

# COUNTY ASSEMBLY OF NAKURU

## THE HANSARD

**Third Assembly (Second Session)**

**Tuesday 21<sup>st</sup> November 2023**

**Assembly Building**

**The House met at 10:30 AM**

*[The Deputy Speaker (Hon. Joseph Ngware) in the Chair]*

### PRAYER

### COMMUNICATION FROM THE CHAIR

#### MEMBERS FROM KAKAMEGA

**The Deputy Speaker** (Hon. Joseph Ngware): Honourable Members, I recognise Members from County Assembly of Kakamega, Committee on Ward Based Projects, led by the Committee Chairperson, Hon. David Ikunza. I also recognise staff from the County Assembly accompanying the Members.

And also, in our tradition of recognising and welcoming Members, I take this opportunity to welcome Hon. Duale to welcome these Members. Honourable Duale, I am giving you this opportunity on behalf of the County Assembly of Nakuru to welcome Members from County Assembly of Kakamega.

**Hon. Hassan Ali:** Thank you Mr. Deputy Speaker. First, I take this opportunity to welcome the Members of the County Assembly of Kakamega. Welcome to Nakuru. Nakuru is a great City and we are the youngest City. This is the fourth City in this Country. Welcome.

Mr. Deputy Speaker, I am happy to say that I have great friends in Kakamega, who are Members of the County Assembly. I knew them even before they were Members of County Assembly like me. We have Mheshimiwa Watito there, *karibu sana hapa* Nakuru County Assembly; we have Mheshimiwa Niva. *Karibuni hapa* Nakuru. I have known them for many years.

In Nakuru, we have many places to visit, even social places. You can visit there *na mle, mnywe, lakini mlipe. Asanteni sana.*

**The Deputy Speaker** (Hon. Joseph Ngware): Thank you. Members we can applaud them.

*(Applause)*

I also want to take this opportunity to thank all of you for the support that you gave me when I was had my thanksgiving. I honoured and feel loved. Thanks

## **MOTION**

### **WASTE DISPOSAL LEGISLATION**

**The Deputy Speaker** (Hon. Joseph Ngware): We are have a Motion from Hon. Rose Chepkoech, MCA Kiptagich Ward. THAT now therefore, the County Government through the Department of Health Services to ensure strict compliance with stated Legislation and Regulations with regard to Disposal of Non-Infectious Waste, Infectious Waste and Highly Infectious Waste and Sharp Waste, and take necessary legal action where necessary on Institutions that fail to comply.

I want to give this opportunity to Hon. Rose to take us through the Motion.

**Hon. Rose Chepkoech:** Thank you Mr. Deputy Speaker.

Aware that Article 42 of the Constitution provides that every person has a right to clean and healthy environment which includes the right to have environment protected for the benefit of present and future generation through Legislative and other Measures; Noting that Health Activities protect and restore health and save lives, on the other hand, the amount of waste by-product generated through Health Services causes adverse environment impact; Further noting that Medical Waste is categorised into four categories; Non Infectious Waste, Infectious Waste, Highly Infectious Waste and Sharp Waste; Appreciating the poor management of healthcare poses risk of exposure and subsequently, transmission of infection will result in pollution of air, water and land and significantly contribute to advance effects on Human and Animal Health; Cognisant that Kenya has enacted various Legislations and Waste Management including Public Health Act, Chapter 242 Law of Kenya, the Environmental Management and Coordination Act 1999 and its Regulation; Acknowledging that there is Intentionally Accepted Principles which stipulated any other handling, managing hazardous substance and waste or related equipment in ethically responsible for using utmost care as possible; Notwithstanding the clear cut legal provision on Disposal of Medical Waste, we have witnessed cases within the County where Medical Waste categorised as Infectious Waste, Highly Infectious Waste and Sharp Waste, disposed in a manner that is hazardous to persons especially children, animals and environment generally,

Now therefore, the County Government through the Department of Health Services to ensure strict compliance with stated Legislation, Regulations with regard to disposal of Non Infectious Waste, Infectious Waste, Highly Infectious and Sharp Waste and take necessary legal action where necessary on Institutions that fail to comply.

I now call upon Hon. Grace Mwathi to second the Motion.

