# REPUBLIC OF KENYA

## COUNTY ASSEMBLY OF LAIKIPIA

## THE HANSARD

**Tuesday, 30th April, 2024**

*The House met at the Assembly Chambers at 2.50 p.m.*

*[The Speaker (Hon. Lantano Nabaala) in the Chair]*

PRAYERS

### COMMUNICATION FROM THE CHAIR

SESSION DELAY

**Speaker:** Hon. Members, I want to take this opportunity to apologize for the delay. You will realize that we are slightly or close to 20 minutes late. We had a bit of hitches in our e-parliament system. The damage that was caused is not fully erased. We apologize for the delay in time.

### PAPERS LAID

REPORT ON MARKETS AND STALLS OVERSIGHT VISIT BY TRADE COMMITTEE

**Hon. Stephen Ndiritu:** Thank you Mr. Speaker. I have papers to lay;

a. Report on oversight visits to various markets and stalls in Laikipia West and North Sub Counties by the Trade Tourism and Cooperatives Committee dated 25th March 2024. I am doing this on behalf of Hon. Catherine Kibue, Chairperson, Trade Tourism and Cooperatives Committee.

ADHOC COMMITTEE REPORT ON NYAHURURU MUNICIPALITY STATUS

b. Report by the Finance and County Planning Committee on the report of the Adhoc Committee on the application for conferment of Nyahururu town to municipality status dated 25th April 2024.

*(Hon. Stephen Ndiritu laid the Papers on the Table)*

### NOTICES OF MOTIONS

REPORT ON MARKETS AND STALLS OVERSIGHT VISIT BY TRADE COMMITTEE

**Hon. Stephen Ndiritu:** On behalf of Hon. Catherine Kibue, I beg to give notice of the following motion;

THAT, this Assembly adopts the report on oversight visits to various markets and stalls in Laikipia West and North Sub Counties by the Trade Tourism and Cooperatives Committee dated 25th March 2024.

ADHOC COMMITTEE REPORT ON NYAHURURU MUNICIPALITY STATUS

**Hon. Stephen Ndiritu:** Mr. Speaker, Sir, I beg to give notice of the following motion;

THAT, this Assembly adopts the report by the Finance and County Planning Committee on the report of the Adhoc Committee on the application for conferment of Nyahururu town to municipality status dated 25th April 2024.

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## STATEMENTS

NOTICE PAPER

**Hon. Stephen Ndiritu:** Hon. Speaker, on behalf of House Business Committee on tentative business. It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Morning) May 7th, 2024

A. **MOTIONS**- Motion urging the County Government to beef up security in insecure areas in Laikipia County by Hon. Nicholas Lempaira.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Afternoon) May 7th, 2024

A. **PAPERS**- Report by the Committee on Implementation on water tariffs.

B. **NOTICES OF MOTIONS**- Report by the Committee on Implementation on water tariffs.

C. **NOTICES OF MOTIONS**- Motion urging the County Government to liaise with the relevant agencies and ensure that wildlife do not encroach homesteads and farms by Hon. Salim Edung.' it is good to remind him that he will be having a motion so that he gets prepared.

D. **MOTIONS**- Report by the Trade Tourism and Cooperatives Committee on oversight visit to Laikipia West and North.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) May 8th, 2024

A. **MOTIONS** - Motion urging the County Government to liaise with the relevant agencies and ensure that wildlife do not encroach homesteads and farms by Hon. Salim Edung'

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Afternoon) May 8th, 2024

A. **MOTIONS** - Report by the Committee on Implementation on water tariffs.

That is the business that the House Business Committee has prepared and I am urging that all Members to be present and make sure that the same business has been passed by this House. I am calling upon all members to be present so that we can have a quorum in this House. Thank you.

## STATEMENTS

STATEMENT ON THE STATUS OF COOPERATION FOR PEACE AND DEVELOPMENT INITIATIVE

**Hon. Nicholas Lempaira**: Mr. Speaker, pursuant to the provisions of Standing Order No. 45 (2) c, I wish to seek a statement from the Chairperson County Cohesion, Justice and legal Matters Committee regarding the above-mentioned subject matter.

Mr. Speaker, the County Government Amaya Triangle Initiative was the result of the collective intentions of 4 Counties and their Governors to bring peace, stability and economic development to the four corners of Baringo, Laikipia, Isiolo and Samburu Counties.

Mr. Speaker, the County Government of Laikipia, Baringo, Isiolo and Samburu executed a Memorandum of Understanding on the Cooperation for peace and development

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within the regions as a sign of willingness for both counties to take a common policy direction. The MOU was tabled in this Assembly on 7th November, 2019 and subsequent to its ratification, the County Government was to prepare a comprehensive policy document and a proposed bill whereby the recommendations for the County Assembly would be accommodated. A report was tabled and discussed by this Assembly on 10th June 2020 with the following observations;

There is need to bolster peace and development in the region for the benefit of residents of the four Counties. The initiative will be of benefit to Laikipia County, the headquarters being in Rumuruti will ensure that job opportunities will be available for the County residents.

The CPD will also develop a commercial off-take programme for livestock from the four Counties which will be co-funded by respective County department of Agriculture and Livestock, Finance and Economic Planning, Kenya Meat Commission and the National Drought and Management. This will ensure that livestock farmers get market for their livestock.

The CPD shall collaborate and coordinate efforts amongst the member Counties to launch and operationalize their respective County Policing Authorities for effective coordination of security management in partnership with local stakeholders and National Government Security Agencies.

The County Assemblies Summit shall consist of members of County Assemblies and shall provide a forum to discuss, input and endorse the initiatives presented by the Governing Council, and shall provide strategic advice to the Council to ensure the initiative generate the desired impact.

Mr. Speaker, I hereby request the County Cohesion, Justice and Legal Affairs committee informs this Assembly on whether the County Government of Laikipia is still on course with the said initiative and how far they have come with the aforementioned observations.

