

## MURANGA COUNTY ASSEMBLY THE HANSARD

Wednesday 14<sup>th</sup> October 2015 Sitting

The House met at 2:41 p.m.

*(The Speaker Hon. Nduati Kariuki in the Chair)*

### PRAYERS

### NOTICE OF MOTION

#### ADOPTION OF REPORT OF TRADE, INDUSTRIALIZATION, TOURISM AND WILDLIFE COMMITTEE ON THE PROPOSED MURANG'A TOWN SHUTTLE SERVICES

**Hon Samuel Wandia:** I beg to give notice of the following motion;

That, the Assembly adopts the report of the Trade, Industrialization, Tourism and Wildlife Committee on the proposed Murang'a Town Shuttle Services laid on the Table of the Assembly on Tuesday, October 13, 2015.

### STATEMENTS

#### STATE OF ECDE'S AND POLYTECHNICS

**Hon. Joseph Njoroge:** Pursuant to standing order number 45 (2) (c), I hereby request for a statement from the chairperson Education and Child Welfare, Research, Information Technology and E-Government committee as follows;

- i. Can the chairperson table in this House a list of all the ECDE centres and Polytechnics in Murang'a county, the wards where they are located and the population of children attending these institutions?
- ii. Can the chairperson provide information on the number of teachers employed by the County Government in each of the ECDE centres and Polytechnics?
- iii. Is he aware that unlike primary schools where education is free, nursery school children pay school fees as a result of which orphaned and children from poor families miss this basic education?
- iv. Aware that there is a vote in 2015/2016 financial year budget to employ care givers, has the County Executive Member for Education formulated a policy to employ the teachers? If not when is the policy expected in the Assembly for approval?
- v. Meanwhile, in order to ensure that no child who is orphaned or whose parents are unable to pay fees miss school can the chairman of the committee inform this House when the County Government will start paying the existing caregivers awaiting their employment?

**The Speaker:** Chair Education?

**Hon. Mary Watiri:** On behalf of the chair, I request for two weeks duration to respond to the statement

**The Speaker:** Hon. Njoroge, are you satisfied?

**Hon Joseph Njoroge:** Mr Speaker, as the chair has stated, if it is two weeks, let us know the dates and when the two weeks will elapse. This is urgent because children are suffering since they are not going to school and the parents are also suffering because of paying basic education to the school.

### MOTION

#### ADOPTION OF REPORT OF LAND, HOUSING, PHYSICAL PLANNING AND SETTLEMENT COMMITTEE ON PUBLIC PARTICIPATION ON THE RE - PLANNING OF KIRATHANI MARKET AREA

**Hon. Duncan Njuguna:** I beg to move the following motion;-

That, the Assembly adopts the report for the Land, Housing and Physical Planning committee on public participation on the re - planning of Kirathani market area, held in Ithanga ward on 28<sup>th</sup> September, 2015 laid on the table of the Assembly on Tuesday October 13, 2015.

Mr Speaker, as a committee we visited the area and to our surprise, we found that the traders who were selling small things like potatoes and tomatoes are doing so in open sheds which they have built for themselves. They are not even sub-divided and you cannot tell where there are the jua kali people or even where food traders are supposed to be.

In our findings we found that the market is poorly planned, the market has a community playground, we also have another area segregated for a polytechnic and ECDE. We also have a water point in the same market and if the area is not re-planned, it will be prone to grabbing because we found that there were some people who claimed that they were allocated plots but they confirmed that they were not shown where those plots were in the ground. Therefore, they were left hanging, they cannot develop or transfer the same plots because they cannot identify the plots.

We also established that the market does not have basic amenities like toilets and water thus a health risk. It is only the developed plots where there are toilets but they do not allow the public to use them if they are not their patrons. That is why we are recommending that the market be replanned so that we can have separate market stalls and other amenities to be included in the replanning,

So the members of the public were concerned, saying that 70 to 90 % of the plot owners were not from that area and therefore they would be very happy if the whole land is sub-divided so that they can also get something.

