

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Tuesday 12th November, 2024

The House met at 3:20 p.m.

[Temporary Speaker (Hon. Hannah Wairimu) in the Chair]

PRAYER

PAPERS

REPORT ON THE INDUCTION TRAINING OF MEMBERS OF THE POWERS AND PRIVILEGES COMMITTEE HELD FROM SEPTEMBER 28 – 30, 2024 IN NAIROBI

Hon. Gladys Wambui: Thank you Madam, Speaker, I beg to lay the following Paper; -

That, the Report of the Powers and Privilege Committee on the induction training of members of the Powers and Privileges Committee held from September 28 to 30, 2024 in Nairobi, be laid on the Table of the Assembly.

(Hon. Gladys Wambui laid the Paper on the Table)

MOTION

ADOPTION OF REPORT OF TRADE, INDUSTRIALIZATION, CO-OPERATIVES MANAGEMENT, TOURISM AND WILDLIFE COMMITTEE ON THE STATUS OF CO-OPERATIVE SOCIETIES IN MURANG'A COUNTY AS AT JULY 2024

Hon. James Kabera: Thank you Madam Speaker, today in an era where many people feel powerless to change their lives, co-operative representation are strong, vibrant and viable economical alterations. Co-operatives are formed to meet people mutual needs. They are based on the powerful idea that together a group a people can achieve goals that none of them could achieve alone. For over 60 years now co-operatives have been an effective way for people to assert control over their economy livelihood. They provide a unique tool for achieving one or more economic goal in an increasingly competitively global achieving one or more economical

goals in an increasingly competitively global economic cooperatives generally providing an economic boost to the community as well.

The Report findings covered a broad spectrum of issues including existence of both active and dormant co-operatives society in the country. Among the recommendations generated by the Committee including establishment of a clear support structure to cooperative through training partnering with GO and bank for grant and affordable roles respectively. In conclusion, the Committee urges this House to adopt this Report in order to boost the economic development of the County. I now call upon Hon. Gladys to second the Motion. Thank you.

Hon. Gladys Waikau: Thank you Hon. Speaker. I rise to second the Motion.

(Question proposed)

The Temporary Speaker Hon. Hanna Wairimu: Hon. Members the Floor is open for debate. Hon. Mwangi Mpesa.

Hon. John Mwangi: Thank you Hon. Speaker. I rise to support the Motion. I would like to urge all Members in every Ward to form as many groups as possible, from youth, women, windows and widowers then they try to incorporate all of them to enhance to form co-operatives. Co-operatives are very important in the society because they encourage people to save money to do various activities in the society and to enhance to grow together. Hon Speaker thank you for giving me that opportunity.

The Temporary Speaker Hon. Hanna Wairimu: Hon. Chefman Isaac Njoroge.

Hon. Chefman Njoroge: Thank you Hon. Speaker. I rise to support the Motion with a rider that it is high time that the Committee enforces and makes sure that whatever they discuss in recommendations and everything is taken in high degree and it is implemented on the ground. And as I also support and echo the sentiments of my brother here Hon. Mpesa, it is high time that we make sure that we have one ward, one co-operative society as a way of improving the culture of saving and empowering our people through financial management. So, I think it is very important and as I rise to support also, we need to broaden the whole thing. From areas which we are doing trade and industrialization where the issues of co-operatives will be there and also as per the previous Motion which was brought in this House regarding that our people do not have the culture of saving.

Our people do not have a culture of the previous times whereby we had the co-operatives. I think we need to come up with a way to make sure that every ward has its own unique way of doing business and unique way of getting a co-operative. Be it the issue of mango areas, tea leaves areas, the coffee sector areas, the milk areas and any other agricultural or horticultural produce. I think it is high time we establish that and it will assist our people to have that culture of saving and will avoid the issue of selling the land. I rise to support madam. Thank you very much.

Temporary Speaker (Hon. Hanna Wairimu): Thank you, I call the mover to respond.

Hon. Kabera James: Thank you, Speaker Sir.