This Statement seeks to know whether the Government is still committed on some of the issues that were tabled in this House or whether the AMAYA Triangle is carrying out any peace initiative across the county. Thank you.

**Speaker:** Thank you Hon. Lempaira. I need to implore the Chair, Cohesion to give us an approximate date on when we can receive the reply.

**Hon. Mugambi Gatati:** Thank you Mr. Speaker. As a committee we need like two weeks to respond on all the matters. On one matter, I can confirm that we tabled the MOU in this House and it got approved. What is in the process is coming up with AMAYA Bill that was rejected last time we were in Nakuru for training. In two weeks, we shall bring all the requirements.

**Speaker:** Thank you Chair. Two weeks grated. We expect you to have a response back to the House on Tuesday, 14th May, 2024. Thank you.

## MOTIONS

### REPORT ON STATUS OF HEALTH SERVICES AT NTRH

**Hon. Nicholas Lempaira:** Thank you, Hon. Speaker. I beg to move the following motion;

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THAT this Assembly adopts the report on the status of Health Services at Nanyuki Teaching and Referral Hospital by the Health Services Committee dated 16th April, 2024.

**Preface**

Mr. Speaker, Sir, the Health Services Committee deals with all matters related to County Health Services including in particular County Health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, veterinary services (excluding regulation of the profession), cemeteries, funeral parlours and crematoria and refuse removal, refuse dumps and solid waste disposal.

The membership of the Committee is derived from S.O.191 (1) and it comprises of the following:

1. Hon. Nicholas Lempaira - Chairman.
2. Hon. John Gichuki - Vice Chairman.
3. Hon. Catherine Nyokabi - Member.
4. Hon. Irene Wachuka - Member
5. Hon. Anthony Theuri - Member
6. Hon. Sammy Lekopien - Member.
7. Hon. Leila Hussein - Member.

**Acknowledgement**

On behalf of the Health Services Committee, may I take this opportunity to sincerely thank the office of the Speaker and the Clerk of the County Assembly for the necessary support provided in the execution of the committee's mandate.

I also wish to thank and appreciate the firm support of the committee members for the successful compilation of this report. I also wish to acknowledge the support of the members of staff of the County Assembly who were also involved in compilation of this report.

On 16th we visited Nanyuki Teaching and Referral Hospital. We went around the hospital. The report is available on our gadgets and Members can have time to go through it and see some of the things that we did. Mr. Speaker, allow me to go straight to the observations and the recommendations of the Committee so that we save time for other motions.

**Committee's Observations**

Mr. Speaker, Sir, the Committee observed the following;

- The members noted with concern that there were several patients who had been discharged but were still held in the wards due to inability to pay their hospital bills. This was in turn costing the hospital a lot of taxpayer's money to feed them and their general upkeep in the hospital.
- The Committee visited the Maternity ward and appreciated that cleanliness was highly observed, however there was need to decongest the patients as then there was a total of sixty-nine patients while the capacity is fifty-nine patients.

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- The members also observed that the electrical wires were exposed and hanging dangerously which was a great risk to patients and staff.
- The Committee also noted with concern that the wall paint was peeling off, and also the office furniture was old and dilapidated.
- The plumbing is also poorly done and as a result, there was lack of water in the wards.
- The Members visited the stores in the upper floor of the new maternity wards and observed that there were several beds piled up and most of them only require minor repairs.
- In the laboratory department the Committee met the officer in charge who took them through the various sections, however the members noted that the ongoing construction was causing a lot of noise.
- The members noted that the hospital compound was generally un-kempt and there were a lot of left-over garbage from construction.
- The Committee observed that several buildings lack gutters to collect rain water despite the fact that the wards lack sufficient clean water.

**Committee's Recommendations**

Mr. Speaker, Sir, the committee recommends that;

- The hospital management should weigh the options of having discharged patients detained in hospitals due to small pending bills vis a versus the cost of feeding them and their general welfare at the cost of the taxpayers. Mr. Speaker, we observed that there was a good number of patients who hold hospital bills of minimum Kshs. 6,000. The cost of having one patient per day is Kshs. 3000. That gives you Kshs 9,0000 for one month. If you keep a patient because of bills, you will be running at a loss. It is good that the management of the hospital comes up with a way of discharging patients with less bills.
- The hospital management should come up with ways of decongesting the patients at the maternity wing as there are many beds that require minor repairs for them to function. Mr. Speaker, the new maternity has two floors. It is only the ground floor that is utilised. Others are not utilised because of minor leakages due to rains. This is something that can be corrected and congestion will be reduced. One floor can accommodate 30-50 patients yet there are beds that require repairs. Today when we had an opportunity to meet with the doctors that are currently on strike and they condemned the fact that we have a floor that is not being utilised because of construction error. We recommend that the management should come with ways and make sure that the floor is working.
- The electrical wires hanging dangerously in the wards should be fixed as a matter of urgency to avoid the eminent risk.
- The CECM health should address the challenges facing the management team in order to ensure effective and efficient service delivery, this is as a result of having many nurses on study leave than those on service. Mr. Speaker, between the management and the doctors there is a big gap. What the management is saying

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and what is on the ground is different. We recommend as a matter of urgency that the CECM to sit down with the profession and the management and make sure that the gap between these two teams is bridged. Many of our doctors and nurses are on study leave and the county is losing opportunity services that were supposed to be given to our patients. We want them to come with a clear study leave policy that guides on the number of people who should be out and in.

- The Committee members noted that the compound was un-kempt due to garbage left after construction work was completed. The contractors given that work in our hospitals should make sure that before they leave the site, the site is clean and not dangerous for patients.
- The hospital management should make sure that all the buildings are having rain harvesting gutters to supplement supply of clean water.
- The hospital emergency generator should always be under maintenance to ensure that services are not interrupted due to power failure.
- The Nanyuki maternity wing 1st Floor is under-utilized. The committee observed that it has leakages and the infrastructure department is delaying in coming up with the recommendations for repairs.

