

MURANG'A COUNTY ASSEMBLY THE HANSARD

Wednesday, 29th April 2015

The House met at 2:31 p.m.

(The Second Chairperson Hon. Catherine Mugo in the Chair)

PRAYERS

MOTIONS

DEVELOPMENT OF A STREET LIGHTING POLICY

Hon. Charles Karina: Thank you very much, Mr. Speaker.

(Hon. Joseph Machiri rose on a point of order)

Second Chair: Yes Hon. Machiri.

Hon. Joseph Machiri: Madam Speaker, is it in order for a Hon. Member to come in the House without shoes?

(Hon. Rosemary Wakuthii put on her shoes)

Okay she has done that.

(Laughter)

Thank you.

Second Chair: Continue.

Hon. Charles Karina: Thank you Madam Speaker. I beg to move the following motion:-

That, aware that County transport which includes street lighting is a devolved function as stipulated in Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010, further aware that urban centres in Murang'a County are faced with high cases of insecurity experienced at night including mugging of the residents and burglary of the various premises, recognizing the fact that this has been caused by lack of a street lighting system in these urban centres, lack of proper fitting of security lighting systems and poor functioning of the existing ones on various premises; this House urges the County Executive Member for Transport and Infrastructure to develop a policy on lighting of streets and urban centres including the requirement that all public and private buildings shall be fitted with security lighting systems.

Madam Speaker, I would, first and foremost, take this opportunity to thank our County Executive for the manner in which they have conducted the implementation of the street lighting program in the whole County, although there are a few challenges that we do encounter because of---

(Hon. Duncan Njuguna rose on a point of order)

Hon. Duncan Njuguna: Madam Speaker, is it in order for the mover of the motion to mislead this House by saying that the Executive and another person whom I do not know whom he is referring in the Executive, that they have lit the whole County with street lights whereas there is not a single street light in Gitugi ward?

(Applause)

Second Chair: Hon. Karina.

Hon. Charles Karina: Thank you Madam Speaker, a long journey begins with a step. I indicated that the program is on-going.

Second Chair: Respond to the statement Hon. Karina.

(Loud consultations)

Order! Members, retract your statement Hon. Karina.

Hon. Charles Karina: Maybe the wording Madam Speaker or? I indicated---

Second Chair: Regarding the point of order that Hon. Duncan has raised.

Hon. Charles Karina: Thank you Madam Speaker, I withdraw that Gitugi does not have any street lighting.

Second Chair: Very well. Go on.

Hon. Charles Karina: Madam Speaker, there are few challenges that we are facing with the implementation of the street lighting program. Much as they have tried to do, there are few challenges as I had indicated earlier before the member interrupted me. The County Executive is yet to come up with a team which will be maintaining those street lights. They are popularly known as the *mulika mwizi*.

Madam Speaker, the County Executive should also come up with a legal framework to resolve the agreement between the CDF and the private and public partnership. The Members of Parliament from our constituencies do come and install the street lights yet we do not know the kind of agreement they make with the County Government. You find that in some shopping centres, these popular *mulika mwizis* do not work. So, this one is also very important so that we can know the partnership, either with the public or private.

The other issue, Madam Speaker, is the issue of our traders. If you go around our shopping centres during the night, you will find that after the traders finish their daily businesses, they do close their working premises and switch off the lights. This makes us have so many cases of mugging and burglary in our shopping centres. So, if this Executive Member can develop a policy whereby we shall be able to ensure that all the lights in all our shopping centres are on during the night, it shall also make sure that all our public institutions within our urban centres or trading centres have their lights on during the nights.

This will even transform the economy of our County to a 24 hour economy because it will encourage our local investors to do business with us within the County when they see that the towns are well lit up during the night. This lighting will also help the business community to be able to advertise whatever they sell in their shops because you may not have time to move around the trading centres during the day. If all the lights to those business premises are on during the night, you will be able to see what those traders deal with.

So, Madam Speaker, I urge this House to, maybe, support this motion so that we ensure that all our shopping centres have enough security to even encourage our traders. I kindly call upon Hon. Kihungi to second this motion.

Hon. Peter Kihungi: Thank you Madam Speaker, I stand to second the motion by Hon. Karina. I think the most important thing for this motion is to come up with legislation on street lights. There are no procedures on those that have been done by CDF on what power they should put or who will be paying for those masts. The legislation will also compel the business people because you will find shopping centres without masts. The

business people switch off the lights that are on the corridors. Therefore, you find that there is total darkness in the area and burglary can easily take place.

We should have legislation that if you are a businessman or entrepreneur and you have a business somewhere, the government can take action if you switch off the lights. The responsibility of security should be cost shared. The government should take responsibility by putting masts and where they have not put, the public should take responsibility by leaving the lights along the corridors on. This will help on the issue of security because those on patrol can be able to see someone walking around the shopping centres. Therefore, I stand to support the motion.

(Question proposed)

The Motion is open for debate. Hon. Kagoni.

