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**DATE: 22<sup>ND</sup> FEBRUARY, 2016**

The Hon. Speaker  
Murang'a County Assembly

Thro'

The Clerk  
Murang'a County Assembly



• **PAPER LAID**

Mr. Speaker Sir, I beg to lay the following paper on the table of the Assembly today Tuesday February 23, 2016:-

The report of the Land, Housing, Physical Planning and Settlement Committee on the public forum on re planning held in Kahuro, be laid on the table of the Assembly today Tuesday, February 23, 2016.

Thank You,

Sign: .....

Date: ..... 22/2/2016 .....

Hon. Duncan Mwangi Njuguna

CHAIRPERSON, LAND, HOUSING, PHYSICAL PLANNING AND SETTLEMENT COMMITTEE



COUNTY ASSEMBLY OF MURANG'A

THE SECTORAL COMMITTEE ON LAND, HOUSING,  
PHYSICAL PLANNING AND SETTLEMENT

REPORT ON  
A PUBLIC FORUM ON RE PLANNING OF KAHURO

.....

Clerks Chambers  
Murang'a County Assembly  
MURANG'A

FEBRUARY 11, 2016

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## 1.0 PREFACE

Arising from numerous complaints on re planning, land ownership and development by the residents of Kahuro Sub County, the committee undertook to address the issues by convening a public forum in the area.

**Mr. Speaker Sir,** This report contains a reflection of the people's wishes, as well as professional input and objective recommendations by the Committee.

### 1.1 Terms of Reference for the Committee

- (i) To gather the views of the public pertaining to the Re planning of Kahuro.
- (ii) To establish major contentions of the residents on the re planning of Kahuro.
- (v) Report on the findings and recommendations of the Committee's inquiry for action by the County Executive Member in charge of Land, Housing and Physical planning

## 2.0 Committee Mandate

The Departmental Committee on Land, Housing, Physical Planning and Settlement is established pursuant to provisions of Standing Order 195 (5). Under these provisions, the Committee is mandated to:-

- (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- (c) study and review all county legislation referred to it;
- (d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly;
- (f) to vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 189 (*Committee on Appointments*) ; and
- (g) make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

The Committee is also mandated to scrutinize the budget of its respective Department as provided under Standing Order No. 211 (3) (4) and (5) which states that:-

(3) Upon being laid before the Assembly, the Estimates shall be deemed to have been committed to each Sectoral Committee without question put, for each such committee to deliberate upon according to their respective mandates.

(4) Each Sectoral Committee shall consider, discuss and review the Estimates according to its mandate and submit its report and recommendations to the Budget and Appropriations Committee within twenty-one days, after being laid before the Assembly.

(5) The Budget and Appropriations Committee shall discuss and review the Estimates and make recommendations to the Assembly, taking into account the recommendations of the Sectoral Committees, the views of the County Executive Committee member responsible for finance and the public.

Under the department of Land, Housing, Physical Planning and Settlement, the Committee oversees the following functions;

1. Land survey and Mapping
2. Boundaries and Fencing
3. Housing and Urban Development
4. Land and Physical Development Disputes
5. Conservation and Protection of Ecologically sensitive areas
6. Exploitation of Land and Its natural resources.

### **3.0 MEMBERSHIP**

The Committee comprises the following Members:-

1. Hon. Duncan Mwangi Njuguna - (Chairman)
2. Hon. Samson Kago Njoroge - (Vice Chair)
3. Hon. David Kabaka Gichuru
4. Hon. Charles Mwaniki
5. Hon. Esther Nyakio Munywoki
6. Hon. Samuel Ndehi Mwangi
7. Hon. Catherine Wairimu Mugo
8. Hon. Charity Wangui Rugu
9. Hon. Lucy Wangechi Njoroge

**4.0 ACKNOWLEDGEMENTS**

Mr. Speaker, Sir

This Report was considered at length by the Committee in a sitting held in the assembly on 11<sup>th</sup> February, 2016, and the resolution to adopt this Report was reached unanimously by members of the Committee. It is our hope that this Report will guide and inform the House on the way forward regarding the re planning of Kahuro.

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the County Assembly for the support and services extended to the Members to enable the Committee complete this report. I am grateful for the Members of the Committee as well, for their diligence and commitment in the completion of this task.

On behalf of the Committee, I now have the honour and pleasure to present this Report to House for consideration and adoption.

Thank you.

Signed: ..........

Hon. Duncan M. Njuguna

(Chairman)

Dated this; .....11<sup>th</sup>....., Day of February,2016



## 5.0 Background

Mr. Speaker, Sir, the plot owners of Kahuro are still suffering from the effects of a defective plan prepared by the former defunct council which was never approved. Most of these plot owners have constantly tried to engage the County Government through their area representatives to address the matter once and for all. These plot owners have been unable to develop because lack of authentic land ownership documents has hindered their access to loan facilities, resulting to despair.