**Committee Conclusion**

That, this House adopts the Health Services Committee report on visit to Nanyuki Teaching and referral Hospital.

Thank you, Hon. Speaker. I call upon Hon. Leila to second this motion.

**Hon. Leila Hussein:** I second.

*(Question proposed)*

**Hon. Stephen Ndiritu:** Asante, Mheshimiwa Spika. Nasimama hapa kuunga mkono ripoti ambayo imeletwa na Mheshimiwa Korkole kuhusu hospitali. Mheshimiwa Spika, wakati tunaongea kuhusu hospitali tunafaa kuangalia kwa makini hasa wakati huu tunajua madaktari wamegoma. Mheshimiwa Spika, nakubaliana na ripoti ambayo imeletwa na Mwenyekiti kwa sababu naelewa Hospitali ya Nanyuki na Hospitali ya Nyahururu kidogo. Nimetembelea zingine ili kuangalia vile mwananchi anapatiwa huduma.

Mheshimiwa Spika, Katiba ya Kenya ni haki ya Mwananchi yeyote kupata huduma ya afya. Mheshimiwa Spika, wakati nimesikia yale yote mwenyekiti ameweza kutaja, hata kama ametuambia tuangalie kwa vifaa zetu, yangu haifunguki, kwa hivyo sijaiona. Mheshimiwa Spika, ningetaka kunukuu ya kwamba nimesikia akisema hospitali zinajengwa na kuna makelele mingi.

Mheshimiwa Spika, wakati tunajenga hospitali, ni lazima tuwe waangalifu na tuwe watu ambao wanajua mahali tunafanya kazi kuna wagonjwa. Wagonjwa wengine wakipata mshtuko wanaweza kufa wakati wowote. Huenda tumeua ni vile tu Mwenyekiti hajatangaza kuna wale ambao wameaga kwa sababu ya mshtuko wa kelele ya mjengo. Tunafaa kuangalia hapo na tujue wale ambao wamejukumiwa kuhakikisha ya kwamba hospitali zetu zinaendelea vizuri. Hapo ni lazima tuangalie na ninaomba kamati iweze kuangalia.

Kama ni kelele ambayo inaweza kuzuiwa, tuhakikishe ya kwamba imezuiwa. Mheshimiwa Spika, tukiongea kuhusu hospitali, bajeti kubwa sana ambayo tunapitisha hapa

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asilimia sitini inaenda hospitalini. Ukiingia katika hiyo hospitali, hakuna madaktari na dawa. Tungetaka kujua ni kwa nini hospitali hazina dawa. Mheshimiwa Spika, ni kwa nini mwananchi hatibiwi. Mheshimiwa Spika, bajeti ya madawa ambayo tumeweka na wananchi wanafaa kuyapata, wacha wayapate.

Ningefurahia kama mwenyekiti angetuambia hakuna madawa kulingana na ripoti yake na atuambie ni fulani anatumia hizo dawa. Mheshimiwa Spika, huwezi nunua dawa kisha ukose kujua mahali ziko. Kama angetuambia dawa zinatumiwa na akina nani, tungefurahia kwa sababu najua hakuna. Mheshimiwa Mwenyekiti, nakuomba pamoja na kamati yako mtembee mashinani na mkute zahanati ambazo ziko wadi ambayo nawakilisha hazina dawa hata za kutuliza maumivu.

Ni afadhali waseme tulete dawa za kienyeji kwa sababu watu wako na shida. Watu wanaumia na hili ni jambo ambalo tunafaa kuangalia na kamati iweze kutilia maanani. Mheshimiwa Spika, nahuzunika sana nikisikia ya kwamba madaktari wamegoma. Nakumbuka wakati tulikuja hapa na Gavana alipoapishwa, kitu cha kwanza ambacho alisema ni kwamba madaktari warudi kazi. Nilishukuru sana kwa sababu ni lazima wananchi watibiwe.

Bwana Spika, waliporudi tuliwalipa milioni 350 pesa ambazo sijui kama nitapata maishani mwangu. Tulipowapatia wamegoma na leo wako nyumbani. Mgala muue lakini haki mpe. Nyinyi madaktari, tupatieni haki yetu kwa kurudi kazini ama mrudishe milioni 350 kwa mwananchi ili akatafute matibabu. Mheshimiwa Spika, ninataka hili jambo lipitishwe kwa njia ambayo inafaa. Kama kulikuwa na makubaliano katika Serikali Kuu kwamba watarudi kazi, waende kwa Serikali Kuu wakaitishe huko.

Serikali ya Kaunti haina pesa yao na kama iko, hatujui mahali iko kwa sababu hakuna mahali tulikubaliana mambo ambayo wanasema. Waliletwa kwenye ugatuzi na hayo mambo waliacha huko wakikuja. Kwa hivyo, tuwache kuchanganya maneno. Nauliza Kamati kwa sababu madaktari hawatibu wananchi ilhali wanapokea mshahara kwa kodi ya mwananchi, aidha warudishe ama warudi kazi.

Bwana Spika, wakikataa, sisi kama viongozi tuungane tuwatandike ili warudi. Mheshimiwa Spika, unakataa kufanya kazi ilhali unalipwa kwa nini? Hiyo pesa ambayo wamelipwa juzi milioni 350 inaniuma sana. Ni lazima tuwe watu wanaosema na kutenda. Nafurahia Mheshimiwa Lempaira amesema ukweli kama vile kamati wametazama. Ninaona kamati inafanya kazi kwa njia ambayo inafaa.