Temporary Speaker (Hon. Hanna Wairimu): Please Hon. member can you address me through my gender

Hon. Kabera James: Thank you, I am very sorry. Thank you, Mwangi M-Pesa for the support, I am very grateful. As you have said about the groups, it is good to have a lot of groups in all wards but you see the problem that we have is the issue of leadership. We have a lot of co-operatives and these co-operatives, some of them in areas of leadership, they are not all that good. I just want to support Isaac Njoroge from Kahumbu that we have one co-operative in each and every ward which is very vibrant, which is working very well even in terms of finance. I will still agree that the culture of saving that is with our people is not very good. They do not want to save but they want to have the cooperative where they will be having these loans. So, we are supposed from now we see each and every ward we have one or two or three which are very good in leadership and the groups which knows how to save. Because out of saving you get the money to give them as loans or to do something else. Thank you for the contribution I am very happy. Thank you.

Temporary Speaker (Hon. Hanna Wairimu): Thank you, Chairperson Trade Committee.

(Question put and agreed to)

Temporary Speaker (Hon. Hanna Wairimu): Next order.

ADOPTION OF REPORT OF LAND, HOUSING, PHYSICAL PLANNING AND
SETTLEMENT COMMITTEE ON PUBLIC PARTICIPATION ON THE LAND USE
DEVELOPMENT PLAN UNDERTAKEN IN MURANG'A SOUTH

Hon. Chefman Njoroge: Thank you, Madam Speaker. I rise on behalf of the Chair, who is engaged in some areas of the jurisdiction to forward the Motion. Madam Speaker I beg to move the following Motion; -

That this this Assembly adopts a Report of the sectoral Committee on Land, Housing, Physical Planning and Settlement of Public Participation on the Land use Development Plan undertaken in Murang'a South, laid on the Table of the Assembly on Tuesday October 8, 2024.

Madam Speaker, it is my privilege to present to this Hon. House the Land, Housing, Physical and Urban Planning Report on the deliberations during the public participation exercise held on August 21, 2024, at ACK Mother's Union Hall in Murang'a Town regarding the Local Physical and Land Use Development Plan for L.R No 12157/8 Located in Makenji/Maragua Sub County.

A Local Physical and Land Use Development Plan (LPLUDP) serves as a blueprint for the orderly growth and sustainable development of a specific area. The plan provides a framework for the efficient and effective use of land while considering social, economic, environmental, and cultural factors. The Local Physical and Land Use Development Plan provides a clear vision and framework for how the ceded Delmonte land will develop. It ensures that infrastructure, housing, industry, and other facilities are well-planned and do not lead to haphazard or unregulated growth.

Madam, Speaker, the key areas that were highlighted in the plan are as follows and will be discussed in depth in the Report. I will just highlight a few of them, others are in the members file, they can read as we continue;

- a. Orderly development: it ensures that land use is well-coordinated and planned, preventing haphazard and inefficient development.
- b. Efficient use of resources: by planning land use, resources such as infrastructure and public services can be used more efficiently, reducing costs and improving service delivery.

Madam Speaker, those are part of the recommendations which the members can follow in their files. Public participation is one of the national values and principles of governance under the Constitution of Kenya. This is in keeping with the national aspirations expressed in the preamble

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to the Constitution in which Kenyans commit themselves to establishing a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law. Such a government would not be possible without public participation. Under the Constitution, the relationship between the people and the state has been redefined. The Constitution clearly states that all sovereign power belongs to the people and can be exercised by them directly or through their democratically elected representatives. The Constitution further states that the power exercised by state agencies is delegated and can only be exercised by its provisions.

Madam Speaker, public participation is now considered a critical pillar of what has been variously described as 'participatory democracy', deliberative or discursive democracy', and even 'radical democracy'. There is increasing recognition that democracy requires much more citizen participation in governance than is ordinarily possible through representation by elected officials. Citizens' participation in government decision-making is fundamental to the functioning of a democratic system of governance as stated in chapter one of the Constitution of Kenya 2010. Public participation in the legislative activities of the government whether Executive, Judiciary or legislature is a fundamental constitutional principle as provided for in Articles 1,10, 35, 118, 119, 124, 201, 221, and 232 of the Constitution of Kenya.