**Hon. Grace Mwathi:** Thank you Mr. Deputy Speaker. I wish to welcome our colleagues and friends from Kakamega County. Feel welcome, feel at the right place and what you get here and what you find here, and go with it. Leave the worst and go with the best.

Mr. Deputy Speaker, I rise to support this Motion that has been brought by Mheshimiwa Rose about Waste Management. I want to support by saying that, we know that in Hospitals we have things that can be very harmful to our children and our animals. We know some animals are taken by the owners to feed outside and when they go there they get syringes, gloves, and everything that is thrown carelessly and it becomes harmful to them. Even our children get the gloves and all those things, use them to make a ball from it and start playing with it. They also use the syringes to harm their bodies.

Mr. Deputy Speaker, I just want to support the Motion that these harmful wastes from the Hospitals, the Infectious Waste, the Non Infectious Waste, the Highly Infectious Waste and the Sharp Waste be put together and taken where it is supposed to be. They can recycle them and do the necessary things but not leave the waste for our children to play with, for our animals to feed on.

Mr. Deputy Speaker, we know a Healthy Nation is a Wealthy Nation and because we are here to maintain and keep our environment clean, we have to know that we must play a part as an Assembly and as a County to ensure that all those waste materials from the Hospitals are dumped well so that they do not harm our people. Thank you Mr. Deputy Speaker I do support the Motion.

**The Deputy Speaker** (Hon. Joseph Ngware): Thank you Hon. Member. The Motion has been properly moved and seconded and now it is open for debate. Hon. Alex.

**Hon. Alex Mbugua:** Thank you Mr. Deputy Speaker. First and foremost, I would like to support this Motion and before I indulge in the Motion, let me welcome Members from Kakamega County to this Assembly. We move in the spirit of the Autonomy of the Assemblies that we can empower each other, we can learn from each other, we can make a better Nation and we can make Devolution the anchor of this Nation just as it was envisioned in the 1961 Constitution that never saw the light of the day.

Mr. Deputy Speaker, as a Medic, I rise to support this Motion because products from Hospitals, just as stated by the mover of this Motion are very hazardous to the people. Recently, Nakuru was elevated to a City Status within the Republic. With that, many Multi-National Agencies will set their Businesses here.

Mr. Deputy Speaker, we have seen Hospitals being set up within this County. Whereas the County Government managed Hospitals have Incinerators that can take care of such products, we have many private Hospitals being set up within the County, and in these Hospitals, they do not have any Incinerators. Recently Mr. Deputy Speaker we visited the Molo Sub-County Hospital and we were amazed that we did not even have proper Incinerators within that Facility. We have PGH here and the Incinerators are better and Naivasha the same; but I am doubtful of any other Hospital within the Sub-County that has such Equipment.

Mr. Deputy Speaker, without such we find that most of these by-products are thrown either into the garbage or taken to sites where garbage collection happens, like Giotto here in Nakuru. We

have another one in Naivasha, and with such we must then look at how we can invest as a County on Waste Management because by far and large these products will be hazardous to us, and the future generation.

Mr. Deputy Speaker, we have most of these syringes, on the last day that people went collecting dirt from the rivers we could see from the media houses children collecting syringes from the bins. Recently we have seen cases of highly infectious diseases within the County and more so to the children because they just take them as toys. There is a need for the Department of Health and Environment to activate the Nakuru waste management policy that can govern every person. If you have to set up an industry, Hospital or anything within we must secure our people.

Mr. Deputy Speaker, the population of Nakuru County is fast growing to 3 million plus people and that is at the voters' status. We are talking about a population that is increasing at a very high rate. We have Industrial Parks that are being set up within Nakuru County mainly in Naivasha of which the sub-County alone has a population of around 400,000 people according to the last census.

Mr. Deputy Speaker, if we do not come up with a policy that can guide how waste is managed within our cities and our towns then Article 42 of the constitution of Kenya will be violated and we shall have a very sick nation. I am not willing to see that happen to our people so let us just follow the policy. I support this Motion if the policy is not there one is urgently needed. Thank Mr. Deputy Speaker Sir.

**The Deputy Speaker** (Hon. Joseph Ngware): Hon. Gathanwa.

**Hon. Michael Gathanwa:** Thank Mr. Deputy Speaker. I wish to follow suit with the previous Hon. Members by first welcoming our visitors Hon. Members from Kakamega County and what Hon. Alex has said, that we can borrow from each other. Mr. Deputy Speaker, I have heard that this Committee, I do not remember the name fully but it is dealing with Ward matters and Projects or something of the sort. There is something we can borrow from that.