The only hope that these people have is that the County Government will take up the matter from the initial plan prepared by the former council, and through the planning office, prepare a new plan that will accommodate even those who were left out with no plots. The CEC in charge of Land, Housing and Physical Planning issued instructions that transfers of ownership should be halted, until re planning is done, so that the residents of Kahuro can benefit from their parcels of land.

## 6.0 Committee Sitting

In a sitting held on 24<sup>th</sup> September, 2015, the committee resolved to convene a public forum in Kahuro so as to gather public views on the re planning of the area, to understand the genesis of their problems and to come up with a way forward on the re planning of the area.

## 7.0 Public Forum

Mr. Speaker, Sir, pursuant to section (89) and (115) of the County Governments Act, 2012, the public forum successfully took place on 12<sup>th</sup> October, 2015 at Kahuro Social Hall. In attendance was the Sub County Administrator, an officer from the County Land Management Board, the Surveyor from the office of the CEC, the residents and committee on Land, Housing and Physical Planning.

The officers from the County Executive Department of Land assured the plot owners that the County Government is fully behind the re planning of Kahuro which is identified as one of the upcoming potential economic hub. Further it would ensure full implementation of the new plan.

The Sub county administrator assured the plot owners that his office was open to handle all matters of smooth succession and transfers, and would ensure no conflicts would arise.

## 8.0 FINDINGS

The Committees findings were as follows;

1. **THAT;** in the Year 2010, the former council prepared a plan and undertook sub division of land.
2. **THAT;** the 2010 plan was eventually not approved as it revealed some gross inconsistencies and is therefore currently null and void. The surveyor who was involved in the process could not be traced.
3. **THAT;** since the plan was not approved, most of the plot owners lack title deeds and instead have allotment letters, as a result, most owners are unaware of their position and unable to develop their plots.
4. **THAT;** during the initial sub division and plan of the Year 2010, which was not adopted by the former council, 13 people missed out on allocations and are stranded yet their names are in the registers.
5. **THAT;** plot owners are apprehensive about which plan will eventually be adopted as the final plan to be implemented.
6. **THAT;** once a new plan is prepared and new beacons put in place, it may result in change of some plot sizes, as the plan accommodates road networks, sewerage systems and other vital development infrastructure.



## 9.0 RECOMMENDATIONS OF THE COMMITTEE

The Committee therefore recommends the following:

1. **THAT;** the plan prepared by the former council should be availed and properly scrutinized on the existing inconsistencies before preparation of a new plan.
2. **THAT;** the anomalies identified in the initial 2010 plan should be addressed and the surveyor involved sought after by the County Executive Member in charge of Land, Housing and Physical Planning, so that he may provide information on the rejected plan and the sub divisions undertaken at the time.
3. **THAT;** re planning of Kahuro should be prioritized and hastened by the Department of Land, Housing and Physical Planning, in order for the County Land Management Board to take up the processing and issuance of title deeds, which will enable the legitimate plot owners undertake proper housing development.
4. **THAT;** in the fresh re planning of the area, the physical planner, should skillfully find a way to accommodate the 13 plot owners who missed out on plots during the 2010 sub division, as they were legitimately allocated plots and have been remitting land rents and rates.
5. **THAT;** the new approved plan should be gazetted and a second public forum convened as well to interpret the new plan to the plot owners and gather views on the plan.
6. **THAT;** plot owners whose plot sizes are likely to change after re-planning, should not instigate wrangles, rather they should embrace the new plan which shall also fairly accommodate the 13 legitimate plot owners who had missed out on allocations in the year 2010 plan, for the benefit of all.

## 10.0 CONCLUSION

**Mr. Speaker, Sir,** the County Government of Murang'a needs to liberate the residents of Kahuro from fear of the unknown, and through the planning department, fast track the re planning of the area. Processing and issuance of lease documents and title deeds to the plot owners will bestow hope for growth and development.

The Committee wishes to record its appreciation to the Hon. Area representative, and the sub county administrator for mobilizing the residents to participate in such a significant forum. Further the Committee also appreciates the residents of Kahuro who recognized their right of participation in County Governance, as well as their sovereignty as a people of Kenya.