Madam Speaker if you allow me, there is what we call benefits of public participation which include: citizen empowerment, the generation of new, diverse and innovative ideas and actions, enhancement of citizen government relations, legitimation of government programs, appropriate prioritization of projects, improved delivery of public services, governments responsiveness.

The importance of public participation is captured in Article 118 of the Constitution, which mandates government whether national or county to 'facilitate public participation and involvement in the legislative process.

Citizen involvement in policy-making and implementation strengthens and deepens good governance. International and regional agreements, which Kenya is a signatory to, in public participation are spurring government to take steps to improve transparency, participation, and accountability.

Madam Speaker there is a well stipulated plan which has been summarized. It is a 15-page report, which members can check in their report and go through it. We have the stage purpose and

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output. Preparatory, situational analysis, mapping, plan formulation, plan approval, plan implementation. It is well elaborated in the members files. You can be able to check them and get.

Committee observations on the public participation. in land use planning is about getting input from residents in the County on how land should be used; whether it's for housing, parks, businesses, or other needs. The aim of having the public participation process for the local physical and land use development plan for L.R NO 12157/8 was to collect feedback from a wide array of stakeholders to ensure that the land use plan is comprehensive and equitable. By engaging County residents, business owners, and marginalized groups, the County government planners easily identified and addressed diverse needs and perspectives, leading to a more balanced and effective plan. This approach also helped in building community support and reducing potential conflicts by making sure all voices were heard and considered.

The scope of the participation can be divided into three main categories;-

- a. Stakeholder engagement: this is reaching out to a wide range of stakeholders, including residents, business owners, community organizations, and special interest groups. This helps ensure that different viewpoints and interests are represented which was impressively done.
- b. Information dissemination: includes sharing information about the land use plan, its objectives, and proposed changes quite unfortunately many residents had not seen the plan before attending the public participation.

When we were doing this, the plan was not ready by then but it was given to the members.

- a. Feedback collection: gathering opinions from residents on their concerns. This helps in understanding community needs and preferences. The committee hopes that once tabled the plan shall encompass the views of the public.

We had few challenges and members will check in their files. I will mention two because we have like ten. If we allow members to read, I will highlight for the purpose it is captured well.

- a. Many of the residents in the County struggled to understand the land use planning process because it was too complicated. The presenters used too much technical language and jargon, making it hard for people to follow along or know how it affected them. This made it difficult for them to participate effectively or share their opinions.
- b. The County government officials were more focused on short-term goals, like issuing parcels of land to investors to build factories to boost their revenue collection and

income-generating opportunities for residents around the area. However, they didn't pay enough attention to the long-term effects; these decisions could have on the community and the environment. This focus on immediate gains overlooked potential issues that could impact residents' quality of life or harm surrounding natural resources in the future.

However, they didn't pay attention to long time effect this decision could have on community and development, this focused on immediate gains, overlooked potential issues that could impact residents' quality of life or harm natural resources. Those are just few of the Committee challenges they are in the members books they can check and read.

However, Madam Speaker, there are Committee recommendations like 30 of them but I will read two of them for the members to sample the Committee's recommendations.

The Committee recommends that the County Executive Committee Member for Lands should undertake the following steps to ensure that future public participation exercise in land use and physical plan are more inclusive and everyone involved;

- a. County government official should avoid using complicated words and technical terms instead they should explain the land use in simple easy to understand terms. They should also provide clear materials like brochures of map that will aid them understand how the plan will impact the community. This will help everyone understand the plan better and see how it affects them.
- b. The meeting planner should ensure that all groups in community are given equal chance to share the opinion regular residents. Marginalized groups, business owners and developers should also be included in the participation.
- c. The CECM has to make challenging decisions on striking balance between the immediate economic benefit to the County Government against potential impact on environmental sustainability and community wellbeing. One approach is to conduct through impact assessment and engage in transparency dialogue with stakeholders. This way they can make informed decision the way to optimize both current needs and future sustainability.