Yale ambayo wametazama wamefanya kwa niaba ya Bunge nzima na ni lazima tuangalie na tuone kwamba hospitali yetu imesimama na wananchi wanapata huduma za afya. Bwana Spika, hiyo hospitali imekuwa si hospitali. Ni kama imegeuka kuwa chumba cha kulaza maiti. Watu wanakufa ovyo ovyo na madaktari wameweka zahanati zao za kibinafsi. Ningetaka Mheshimiwa Lempaira na kamati yake watuambie ni daktari yupi anakunywa hizo dawa kwa sababu hizo dawa hazistahili kuisha.

Hizo dawa haziwezi kuisha, na ni pesa nyingi sana tunaweka hapo. Kwa hivyo, ni lazima tufanye uchunguzi wa kina tujue ni kwa nini mwananchi hapati dawa. Mimi nikigonjeka, naweza kupelekwa hospitali ya Cottage. Nikigonjeka, naweza kuenda kwenye hospitali ya kibinafsi inayogharimu pesa nyingi. Mwananchi aliye Majengo, Likii, Maina au Mukogodo kule ndani hana uwezo wa kuenda kwenye hizi hospitali kubwa. Kwa hivyo, ni lazima tuyape kipaumbele mambo ya afya yetu na tuhakikishe ya kwamba wananchi wanapata huduma inayofaa.

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Kwa hayo machache, acha nikome hapo na tuelewe ya kwamba tunafaa kuangalia kwa umakini mambo ya hospitali. Hakuna kubembelezana. Mimi nikikosa kuja hapa, sibembelezwi, kwa sababu niliamua mwenyewe kufanya kazi. Vilevile, kama hawa waliamua kufanya kazi basi wafanye kazi ama wafutwe. Hata yule Gavana aliyekuwa hapa aliwafuta. Mimi namwelekeza Gavana wetu kuwa kama hawa watu wananyeta, wafute waende nyumbani. Kuna watoto wamesoma na wanataka kufanya kazi. Yeye akishindwa, basi sisi sote twende huko tuwafukuze watoke na tuwaambie wale wanaopaswa kutibu watu watibu na tulainishe mambo baadaye mwananchi akiwa anapokea matibabu. Mungu awabariki, ahsante.

**Speaker:** Thank you, Hon. Stephen for your contribution. I still want to give the floor, but reading the mood of the House, I will allow the Mover of the motion to reply. Mover, kindly proceed.

**Hon. Nicholas Lempaira:** Thank you, Mr. Speaker. I thought you cut out a lot of Members who wanted to contribute to this motion. However, I want to thank the Members for supporting the motion, but a few issues came out. The issue of drugs in our hospitals is a big challenge and it even came out very clearly today in the morning during the meeting. This is an issue that we must all address together. We must all wake up and know how the drugs are being bought and how they are being distributed to our respective dispensaries. It is also a challenge that some of our dispensaries do not pay anything to get these drugs. So, there is a lot that needs to be discussed on this.

On the issue of the striking doctors, I want to inform Hon. Kagondu that these doctors have the right to strike. They are allowed to strike if they feel that some of their grievances are not met. The issue of hiring and firing is a procedural issue and we cannot just wake up and go and chase them away and bring others. That brings us to the conclusion of the meeting that we had today in the morning, that we need a meeting with the striking doctors, the CECM, the CS, the CO, the management committee and all MCAs, so that we can make a decision on whether to hire or fire them, as Hon. Kagondu has said.

We were suggesting that we do this meeting on Monday at 10.00 a.m. So, I want to inform the Members that we might have the meeting on Monday so that we can fast-track some of these issues, because the more we delay, the more our people will keep having issues in our dispensaries and hospitals. Thank you, Mr Speaker, and thank you Members for your support.

*(Question put and agreed to)*

## MOTION

ADHOC COMMITTEE REPORT ON NYAHURURU MUNICIPALITY STATUS

**Hon. Stephen Ndiritu:** Thank you, Hon. Speaker. As the Chair, on behalf of the committee I have a report of the ad hoc committee on the application of conferment of Nyahururu Town to municipality status. Hon. Speaker, I beg to move the following motion;

> THAT, this House adopts the report by the Finance and County Planning Committee on the report of the Ad Hoc committee on the application of conferment of Nyahururu town to municipality status dated 25th April, 2024.

### Committee's Mandate

Hon. Speaker, this is a report that the committee has brought to this House, and I will start from page one which is about the Committee's Mandate. As understood by Members, the Committee's Mandate is under Article 176 of the Constitution of Kenya 2010 and also Standing Order No. 191.

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**Committee Membership**

Hon. Speaker, the committee's membership is as follows:

1. Hon. Stephen Ndiritu - Chairman
2. Hon. John Gichuki - Vice Chairperson
3. Hon. Mary Gathoni - Member
4. Hon. George Karuiru - Member
5. Hon. Catherine Umija - Member
6. Hon. Samuel Mugambi - Member
7. Hon Paul Leshuel - Member

**Acknowledgements**

I take this opportunity to thank Members of the Committee for their input and valuable contributions during the deliberations and consideration of this report. The Committee also takes this opportunity to thank the Office of the Speaker and that of the Clerk of the County Assembly for the logistical support accorded to it during the scrutiny and report writing.

On behalf of the Finance and County Planning committee and pursuant to Standing Order No.191(g) it is my pleasure and duty to present to the House, the Committee's report on a report of the ADHOC committee on the application for conferment of Nyahururu Town to Municipality status.

The report is signed by me, the Chair.

Hon. Speaker, the next part is the introduction and it is good for Members to understand it because it is very important. What we are doing here is in order to confer Nyahururu to municipality status, so it is good for Members to understand why we are doing so, whether we are guided by the Standing Orders or the Constitution, or it is a mandate of the committee or just a deliberate move by the committee. So, let me go through the introduction.