In our recommendations we have said that the above will be through secret balloting after sub-division and also to allocate few stalls to people living with disabilities. I remember in this House we passed a motion where we said that 5% of the stalls that will be erected in any market centre in Murang'a will be set aside for the physically challenged people. Therefore we have recommended that, since it is mandatory for them to have those plots.

We have also said that the physical planner and the County Land Management Board to handle the process and ensure that the beneficiaries get land leases and title deeds as evidence of ownership. We also recommend that the infrastructure surrounding the area be improved. The CEC concerned to make sure the access roads and pathways are passable in case of fire and such things.

We also recommended that in the new plan, segments to be clearly demarcated, e.g. the livestock yards, the jua kali segments and other public utilities like administration or even a police post and an Administration Police (AP) post for security.

Since most of these towns will be replanned, we are also recommending that other infrastructure like the motion we had here yesterday concerning sewerage and other drainage lines should be marked clearly to avoid land grabbers, and sensitise the public and the plot owners against erecting unwanted structures other than what is recommended in their plots as we passed a motion here last week on unwanted structures especially on road reserves and path ways and sewer lines and all those structures in illegal areas. That is why we want re-planning so that the people can manage the town properly. With that I will call upon hon. Esther Nyakio Muniyoki to second.

**Hon. Esther Nyakio:** Asante sana Bwana Spika, kwanza nikupongeza mwenyekiti wa kamati ya mashamba na mipangilio ya miji kwa sababu ya kuleta huu mswada.

Nimeshukuru sana kwa sababu ni mimi mwakilishi wa Kirathani kwa sababu sisi kama watu wa Ithanga ni sisi tuko chini kabisa na tumetengwa kwa muda mrefu sana.

Hakuna maji huko na hakuna kitu. Hiyo sehemu ya Kirathani inapaswa ifanyiwe

**The Speaker:** Mheshimiwa maanake nasikia uko na habari nzuri sana, ili uweze kueleza sasa mimi naruhusu ubadilishe lugha.

*(Laughter)*

**Hon. Esther Nyakio:** Thank you Mr. Speaker, I stand to support the chairman of this committee and other members. We were together there and we had public participation on the issue of demarcation and re-planning of Kirathani town and according to suggestion of the members, the area needs to be planned and demarcated for stalls and market area to be set aside including the livestock market.

According to comments by members of public, they requested the county government to send surveyors to set up the sewer area as there is currently none. I stand to support and request the government to implement as urgently possible to allow those people to own their own town. I second.

*(Question proposed)*

**Hon. Lucy Njoroge:** Thank you Mr. Speaker, I stand to support the motion. We visited the place and as the mover has said Kirathani town needs to be re-planned so as to avoid double allocations and irregularities that can follow such an issue.

We advised the public to submit any document one may have for verification because we wanted to know the true owners of the plots and those who have taken the plots illegally.

Their wish was to have secret balloting when the time of issuing shares comes and we said the process should be done in an open and in public for fair and free allocation.

When we visited the place, the people of Kirathani were very happy and the market should be re-planned to satisfy their wishes, and with that I support.

**Hon. Charity Rugu:** I stand to support the motion. First of all I congratulate the mover and the committee which I belong to. Kirathani has been in darkness for so long. When we visited the area the residents were very happy to see us. They narrated many stories of how it was planned in early 1990's and we promised that we are going to re-plan the area as a county government. There are a lot of resources there and the county government does not get anything from that area.

There are a lot of mangoes and oranges and we do not know where they are sold. It can be an open market which would pull many people from all over the county. If this area is re-planned, most of the residents will have ownership documents. They do not have anything; some were saying they just built the houses they do not have lease documents or allotment letters. A lot of work is to be done there.

There is also need for re-planning as there are no public utilities in that place. You find that there is a dispensary area but they do not know where it is allocated, yet we know how important health sector is in our county.