Mr. Deputy Speaker, on the issue of Waste Management, we have the Nakuru County Waste Management Act of 2021. I want to borrow three points from it, where you talk about the Principle of Waste Management. It talks about the Proximity Principle whereby waste should be managed closely to where it is being generated. So Mr. Deputy Speaker, I want to echo and say that we need to have an Incinerator in every Sub-County or wherever there is a Hospital and we can extend this to other Industrial Waste and not only Waste from Health Facilities.

Mr. Deputy Speaker, another part that is within the Principle of Waste Management from the Act of 2021 is public participation in Waste Management. It is required by the Act that the public should be involved and there should be public participation in Waste Management. So, we are expecting that these Institutions are going to call for public participation in order for the citizens around those areas to be engaged in how the waste should be managed.

Mr. Deputy Speaker, the other part I would also want to borrow is the one that Hon. Alex also touched on in terms of having a designation and here, it says very clearly that Intergenerational Equity, which implies that waste should not be managed in a way that bequeathed legacy problem to subsequent generations. I believe what Hon. Rose said that the waste that is being disposed of in her area poses a risk to generations to come.

So Mr. Deputy Speaker, I wish to support the Motion but also make a recommendation to have a Sub-Committee that would be reporting every quarter on how waste has been managed from all the Sub-Counties, and not only the Health Waste but also other Industrial Waste. I support Mr. Deputy Speaker.

**The Deputy Speaker** (Hon. Joseph Ngware): Thank you Hon. Gathanwa. Hon. Sakwa

**Hon. Neto Sakwa:** Thank you Mr. Deputy Speaker. First I welcome Honourable Members from Kakamega County which is my home County and my roots. Within the same Kakamega County, I am being served from my home area of Chakalini Ward by the MCA of that area. Within the same Kakamega County I have my aunt, Gladys Mukongolo serving as the MCA and now for the MCAs who have paid us a visit in this great city of Nakuru, I have my friend Niver Olichiri who we have been working closely and he was once my competitor in Kivumbini politics some years back, but since he has connections within ANC, he is now a nominated MCA in Sabati, Kakamega County.

Mr. Deputy Speaker, now back to the Motion; I do support this Motion for the reasons that we have received numerous Reports from different Hospitals by the Committee of Health. We had a Report from Bondeni Hospital, Langa Langa Hospital, and Naivasha and from our main Hospital here, PGH. Mr. Deputy Speaker, all we find is that we have a lot of challenges when it comes to Waste Management.

So Mr. Deputy Speaker, maybe in our final submissions, we may engage the Implementation Committee which some of the Reports' have recommended should be followed to the latter so that Implementation is done by all the concerned Departments. So I support the Motion fully but after all that has been said, the Implementation part of it should be followed to the latter. Thank you Mr. Deputy Speaker.

**The Deputy Speaker** (Hon. Joseph Ngware): Thank you Hon. Member. Any other Member? Hon. Kamau, do you have anything to say or to add?

**Hon. Eliud Kamau:** Thank you Mr. Deputy Speaker for giving me this chance. I would like to echo my colleagues because as we said yesterday, we had a Report from the Health Committee on Molo Hospital and we said clearly that a Healthy Nation is a Wealthy Nation. Some of these waste products from our Hospitals are very dangerous and we need proper ways and methods of disposing of them.

So Mr. Deputy Speaker, I do support that we get Incinerators in every Sub-County and if possible, in every Level Four Hospital we should have such facilities. By doing so, I think we will be in a good position. Thank you, Mr. Deputy Speaker, I do support the Motion.

**The Deputy Speaker** (Hon. Joseph Ngware): Thank you Hon. Member. Having heard from you and having gotten your ventilation into Motion, I want to put it to question.

*(Question proposed that the County Government through the Department of Health Services ensure strict compliance with stated legislation and regulations regarding the disposal of non-infectious waste, infectious waste, highly infectious waste and sharp waste and take necessary legal actions where necessary on Institutions that fail to comply).*

*Question put and agreed to*

### **ADJOURNMENT**

Honourable Members, the House stands adjourned until tomorrow at 9.30 AM.

**The House rose at 3:45 PM**