**Introduction**

Mr. Speaker, Sir, in accordance with the Urban Areas and Cities, Act, No. 13 of 2011 and the Urban Areas and Cities (Amendment) Act No. 3 of 2019, the County Government of Laikipia is in the process of elevating Nyahururu Town to Municipality Status. In this regard, an application was tabled as in Annexture 1 before the County Executive Committee by the Town Committee to consider and approve the establishment of Nyahururu Municipality as the town meets the statutory criteria for Municipalities as set out under the respective Acts. The County Executive Committee considered and approved the application.

Mr. Speaker, Sir, in line the provisions of the Section 8 (3) of the Urban Areas and Cities Act, No. 13 of 2011, His Excellency the Governor on 6th March 2024 appointed an eight-member Ad Hoc Committee comprising of persons representing the following bodies:

(a) The Institute of Surveyors of Kenya;

(b) The Kenya Institute of Planners;

(c) The Architectural Association of Kenya;

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(d) The Law Society of Kenya

(e) The Kenya National Chamber of Commerce and Industry

(f) The Institute of Certified Public Accountants of Kenya

(g) The business community.

The Committee was inaugurated on 11th April 2024 assigned with the responsibilities of reviewing the request for conferment of Nyahururu to municipality status against the criteria set out under the Urban areas and cities Act 2011, Urban areas and cities (Amendments)Act 2019.

Hon. Speaker, having read the Constitution and the mandate, and also referring to the Constitution that was passed during the Kibaki era (2011), Members have now understood where the report comes from. So, they can take time and read the rest of this report.

**Historical development of Nyahururu Town**

On the historical development of Nyahururu town, Nyahururu was formerly known as Thomson Falls. Members can go through that part and also read that Thomson Falls was named after the 74 meters high Thomson's Falls on Ewaso Narok river, a tributary of the Ewaso Nyiro River, which drains from the Aberdare Mountain ranges.

**LOCATION CONTEXT**

**National Context**

On its location and national context, Nyahururu town is an administrative, service and commercial centre located in the in central-east region of Kenya, Laikipia County. So, Members now understand that Nyahururu is in Laikipia County. They can read the other part for themselves because they have the report and know how to read.

**Regional Context**

On regional context, Members can see that Nyahururu town is located in Laikipia County. The County borders seven other counties namely Samburu to the North, Isiolo to the North East, Meru to the East, Nyeri to the South East, Nyandarua and Nakuru to the South West and Baringo to the West. They can read the remaining part.

**Administrative Context**

Nyahururu Town is Located in Laikipia County, Laikipia West Sub-County and Igwamiti Ward. Igwamiti Ward is represented by Hon. Wachuka who is present and serious in this Assembly to make sure that this report passes immediately after I finish reading it.

**Rationale In the Committee's Scrutiny of The Ad hoc Committee Report**

Mr. Speaker Sir, the committee during its scrutiny of the report was cognizant of the fact that the promulgation of the new Constitution of Kenya in 2010 opened a new chapter towards development and management of urban areas within the Country. The Constitution through Article 184 provided for legislation of Urban Areas and Cities Act which would enhance governance and management of urban areas and cities. In 2011, the National Assembly formulated the Urban Areas and Cities Act. This gave effect to Article 184 of the Constitution of Kenya.

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The Act was later Amended by the Urban Areas and Cities Act, No. 3 of 2019 that amended the First Schedule on classification of urban areas and cities by services. Section 9 of the Urban Areas and Cities Act provides the procedure and criteria for establishment of Municipalities for towns that fulfil the conditions set out in sub section 3 of the same Act as follows;

a) Has a population of at least fifty thousand residents according to the final gazetted results of the last population census carried out by an institution authorized.

b) Has an integrated development plan in accordance with this Act;

c) Has demonstrable revenue collection or revenue collection potential;

d) Has demonstrable capacity to generate sufficient revenue to sustain its operations;

e) Has the capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule of the Urban Areas and Cities Act (Amendment) No. 3 of 2019.

f) Has institutionalized active participation by its residents in the management of its affairs;

g) Has sufficient space for expansion;

h) Has infrastructural facilities, including but not limited to, street lighting, markets and fire stations; and

i) Has a capacity for functional and effective waste disposal.

Mr. Speaker, there are other things down there like ;Planning and Development Control, Traffic Control and Parking, Water and Sanitation, Street Lighting, Outdoor Advertising, Cemeteries and Crematoria, Public Transport, Libraries, Storm water Drainage, Ambulance Services, Heath Facilities, Fire Fighting and Disaster Management, Control of Drugs, Sports and Cultural Activities, Electricity and Energy provision (gas, kerosene etc.), Abattoirs, Refuse Collection, Solid waste management, Pollution (Air, water, soil) control, Child Care Facilities, Pre-Primary Education, Local Distributor Roads, Community Centres, County Hospital, Constituent University Campuses, Polytechnic, County School, Stadium, Airstrip, Theatre, Library/ICT services ,Administrative Seat, Local Economic Development Plan.

**Observations;**

Mr. Speaker Sir, the committee observed the following after deliberations on the Ad Hoc committee report that;

- The proposed Nyahururu Municipality has Fifty-two thousand six hundred and forty-four residents and has met the fifty` thousand population requirement. It comprises of Nyahururu CBD which has 37,650 residents, Maina which has 7,070 residents and Manguo which has 7,924 residents in accordance to gazette results of the last population census as highlighted in ANNEXTURE 2 AND 3.

- The integrated Development Plan is available in our committee records for perusal.

- The report by the Ad Hoc committee has clearly stated that the proposed municipality has potential for revenue collection as demonstrated in ANNEXTURE 5.

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- The report has highlighted that the proposed Nyahururu municipality has the capacity to effectively and efficiently deliver services to its residents as it has among others;

Fair coverage of roads, parking facilities and public transport, Electricity reticulation and street lighting. Firefighting and disaster management services and Storm water facilities. Water and sewer facilities, Sewer reticulation, Health care facilities, ambulance services, Cemeteries and related services.