I stand to support and I beg the House to support the motion so that the residents of that area can feel like other residents in the county.

**Hon. David Muhoro:** Thank you Mr. Speaker, I stand to support this motion; the committee on lands has shown the importance of public participation. They have confessed that they have been to Kirathani and people of Kirathani have clearly said that they want their market planned; they want facilities like toilets and others, they want the open air market to have stalls.

Unfortunately Mr. Speaker the plan of the county government is to take the coolers there, this is how we see priorities of our people are not put into consideration when we are giving services.

You can imagine how those people are waiting for a well-planned market and somebody is sitting somewhere thinking of taking coolers to those people.

As we wait for this government to deliver services to our people they must embrace public participation, we need to involve our people in all the decisions we make as a county government.

I support this committee and I wish we have a listening executive who can really understand exactly what our people need. I support the motion and call on the executive to move forward and give exactly what our people demand. I support the motion.

**Hon. Peter Mweri:** Thank you Mr. Speaker, I stand to support this motion and I would like to appreciate the chairman for lands and his committee for the good work they have done.

I must confess that this is one of the active committees in this Assembly and it is good that they have started bringing such reports. I know in the year 2013, we had no CEC for land and fortunately know we have and the chairman is moving fast.

It is good that they have gone to Kirathani and I think it will be wise enough if they think about other towns because most of the towns and shopping centres were not planned properly.

I must appreciate that the former county council had identified several towns for re-planning and I hope that the chairman for Lands will continue pursuing this issue so that the program can get accomplished. You know very well that if we do not plan, we are planning to fail. I think it is of essence that other shopping centres, including those that are coming up, be re-planned before any development is commenced.

I went through the recommendations of this committee and realised that they involved the public from the beginning. If you go to bullet number three, you will note that the residents have embraced the infrastructural development and new plans. It was very good to have involved them from the beginning; hence they will own this project totally. As a way forward, we should be doing the same in all what we do, including the Bills we enact in this Assembly.

You realise that they also benefitted because they are ready to do balloting. Even as we speak today, I must tell the chairman that there are some shopping centres that we need to visit, for example, there are people who have been paying land rates in my ward but you find nothing when you go to the ground.

We have gone several times with the surveyor but, unfortunately, most of those plots are not in existence. Therefore, I will sum up by appreciating the good work that the committee has done. As a County Government, we should prioritise survey and ensure good budgetary allocation so that this committee, in conjunction with the executive in charge of lands, can visit as many areas as possible come up with proper planning for our shopping centres.

**The Speaker:** Kago.

**Hon. Kago Njoroge:** Thank you Mr. Speaker, I am the vice- chairperson of this committee and I also represent the people of Mugoiri. As we all know, land is the greatest resource in this county and the country at large; if well planned and given priority even by this House.

Most of these members know that Ithanga is one of the best agricultural hubs in Murang'a county. If irrigated, the area can be the granary for Murang'a in 20, 50 or even more years to come. Hopefully, the government is planning to irrigate the area.

We are also anticipating that the market will be expanded because the members of public from the area seem to be very active, not only in population growth but also in working hard. It was our feeling and that of those members that if the area is well planned, and they be given support to develop, it can be one of the best places in Murang'a county such that each one of us would want to buy a piece of land there. Last year, an acre of land was selling at Kshs. 200,000 in that place, however, with the coming up of the county government and the

aggressiveness of the area MCA on how that are should be planned, irrigation done, and open up the area, an acre of land is going for Kshs. 800,000 today.

That means that if we can do good plans for our towns, we can have social amenities, commercial areas, agricultural areas and open air markets. We also believe that the people from that area can have more schools.

We have been complaining that population is going down. We were still there at 4:00 p.m. when the children were leaving school and there is something I found very funny; the place has so many children and people are ready to give birth to more children if their area is well planned and they are given good services such as irrigation water.

