. I stand to support the Motion. Kindly, Hon. Kimorori/Wempa, it is so sad that you are realising after two years that there are many children who are not able to be handled by the schools in your area. Have you brought any Petition so that the County Assembly of Murang'a which has so many lands, sets aside or comes up with a land where the schools can be built---

The Speaker (Hon. Nduati Kariuki): Order! Order! Please address the Chair and not the Member.

Hon. Waithera Ndung'u: Thank you, Mr. Speaker, I am sorry about that. I was concerned as the Chairperson for Education and I stood because we have not noted there are many children in that area for two years, if I am not wrong. In my Committee, we have not received any Petition requesting the Assembly or the County to give a land for building schools. After giving the land, the work is for the National Assembly to build and not us. I am a woman and yesterday, I was at Gatanga where women sent me here and to the Governor, they said they need water as a priority

and nothing else. Even if the Hansard is brought here, they said they need water because the woman is the one suffering. Our Early Childhood Development Education (ECDE) centres, which are devolved, need water and we were promised.

Mr. Speaker, ECDE schools make porridge and, maybe, they are buying water. I know that water will come and we are requesting the Chair for Land that our children to be the first people to enjoy that water. For the trade, we need a lot of water where we are having the new Murang'a County Creameries (MCC) and if we are able to channel a lot of water, it will be of more use. I kindly remind you that I am open if the 12 members are requested for land. Murang'a is a place full of land and there may be very empty lands in Kimorori/Wempa where we can give the National Government and they do the building because that is not our area. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): To avoid repetition, I will ask the mover to respond.

Hon. Gerald Wambugu: Thank you Mr. Speaker, I appreciate the contributions of the members to this Motion. We may differ in the approach but we are seeking the welfare of Murang'a people. In regard to public participation, which was an issue raised by my good friend, Hon. Murigi from Kimorori/Wempa, we appreciate that our people need to be involved in the policies and legislative aspects of governments. However, this is an administrative issue. Without undermining public participation, we cannot always be carrying out public participation on administrative issues like procurement that are well provided for in law. Again, the land will be sold through expression of interest, where the members of the public will be invited.

Mr. Speaker, I also suspect that the concerned Member is playing cheap politics but hiding under public participation. He has a history of using public participation---

The Speaker (Hon. Nduati Kariuki): Order! Order! Order! You are not going to impute improper motives on any Member.

Hon. Gerald Wambugu: Mr. Speaker, I withdraw. Regarding the concerns on the reasons for sale, governments all over the world, dispose their assets to fund development. Even National Government bonds are usually disposed to unlock government resources for development. There is nothing new here. On public interest, I was wondering and have been wondering what the Kimorori people did to their MCA by the name Hon. Amos, he opposes everything that is brought on the Floor of this House. I suggest that, one day, you give us leave of public participation---

The Speaker (Hon. Nduati Kariuki): Hon. Member, do not be personal, speak about the debate but not about an individual.

Hon. Gerald Wambugu: Mr. Speaker, the Report was made on time as per the Standing Orders. On the issue to do with Kenneth Matiba hospital, there is another land set for the hospital. On the issue of primary schools, education is not devolved; it is the prerogative of the National Government to take up the matter. I urge the members to vote for this Motion. Thank you, Mr. Speaker.

The Speaker (Hon. Nduati Kariuki): Thank you. I will now put the question.

(Question put and agreed to)
(Applause)

ADJOURNMENT

The Speaker (Hon. Nduati Kariuki): Hon. Members, while wishing you a very happy Eid-Ul-Fitr like we have been told by one of our Muslim members here, we now adjourn the House until Thursday afternoon at 2:30. Thank you.

The House rose at 2:45p.m.