Madam Speaker, we also gave the Committee on Implementation limitation and phasing how the plan will be implemented including the sequencing and timing various projects.

Finally, the Committee recommends that the physical planning be tabled within 14 days of adoption of this Report. It is my pleasure to call upon Hon. Mukami to second the Motion. Thank you, Madam Speaker.

Hon. Jane Mukami: Thank you Madam Speaker, I stand to second the Motion.

(Question proposed)

The Temporary Speaker (Hanna Wairimu): Hon. Members, the Floor is open for debate. Hon. John Mwangi.

Hon. John Mwangi: Thank you Madam Speaker, I rise to support the Motion. I would urge the Committee to treat the issue of land, for me I know it is very sensitive. So, I would urge the Committee to treat issue of land as a pregnant woman. Hon. Speaker, when we talk about the land -----

(Hon. Liz Mbugua rose on a Point of Order)

The Temporary Speaker (Hon. Hannah Kamau): Yes Hon. Liz.

Hon. Liz Mbugua: Thank you very much Hon. Speaker, I stand to correct my brother, Member of the County Assembly (MCA) for Nginda Ward, can he explain more about the pregnant woman concerning the land.

Hon. John Mwangi: Hon. Speaker, when I comment about a pregnant woman, that period is very sensitive. As a doctor, we hold them with a lot of care knowing that they are carrying life. So, when it comes to land, there are those ancestors or those our grandmothers and grandfathers who say they fought for our freedom in times of colonialism. When it comes to land and you start telling them to be paying some taxes, you will make their temperatures, pressure and diabetes to rise. That is why I have given that comparison. I support the Motion and I would urge the Committee; let us join hands with the Executive and make sure that all our commercial plots in our shopping centers are registered, of which they will enhance us to raise collection of the revenue of the County. Thank you, Hon. Speaker, for giving me that opportunity.

The Temporary Speaker (Hon. Hannah Kamau): Hon. Liz.

Hon. Liz Mbugua: Thank you very much Madam. Speaker, I rise to support the Motion and to congratulate the Members of the Committee for the good work they are doing. Actually, as

we are speaking, I think we have so many lands and plots that are unmarked and most of them can be grabbed any time. We have seen churches building in the public lands and because they have no one to question them. We have seen people who are from the upper side building the tea buying center. We have even seen in the lower side people are just making their progress with the public lands. That means that if we are not taking care of our lands, we might end up losing everything from the County. And so, if we begin by doing the mapping and registration as the Committee has done, that tells you that we can manage to bring some development and project within those or we will know if we are going to allocate those lands to certain Members, there will be no fight. People will agree and see whether it is something that is going to benefit the community or the County.

Thank you, Madam Speaker.

The Temporary Speaker (Hon. Hannah Kamau): I now call the Mover to respond.

Hon. Chefman Njoroge: Thank you Madam Speaker. First is to congratulate the Members and urge them to support the Motion as it is. My brother Mpesa Mwangi, yes, indeed, land is very technical, it is an issue. It is because of the land whereby, if you allow me, our great grandfathers fought for land that we are independent, the Committee is aware of the sensitivity of the matter, however I differ with her on the issue of pregnancy because you cannot compare land with pregnancy, I do not know how he knows about the pregnancy.

The other issue is from senior member madam Liz from Kinyona, yes, there was a time we brought a Motion in this House and urged the members to bring any issue to the Committee in a way of how much land has been grabbed in your area so that as we do the mapping we have a very big issue regarding the churches especially the capital of grabber are churches, whenever they find an open field, they occupy it. Today if madam Liz thinks of starting a church, she will go find an open area and have 484 iron sheets and start a church. To remove a church and other institutions, members please come to the Committee and bring the issue of grabbed lands and even the water pan and *githima* (wells) where people would fetch water and take cows to have water have all been grabbed.

I thank the members who have contributed. The Committee will ensure that all those issues are taken with merit. With those few remarks I urge the members to support the Motion.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Hanna Wairimu): Honourable members there being no other business, the House stands adjourned until tomorrow Wednesday November 13, 2024 at 2:30 p.m.

The House rose at 3:50p.m.