Hon. James Kagoni: Thank you Madam Speaker. I stand to support the motion by Hon. Karina. It is important to note and to thank the mover for bringing that motion because as we stand, the issues of insecurity have continued to increase. Some of the factors that are contributing to the increase of insecurity are factors of lightning. These are some of the factors that can even be dealt with at an individual level, leave alone what the government can do.

Madam Speaker, one of the things the mover is requesting in his motion is to ensure that there is a policy that is requesting the owners of buildings and shops to leave their lights on when closing their businesses in the evening. This is not something that is hard. We only say and especially in the towns that are within our County, that in the evening, you will find that people switch off the lights when they are closing their businesses.

So eventually at night a place that should be well lit thus becoming a point that can be used for burglary and other things. In the prayer that the mover is asking on developing a policy, what is coming to my mind is a scenario where most of the tenants pay for service charge and part of this charge, the owners of buildings can fit their buildings with flood lights, part of the money paid will make sure that in the evening the place is well lit from the gates to the corners. Much as we expect the government to do the street lighting we all understand that the government might not reach all the areas, these are issues that can be done by the owners of the buildings.

Madam Speaker, when you visit some of the estates around here or a place like Kiria-ini at around 8 Madam Speaker, it is really dark, when you are walking towards the hospital.

(Hon. Peter Mweri rose on a point of order)

Hon Peter Mweri: Madam Speaker, Hon. Jesse Mburu and Hon. Gitau are sleeping in the House, this is a very important motion and they need to concentrate

(Laughter)

Second Chair: Hon Jesse and Hon Gitau, I think you have heard, you need to concentrate, I will not give you a warning but be alert.

Hon. James Kagoni: Thank you Madam Speaker, Perhaps you can also request they be given a bottle of water or something to just wake them up. Madam Speaker I was saying that the streets are usually too dark making it difficult for women and children to walk at night. As I was saying, when we have a policy that states very well that every shop or

building should be fitted with a flood light and even the tenants using the buildings should leave their lights on will be very important to reduce the insecurity cases within our towns.

Madam Speaker in bigger towns like Thika, almost all shops leave their lights on, it is only in our county where you find otherwise, we have been very economical and we find that we keep on switching off, I support this motion for the CEC to come up with a policy and you will realize that we will have reduced the insecurity. Thank you

Hon Duncan Njuguna: I stand to support simply because as the mover stated, we need street lights in our towns especially those in the rural areas, not only mugging even those people who take beer get injured along these dark streets. Knowing well that if we do that we are going to add few hours of business, rather than businesses closing at 6:00, they will extend the closing hours to 9 p.m.

This morning I was told by the Chair budget, that from tomorrow I will be free from the executive because the Ward Development Fund is factored in the budget, therefore, after the executive member concerned coming up with a policy on street lights, we will be able to execute it equally across all the wards. This is a good motion

Hon. James Kariuki: I rise to oppose the motion on one aspect, it talks about lighting of streets in urban centres, it does not include shopping centres and market centres like my Nga'araria, therefore if this motion passes the way it is, according to the Urban Areas and Cities Act, those urban centres in the rural areas would not be included. I would therefore ask the member to withdraw the motion, restructure it and then bring it back.

Hon. David Muhoro: I rise to oppose. Madam Speaker we have a rural population who we represent, if we compare the urban centres in Murang'a they are just Kenol, Murang'a and a few other like Kiria-ini, but the rest of the population who are taxpayers, if this motion is adopted the way it is, they will not benefit. We need this motion withdrawn, restructured and include the rural population that we represent and then we will support what will benefit all the people from Murang'a. So I suggest that he withdraws.

Hon. Mary Waithira: I want to say that the mover has a good idea on lighting, as the Bible says, where there is light there is less evil. This is something that we usually witness, but if you look at the wording of urban centres, and I know that is why the two Hon. Members have opposed, it leaves out many shopping centres that many of our Murang'a people live in.

If you look at the urban centres, how many are they in Murang'a County? I think we can only rate Murang'a town and Kenol and maybe Maragua which is still counted among shopping centres. The motion is good, but if it is adopted this way, it is somehow reading that the mover was thinking about Township, his area because that is where the biggest town is.

Madam Speaker we are requesting the mover, the idea is good, if he can add the urban centres, I think we will be in line to help our Murang'a people because in the shopping centres where majority of our people are, the mugging and indiscipline cases happen at night including at those who take one for the road

The idea is good, only the use of the urban centres. Let us include the shopping centres so that we can take light to where our people are. We know the mover is the chair of implementation we still have the probability that this motion will see the light of the day faster than even other motions. Let us have a withdrawal and add shopping centres together with the urban centres.

Hon. Eric Kimani: I rise to oppose this motion, because the wording on lighting urban areas, is marginalizing the small shopping centres in the county. I wish the mover of the motion can include all the shopping centres because most of the urban areas have already been lit or the activity to light the areas is on-going. Madam Speaker I would wish that the mover withdraws the motion and includes the shopping centres so that we can balance development in our county.