**ANNEXES:**

**Annexe 1: Attendance Register**

**Annexe 2: List of Kahuro Plot Owners**



## 11. ADOPTION OF REPORT

The Report of the public forum on re planning held in Kahuro on 12<sup>th</sup> October, 2015 was adopted by the following members;

### LAND, HOUSING, PHYSICAL PLANNING AND SETTLEMENT COMMITTEE

<u>NAMES</u>	<u>SIGN</u>
1. Hon. Duncan Mwangi Njuguna - (Chair Person)	
2. Hon. Samson Kago Njoroge - (Vice Chair)	
3. Hon. David Kabaka Gichuru	
4. Hon. Charles Mwaniki	
5. Hon. Esther Nyakio Munywoki	
6. Hon. Samuel Ndehi Mwangi	
7. Hon. Catherine Wairimu Mugo	
8. Hon. Charity Wangui Rugu	
9. Hon. Lucy Wangechi Njoroge	



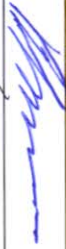




REPUBLIC OF KENYA  
MURANG'A COUNTY ASSEMBLY  
P. O. Box 731 - 10200  
MURANG'A

DATE: OCTOBER 12, 2015

PUBLIC FORUM HELD AT KAHURO SOCIAL HALL ON PLANNING  
ATTENDANCE LIST

No.	NAME	MOBILE NO.	ID. NO	SIGNATURE
1.	LINDIGE MOKINGET	0710588253	27753498	
2.	ANGELINE W. MWANTKI	0722162106	22004583	
3.	G. K. KIMBU GU	0722863992	10957468	
4.	JEHNU MUNDUKI KAMAU	0723587912	8633109	
5.	BENBRI OLEKPALE	0710787319	2006322	
6.	FIVE FIVE HOUSING CO-OP SOCIETY	0722142106	1302972	
7.	Mrs Jane Kamwaga	0722693864	2006366	JANE
8.	PETER M MURORO / G. HINDU	0713505788	2004008	
9.	ABRAHAM KAMAU MUKUNDA	0735844396	5931359	
10.	JOSEPH Kamau KIHARA	0728632986	3593864	
11.	FATMA KARARA	0725867258	5931113	
12.	MARSHA WAKITHA NGOITHO	0710830700	0441057	
13.	ANNE WAKITHA KAMAU	0715308675	5501599	



38)	NAME	MOBILE NO.	ID. NO	SIGNATURE
39)	AARIEK KIRMAU KINUSITHA	07244440224	2004101	
40)	SAMUEE MUEHERAN	0722 336167	0440006	Zindhi
41)	LEPHHANTUS MUMANGI KINUSITHA	07220695536		
42)	MARGARET MUTTU RUKWO	07215332244	85983774	Margaret
43)	PATRICK WATHIKHA KUELIA	0710635920	0965647	
44)	CECILIA NJERI MUMANGI	0719247002		
45)	PETER RANJEE KHACHA	0725495522	2007524	
46)	VINCENT MUMANGI MACHWE	0738902555	2005163	Vincent
47)	TERESIA WIERI	0723560391	10453793	T.N
48)				
49)				
50)				
51)				
52)				
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54)				
55)				
56)				
57)				
58)				
59)				
60)				
61)				



No.	NAME	MOBILE NO.	ID. NO	SIGNATURE
14.	Joseline W. Mwangi	0725818681	1384198	
15.	Rose WANGEI N	0720642264	12977197	
16.	JOHN KIHUNGI KALGOTHO	0722889169		
17.	Florence Nj Rishii	0711171720	3592913	F Njoroi
18.	AUFONCE MANA KIMOTHO	0720200954		
19.	Emmah WANGICHI MURAI	0722807041	11331347	Emma
20.	AURENDE MUKIMI MURIEI	0721769533	14565038	
21.	MATHEW KIRUGA	07223345744		
22.	CHARLES K. THURAU	07224457348	<del>78</del> 13391806	
23.	Benson THOMAS	073259205		
24.	JAMES LANGA GLUKU	0713068653	9004267	James
25.	STEPHEN HOROGE MUMARI	0722164011	0270674	Steph
26.	James Kamau	0722361837	64135087	
27.	Ichogichir Mwangi	0720852684	1889428	Paul
28.	EPHRAIM MUGO TIRAS	0933493467	1382175	Emad
29.	MURGANET GITUTO G.	0726935110	02006494	
30.	SAMUEL KAMAU GATHUKA	0726499462	4264193	Samuel
31.	James Douglas Madam	0720905136	6685085	
32.	ANTHONY GATHURU MATHEKA	0726592164	3340023	
33.	GIBSON NGACI NGERA	0722460925	0340998	Bob
34.	EVAN M. WAITHAKA	0721830747	2004105	
35.	SAMUEL NYOLKE GITAU	0723483268	13273568	
36.	Paul Njoka Daniel Kamau	0729575703	2004128	
	THURAU M. THURAU	0722093572	3430087	