*(Laughter)*

I believe that we need to insist and continue saying that the lower part of Murang'a, especially Ithanga, is given priority and well planned so that those people can get what they require. They will also get money.

It is also good for the Members of this County Assembly to know that they should take the initiative of coming to our committee and telling us to visit their areas and see how to re-plan them. Were it not for the initiative of the member who represents that area, we could not be having such a good report to support.

It is therefore a wakeup call for any member who feels that his or her area can be industrious if planned well. If there is any member who feels that his or her area has been neglected for a long time, this is the best time to bring such complaints and petitions to our committee. I know that we are ready to work to improve Murang'a county.

Although I am not responding, I also urge that we allocate more money in the Supplementary Budget since we all know that land is the greatest resource in this county. We need more money to plan and also facilitate our surveyors and planners so that the work ahead of us is done with a lot of ease. We will also be in a position to deliver services that members will request through our docket. I support our committee's report.

**Hon. Esther Ngugi:** Thank you Mr. Speaker, I stand to support the motion that Kirathani market needs to be re-planned. When one has no ownership documents, he or she has no peace of mind and is always anxious. For example, the people who have kiosks but have no ownership documents know that bulldozers can come at any time and demolish their kiosks. The plots can also be taken away because there is no clear prove of who owns what.

My point is that legal documents give somebody peace of mind. As the situation is right now, those people cannot engage in long term productive activities because they do not know about tomorrow. I also thank the chairman and the committee for remembering the people with disability by allocating 5% of the stalls to them. Issues of disability cut across all the sectors and I also ask the chairpersons of other sectoral committees to consider allocating them something in their budgets.

**The Speaker:** I ask the mover to respond.

**Hon. Duncan Njuguna:** First, I thank my fellow colleagues in the committee of Lands and the House for their contribution and for supporting our report and the motion for that matter.

We had a provision of re-planning for various towns in this county in the budget that we approved in this House. I will however concur with the vice- chair of the committee that we need more allocation so that we can go further as Hon. Mweri is requesting and have other towns re-planned.

For the personnel, one member has put it that we stayed for one and a half years without a CEC. Two and a half years down the line, we do not have a chief officer. We are working with those difficulties because we do not have personnel or officers to call to our

committee to answer the questions requested by the members. I would like to say that the hon. members will see improvement of Kirathani very soon if they support our report.

*(Question put and agreed to)*  
*((Applause))*

**SUPPLEMENTARY ORDER PAPER**  
**PAPER LAID**

**REPORT OF LAND, HOUSING, PHYSICAL PLANNING AND SETTLEMENT  
COMMITTEE ON VETTING OF MR. JOHNSON M. MAINA AS A MEMBER OF THE  
COUNTY LAND MANAGEMENT BOARD**

**Hon. Duncan Njuguna:** Mr. Speaker, I am the chairman Land, Housing, Physical Planning and Settlement committee and I beg to lay the following paper on the table of the Assembly; -

The report of the Land, Housing, Physical Planning and Settlement committee on the vetting of Mr. John Mwangi Maina for the appointment as a member of the County Land Management Board.

*(Hon. Duncan Njuguna laid the document on the table)*

**NOTICE OF MOTION**

**ADOPTION OF REPORT OF LAND, HOUSING, PHYSICAL PLANNING AND  
SETTLEMENT COMMITTEE ON THE VETTING OF MR. JOHNSON M. MAINA AS A  
MEMBER OF THE COUNTY LAND MANAGEMENT BOARD**

**Hon. Duncan Njuguna:** I beg to give notice of the following Motion;-

That this House adopts the report of the Land, Housing, Physical Planning and Settlement committee on the vetting of Mr. John Mwangi Maina for the appointment as a Member of the County Lands Management Board.

**ADJOURNMENT**

**The Speaker:** The House is adjourned until tomorrow 2:30 p.m. thank you.

*The House rose at 3:19 p.m.*