The cemetery is where we bury people Mr. Speaker. Education and library facilities, financial infrastructure e.g. Sacco's, Banks etc. Recreational and sporting facilities, religious facilities, that is when we have the churches, mosques, Hindus and other religious facilities Mr. Speaker, Markets and Abattoirs.

- There is active participation by its residents in the management of the proposed Municipality affairs.
- There is enough space for expansion.
- The Proposed municipality has capacity for functional and effective waste disposal

**Recommendations**

Mr. Speaker on Committee recommendation is that;

- That this House approves the application for conferment of Nyahururu town to Municipality status.
- That this House adopts the committee report.

Hon. Speaker we have laid the report for Nyahururu municipality and it is a high time that this House approves this report so that we can have another Municipality called Nyahururu. We already have Rumuruti and Nanyuki. By approving this report, we will receive a lot of funding from the National Government and also the World Bank.

Mr. Speaker, it will be not fair for us to deny the Nyahururu people to get a Municipality because we who live in Nanyuki already have one and therefore, I am begging all Honourable Members for this one purpose, let us remain united and pass this report. Also, for the purpose and support for Nyahururu and Hon. Wachuka, so that she can also have Municipality in Igwamiti.

Hon. Speaker, very soon we will also have Doldol and I am praying that the Executive should come up with another report and Ad Hoc Committee, to make Doldol also a Municipality. We also need Olmoran and Salama to be a Municipality and other upcoming centres to be uplifted to the status of a Municipality.

Hon. Speaker, by approving this report, we will also give a mileage to the Members who come from Laikipia West because they will now have two Municipalities. Therefore, I want to call upon one Member from that side to come and second this Motion. I know Hon. Gatati is among the people or the Members who are very happy to hear that Nyahururu is now becoming a Municipality.

Hon. Gatati is a very young person, and in future he will be very proud passing by Nyahururu holding a walking stick and telling the people of Nyahururu that I was the one who supported this Municipality in the County of Laikipia. So, I therefore call upon Hon. Mugambi

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to stand and second this Motion with passion and energy in making sure that this report passes in this House immediately after he seconds the Motion. Thank you, Hon. Speaker.

**Hon. Samuel Mugambi:** Thank you, Hon. Speaker, and I stand in seconding the Motion of the approval of the Ad Hoc Committee on raising Nyahururu or Igwamiti to a Municipality. I want to say this is a new dawn to Nyahururu or Igwamiti Ward, and since we have Nanyuki and Rumuruti as a Municipality, what is good for the goose is also good for the gander.

Hon. Speaker, I also think Nyahururu should be a Municipality, and very soon Nyahururu will also be a Constituency. Those are the steps that we want for Nyahururu, or we would wish Nyahururu to take. I also, maybe want to echo the words of the mover of the Motion, whereby when Nyahururu or Igwamiti Ward raises to Municipality status, we shall have more funds from World Bank, and the Hon. Wachuka, who is the Member representing the people of Igwamiti, will have an easy job.

Mr. Speaker, we will have more funds because she really tries. That Ward is one of the biggest or the second largest Ward in Kenya. Even in terms of population, Igwamiti is a bit stressful bearing in mind that the resources that we share here are the same that are also distributed to Igwamiti, these are milestones. Hon. Wachuka also has a history in that Ward, because she was a Deputy Mayor sometime back, and now she is an Elected Member representing the Igwamiti Ward.

We are wishing her well and we would like her to become the first Member of Parliament of Nyahururu Constituency. Personally, because I come from Laikipia West, in 2032, I will be vying for the Member of Parliament in the said Constituency. I would like to get the institutions well and people of Nyahururu will be happy to hear that the Laikipia Assembly today have approved to Municipality status. Thank you, Hon. Speaker, and I second.

*(Question proposed)*

**Speaker:** Honourable Members the floor is now open for the debate. I give the floor to Hon. Wachuka.

**Hon. Irene Wachuka:** Asante sana, Bwana Spika ninaweza cheka. Kwanza nataka kushukuru Kamati ya Fedha ambayo inaongozwa na Mheshimiwa Stephen Ndiritu ambao walikaa chini na kufikiria mambo ya Nyahururu. Kama vile Mwenzangu Mheshimiwa Gatati wa Wadi ya Salama amesema tuko na Manispaa katika Rumuruti pia hapa Nanyuki.

Leo sijui niseme nini, furaha ni tele kwa roho yangu kuona Manispaa. Vile Mheshimiwa Gatati amesema, wakati nilikuwa Naibu wa Meya, Nyahururu ilikuwa na Manispaa. Historia ya Nyahururu sijui hata wale wako kwa viti hawezi wakapeana kutoka kwa Gavana mpaka Bunge hata na Mwakilishi wa wanawake. Hawajui historia ya Nyahururu juu hata wakati tulikuwa tunazunguka, kuna mahali mingi sana hawakujua zinapatikana wapi.

Bwana Spika, ukienda nyuma ya posta tuko na ekari saba na nyumba ziko juu nilifukuza watu wa Nyandarua wakarudi kwao. Kwa hivyo, hiyo ni mali ya Nyahururu manispaa, na Nyahururu manispaa si ya watu wa Wadi ya Igwamiti, ni ya watu wa Laikipia. Sisi ni kazi tumepewa tufanye na tumfanyie Wanjiku. Wabunge wenzangu na Bwana Spika, kwa ombi lako ningetaka tukitoka hapa niitiwe watu wa gazeti. Nyinyi mlio humu ndani pia twende na tukutane na hao wanahabari kwa sababu hii itabaki kuwa historia.

Wakati kila mtu anataka kusema kitu awe akijua alisimama imara daima katika hii Bunge na kupitisha Nyahururu Manispaa. Kama vile tunajua, milioni 250 za hela zitakuja

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Nyahururu na pia wakati itafika ambapo hata kazi zitatokea kwa wingi. Tungetaka mpaka Gavana mwenyewe awe akijua kuwa isipokuwa ni hawa Wabunge, hii Manispa haingekamilika. Kuna watu wenye wataajiriwa pale na kutakuwa na Kamati ya bodi wenye watachaguliwa.