**LIST OF KAHURO PLOT OWNERS TABLED BEFORE THE COMMITTEE ON LAND, HOUSING AND PHYSICAL PLANNING**

	<b>NAME</b>	<b>PLOT NO MCC/LOC.8/KANDEGENYE/284</b>
1.	EPHANTUS MWANGI KINUTHIA	171/1
2.	ROSE WANGECHI NDUKU	154
3.	DUNCAN KIBIRU GAKURE	142
4.	KAKAMIGIKA SELF HELP GROUP	159
5.	THERESIA WAITHERA MWANGI	79
6.	WINNIE WAIRIMU WAINAINA	34
7.	ROBERT MWANGI NDEGWA	80
8.	MARGARET WANJIRU JOSEPH	90/1
9.	NAHASHON CHEGE KARIUKI	132
11.	JOSEPH KIIRU MACHARIA	176
12.	KIAGAMA SELF HELP GROUP	12
13.	IGNATIUS IRUNGU MWANGI	174
14.	JAMES KAMAU KARIUKI	71
15.	KARANJA JOHN KURIA	57/1
16.	JOHN KIHUNGI KAGOTHO	163
17.	GEORGE GITHINJI	195
18.	PAUL NJOKA DANIEL	LOC.8/KANDEGENYE/280/12
19.	IGNATIUS IRUNGU MWANGI	133
20.	SAMUEL MICHAEL MAINA MUCHERU	284/40
21.	ANTHONY GATIMU WAITHAKA	187
22.	ANTHONY GATIMU WAITHAKA	91/91
23.	PAUL MBUGUA MACHARIA	65A
24.	PAUL MBUGUA MACHARIA	65B
25.	JOSEPH MWANGI WANJIKU	123A
26.	ANTHONY GATIMU WAITHAKA	61
28.	FRANCIS NJUGUNA WAWERU	43
29.	CATHERINE WANJIKU NJOYA	58
30.	FRANCIS NJUGUNA WAWERU	87
31.	NANCY WAMUKORE MWANGI	121
32.	BONIFACE NDIGA NGONYOKU	141
33.	GEORGE GITHINJI MURIRU	178
34.	MATESO SELF HELP GROUP	119
36.	BONIFACE NDIGA NGONYOKU	158
37.	RUTHI NDUATI	193
38.	PETER IRUNGU KAMAU & SALOME KABURA IRUNGU	105/1
39.	RUTHI NDUATI	194/1
40.	ETHAN CHEGE NYAGA	36/2
41.	KIHARU DAIRY FARMERS CO-OP SOCIETY LTD	188/1
42.	JAMES IRUNGU GITUKUI	93
43.		
44.	PETER NJEMA MWANGI	39

45.	JOHN KAMAU MWANGI WANDAKA	179/179
46.	SIMON MWANGI KIBE	52
47.	SIMON MWANGI KIBE ESTHER WAMBUI MUHUTI	51
48.	JANE KIRANGARI KAMWAGA	111
49.	FAITH KABURA MWANGI	150A
50.	BENSON H THONDU	144
51.	SAMUEL NYPIKE GITAU	157
52.	JOHN MWANIKI KAMAU	162
53.	JOHN MACHARIA KAMAU	138
54.	PAULINE NJERI KAMAU	72
55.	CHARLES KAMAU HUNGU	62
56.	PETER M MUHORO AND CHARLES K HUNGU	
57.	JOYCE KABURA KAMAU	175A
58.	JOHN K WANDAKA AND LOWRENCE MUTIRE	86
59.	LABAN KENGETHE NJAU	49
60.	SETH IRUNGU	202
61.	PAUL NDUATI MWANGI	124
62.	PAUL NDUATI AND JOHN WAITHAKA	90
63.	ALPHONCE I MURUGAMI	50
64.	SAMUEL MACHARI KIRUGA	134
65.	MACHARIA NELSON KAMOTHO	64
66.	LAWRENCE KAMAU P MWANGI	113
67.	FIVE-FIVE SELFHELP GROUP	73
68.	HUMPREY IRUNGU MACHARIA	35
69.	GIBSON NJAGI NDERI	108
70.	MATHEW IRUNGU MACHARIA	98
71.	TERESIAH WAMBUI KINUTHIA	100
72.	STEPHENE NJOROGE MWANGI	156
73.	JOHN MUGO NJOROGE	161A
74.	MARTHA WAITHIRA NGOTHO	201
75.	SAMUEL MICHAEL MAINA M	40
76.	MUKWAA KANDENGENYE GROUP	41
77.	SAMUEL KAMAU GATHURA	137
78.	JANE KIRANGARI KAMWAGA	169
79.	VIRGINIA WAMBUI KAMAU	2
80.	LAWRENCE I MWANGI	170
81.	PATRICK MWANGI KURIA	60
82.	ELIZABETH MWANGI	82
83.	JOSEPH MUGANE AND BENSON MUGANE	46
84.	DOUGLAS MACHARIA MWANGI	102
85.	JANE KIRANGARI KAMWAGA	150B
86.	LAWRENCE ICHAGICHU M	162
87.	JAMES K MBAU	143
88.	BENSON MWANGI MAINA	184/1
89.	JOSEPH MACHARIA MURIMI	185/1