Hon. Charles Kirigwi: Madam Speaker, I stand to support the motion as it is because, we need to be realistic. In Murang'a we have 505 shopping centres. When we were passing the Finance Bill we zoned these towns, there was zone A that had Kenol and Murang'a, Zone B had Kangari and Kangema. So what we are saying, very soon from July members will have their Ward Development Fund, if a member feels that it pains them for their people to be in the dark, he is not restricted from implementing at ward level. I think it will be unfair not to support the motion because the word shopping centre is missing; my feeling is the members feel lighting is a priority, together with their development committee, let them do so.

My concern on the motion is the sustainability. As we request the CEC to do a policy, let us consider sustainable projects, as we are seeing advertising companies using lamp posts, we can have agreements with such companies such that they will maintain the street lights and pay the bills so that we will have a sustainable project. To add on that, in the policy the CEC may add the aspect of closed circuit TVs those are the CCTVs

We know of the counties like Machakos whereby you cannot apply for a licence without demonstrating that you have installed CCTV's in your premises. This one is going to increase security in our county and we are going to have more investors coming to invest in our county. I support.

Hon. Samuel Wandia: Madam Speaker I do not know the reason as to why some of us here are putting a time frame. We are not putting a time frame when this should be done we are only asking for a policy to include the rural areas.

We are not saying that the county government do the lighting the following day so I do not know the fears that some of the members do have. Let us include the shopping centres because there is no time frame even if they come to install the lighting to Muthithi shopping centre in 2015 or in 2017, I will not mind provided the lighting is extended to the rural areas.

Because as it is the situation of mugging is even high in rural areas than it is in urban centres. I remember a situation where the lights went off in few shopping centres two weeks ago and breaking-in's took place the whole of that night.

So Madam Speaker I support 100 percent that the mover withdraws the motion not in bad faith, in good faith so that we cater for the shopping centres in the rural areas and we extend the business hours from 8 p.m. to 10 p.m. because as it is in the rural areas some of the shopping centres business closes at 7 p.m. and 8 p.m. because of lack of proper lighting.

So I urge my friend Mr. Karina to withdraw this motion and bring it later and we shall qualify it. I thank you Madam Speaker.

Hon. Rebecca Mwicigi: I stand with those people who are urging the mover of the motion which is a very good motion that he includes the 555 urban centres with a reason.

For one he has told us that it was poor fitting and poor functioning that is why we do not have electricity. And I would urge whoever is given the work of installing these fittings, if it

is established that it is of poor quality, he should be blacklisted so that he does not do any electrical work in our county Madam Speaker.

Our county is known to go the climate change way. Green energy which is solar lighting is free and that is why I am saying 555 rural centres can be installed with electricity.

Madam Speaker you and I pass through Mukuyu where we buy fruits and you have seen lighting there is on up to 9 and that is solar lighting. In Nairobi, Githurai way there is a whole hospital which is lit by the solar lighting and if we adopt the solar lighting even the claim of carbon credit like Nairobi is about to do will be very easy as this is green energy where carbon credit is paid for.

With all this, there will be no electricity bill and conditions that the lights should be put off. With this let us urge the CEC infrastructure that when the people are building houses, every building should be installed with solar energy like it is being done in Nairobi so that we can also save and we can also have environmental friendly structures. I thank you Madam Speaker.

Hon. Charles Karina: I thank you Madam Speaker and I also thank the members for the way they have responded to my motion. I am very happy although they had threatened me from the beginning I even started stammering having brought a very good motion and they have started fighting it. I even got shocked from the beginning.

What I would say is that may be the members did not understand the wording. When I said urban I was referring to the shopping centres.

(Laughter)

so that one

Second Chair: Hon. Karina I think you should restrain yourself to the issue raised because Hon. J.K. has tried to explain what urban centres mean according to the Urban and Cities Act.

Hon. Charles Karina: I thank you Madam Speaker, I was just trying to elaborate and tell the members you do not kill the idea it is only that *jogoo wa mjini hawiki mashambani* so when I was just

(Hon. Duncan Njuguna rose on a point of order)

Hon. Duncan Njuguna: Madam Speaker the standing orders are very clear that when contributing or addressing the House you use one language from the beginning to the end. So can the mover restrain himself to using English which he started with instead of bringing in the other languages?

Hon. Charles Karina: I apologise Madam Speaker and I withdraw those Swahili words because I cannot even explain it in English. I just want to thank the members for their contributions and understanding the concept very fast and I hope that when I go back and amend the wording they will support it.

I am very happy with the members for supporting me this afternoon and I seek your leave maybe to withdraw this motion to go and purify this motion so that members can see that their areas of representation are included in this motion, I thank you Madam Speaker.

Second Chair: Hon. Karina you have sought leave may be to withdraw. You should seek leave to withdraw.

Hon. Charles Karina: I seek leave to withdraw Madam Speaker.

Second Chair: Leave is granted. Next order

ADJOURNMENT

This House stands adjourned until tomorrow at 2:30 in the afternoon, I thank you.

The House rose at 3:08 p.m.