Bwana Spika, ningetaka hawa Wabunge wenzangu wazingatiwe hata kama hawatapewa kazi. Mimi sio mchoyo, niseme eti juu mtu sio wa Igwamiti sasa hapewi kazi, sisi wote ni watoto wa Laikipia na nimefurahishwa sanasana na Kamati ya Fedha. Mheshimiwa Gatati kama vile umesema 2032 najua kuna kitu itatokea. Kwa saa hii, najua kuna kazi inaendelea kuhusu Nyahururu - Igwamiti na kama vile umesema Wadi ya kwanza Kenya mzima ni Kiambu, ya pili ni Igwamiti.

Ni kitu Rais na Naibu wake tayari wameanza kukaa chini na kuchunguza. Ninasikia vibaya Wabunge wakati unaona watu wale wanatafuta Ufadhili wa masomo kama wale watu mia sita elfu na sita waliomba Ufadhili wa masomo. Mimi ninapewa sawia na wale wengine lakini juu sina ya kusema, inabidi tu nigawe ile kidogo niko nayo.

Tunapopewa kitu kidogo hapa na Gavana, tunagawiwa sisi watoto kumi na tano ambao walichaguliwa, na tuko na wenzetu hapa waliochaguliwa maalum. Hata wao wako na watu wao na wakati tunagawa, hata wao wanataka juu tuko kitu moja ya hii Bunge ya Laikipia. Kwa hivyo, niko na furaha mingi sana sijui niseme nini kwa Wabunge wenzangu ambao mliketi chini mpaka dakika ya mwisho juu tulipewa hadi leo ndio iwe ni mwisho leo.

Hata kama Gavana yuko nje ya nchi, kwa hii maandishi yote kuna pahali alitia sahihi juu katika Manispaa, hata Naibu wake hawezi akatia sahihi mambo ya manispaa. Gavana wakati aliondoka tuliketi naye pamoja na Katibu wa Kaunti akaweka sahihi yake kwa karatasi mbili ambayo itashikanishwa na karatasi ambazo zimepita hapa Bunge. Nafikiria Alhamisi au Ijumaa zitakimbizwa Nairobi juu walikuwa wanazingojea.

Kwa hivyo, Wabunge wenzangu ambao mko hapa, namshukuru Mwenyezi Mungu na ninawaombea Mwenyezi Mungu Spika na ofisi yako, Makarani wetu na wale wote wako hapa mpaka Masajenti wetu pale; ninashukuru sana. Niko na furaha tele katika roho yangu na hii ni kitu ilikuwa inanisumbua hata wakati nilikuwa na mgonjwa. Nilikuwa ninasumbuka kuhusu Nyahururu Manispaa na hapo ndio ngome na hao ni watu wa Nyandarua, hiyo ndio ngome ya siasa

Mheshimiwa Mugambi, niwie radhi kwa kusema haya. Hata nataka kumtafutia nyumba awe akikaa huku mjini atoke huko mashinani. Kuna nyumba ambazo nataka kufukuza watu wa Nyandarua na ni lazima nimpatie nyumba ili awe akikaa pale. Niko na furaha na ninaunga mkono Mwenyekiti wa Fedha na kamati yake kwa sababu waliketi chini na kuangalia kila kona na leo, Nyahururu itapitishwa iwe manispaa. Sina kitu cha kusema lakini kuna Mungu aliye juu mbinguni akumbuke yale ambayo mmefanya wakati mtakuwa na shida kama hii ambayo nilikuwa nayo.

Itakuwa ni historia na ndio maana nakuuliza Bwana Spika niweze kuitiwa wana habari hapa ili niweze kutoa taarifa kwa sababu inangojewa mbali sana. Ukiona ikingojewa na serikali, wacha nifanye vile ningetaka. Mheshimiwa George Karuiru, sina cha kusema kwenu kwa sababu Nyahururu sio kwangu, bali ni kwetu zote. Kitu kizuri kikifanyika huko, ni yetu sisi wote.

Mheshimiwa Shuel, Mheshimiwa Salim, Mheshimiwa Ndiritu, Mheshimiwa Moile, Mheshimiwa Caroline Kihika, Mheshimiwa Kamala na pia Spika, asanteni sana na Mungu awabariki nyote. Nimefurahi sana na mama mnyenyekevu.

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**Hon. Salima Edung:** Bwana Spika, nashukuru kwa kunipatia hii nafasi. Kitu cha kwanza ni pongezi kwa Kamati ya Fedha ambao walikaa chini na kutengeneza hii ripoti. Nashukuru Spika wetu pia kwa sababu hao wafadhili wanapohitaji kupeana pesa kwa kiwango kingine, wanahitaji ripoti ipitishwe ya kwamba tunakubaliana kwa ile mikakati ambayo wameweka. Siku ya leo sisi tunashukuru kwa sababu tunapitisha hii ripoti katika hili Bunge.

Zamani kulikuwa na manispaa na pia Baraza la Kaunti. Tulikuwa na Mheshimiwa Shuel hapa kwa sababu tulifikiria ya kwamba siku zile manispaa na Baraza la Kaunti ziliisha kitambo. Labda wakati ule hakukuwa na mipangilio dhabiti lakini kwa sababu tunajua ya kwamba ikipitishwa kwa hili Bunge watu wa sehemu za Nyahururu, Rumuruti na pia Nanyuki watakuwa wamepata manispaa na hiyo ni njia moja ya kupatia watu wetu ajira.

Nashukuru Wabunge wenzangu walioko mahali hapa kwa sababu tumekaa kwa huo muda wote tukijua ya kwamba siku ya leo ndiyo ya mwisho wa hii ripoti kupitishwa. Tutaweza kupata mgawo katika Laikipia kama wananchi wengine wa Kenya ambapo wakipata mgawo, huwa wanainua sehemu zao.

Bwana Spika, nashukuru sana kwa wale ambao walikaa chini na kuipendekeza ya kwamba tuilete siku ya leo na tuipitishe ili wakati usitugonge. Kama haingepitishwa siku ya leo, hata ule mgawo ambao wafadhili wanatupangia hatuwezi kupata. Kwa hayo machache, naunga huu mjadala mkono na pia wenzangu wameunga kwa sababu tunajua ya kwamba itafaidi watu wa Laikipia. Asante.

**Speaker:** Thank you, Hon. Salim. Is there any other Member who would want to contribute towards the motion? Without much ado, I will therefore invite the mover of the motion to reply.

**Hon. Stephen Ndiritu:** Thank you, Mr. Speaker for your ceremonious decision for calling me to reply to this motion because you can also read the mind of the Members. They need this report to be passed. I want to take this opportunity to congratulate the Nyahururu people and also Hon. Wachuka for now being in Nyahururu Municipality because I know that we are going to pass this report.

I would also want to reply to Hon. Wachuka according to the bursary allocation. She stated that we always get bursary equally but it is good for her to understand that we do not allocate bursaries equally, but we allocate by population. The money that Igwamiti receives is different from the money received by other wards. Therefore, it is good for her to note that. We always care for Nyahururu because we understand that Nyahururu is a big ward in Kenya. I am also begging the President and the Vice President to come up with a plan so that we can have Nyahururu as a constituency and Hon. Wachuka will be the first woman to be elected to the Igwamiti Constituency.

Mr. Speaker, I also want to thank all the Hon. Members for being supportive towards the motion and also supporting the Nyahururu Municipality report today. For this one, I beg you that we be united and pass it. You know that I am an honest and truthful man and that is why I said that I want this report immediately after being seconded by Hon. Gatati. The motion will pass and I am begging the Members to pass it. Thank you.

*(Question put and agreed to)*

## ADJOURNEMENT MOTION ON A MATTER OF COUNTY IMPORTANCE

FLOODING IN KENYA

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**Hon. Samuel Mugambi:** Mr. Speaker, pursuant to the provisions of Standing Order No. 34(1), I seek leave to move a motion of adjournment for the purpose of discussing a definite matter of county importance, namely, flooding in Kenya.

Hon. Speaker, I beg to adjourn the House and leave the other matters and now discuss the urgent issue that we have in the country. I beg to have your guidance since this is an urgent thing that is affecting our county.

**Speaker:** Hon. Lempaira.

**Hon. Nicholas Lempaira:** Thank you, Mr. Speaker. We need guidance on county urgent affairs. We need guidance on how it should be applied because last week, we had the same on the issue of insecurity and the motion was scheduled to be discussed last week. It was discussed and I still see the House Committee carrying it forward.

**Speaker:** Thank you, Hon. Samuel Mugambi has cited Standing Order No. 34 (1) which I would like the Members to refer to. It states as follows;

*(1) Any Member may at any time rise in his or her place and seek leave to move the adjournment of the assembly for the purpose of discussing a definite matter of county importance.*

*(2) A Member who wishes to seek leave to move the adjournment of the Assembly shall, at least two hours before the commencement of the sitting, hand to the Speaker a written communication of the matter but the Speaker shall refuse to allow the claim, unless the Speaker is satisfied that the matter is definite, urgent and of county importance and may properly be raised on a motion for adjournment of the Assembly.*

*(3) If the Speaker is satisfied in terms of paragraph (2) and not less than 10 other Members rise in their places in support, the Speaker shall nominate a time on the same day at which such motion may be moved.*

*(4) No Member speaking on a matter under this Standing Order shall speak for more than five minutes without the leave of the Assembly, except that the mover may speak for ten minutes.*

Hon. Members, first of all Hon. Mugambi Gatati is in order to raise such a matter of county importance. The other thing is that the Hon. Member did actually submit the information to me in the morning. Two hours have passed and what has not been fulfilled is that as he presented his matter and I did not see any Member stand.

First, I would like to declare that this is indeed a matter of county importance. Rains are falling and we have heard people who have been devastated by this hence losing a lot of lives in Kenya. As much as it is raining elsewhere, it is also raining here in Laikipia and it is important for us to deliberate on it. Is there anything burning that you would like to interject Hon. Stephen?

**Hon. Stephen Ndiritu:** Thank you, Hon. Speaker. I also have a concern on the same because what Gatati is raising is a matter of county importance. I think that this comes first before any other business because what are we adjourning and we have already executed our business? I can see that something is not ending up well according to my understanding. In that Standing Order, he is talking of adjourning other business but we have already finished our today's businesses.

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I also need to be guided on that part because if that is the case, the statement is good and timely because the rains are falling heavily whereby, we have heard about people dying. I need some clarity so that I can also understand where the statement should be placed. Thank you.

**Speaker:** I would like to hear the feeling of Hon. Gatati and kindly let me know if you are willing for us to proceed. If you are willing, kindly tell us according to Standing Order No. 34(3), whether we do conform.

**Hon. Samuel Mugambi:** Thank you, Mr. Speaker. Since this is not a matter that is affecting Hon. Gatati, but the whole of Laikipia and we do not have enough quorum to have ten Members standing, so I would like to leave it at that. Maybe we can push the way forward next week. Thank you. Speaker: Thank you. I direct that this matter be directed to the HBC so that we may be able to allocate time for it as a business appropriately. Indeed yes, I confirm that this is a matter of county urgency. We may proceed to the next order.

## ADJOURNMENT

**Speaker:** This House now stand adjourned until next week Tuesday, 7th May, 2014 at 2.30 p.m.

The House rose at 4.05 p.m.

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