

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Tuesday, 17TH May 2022

Assembly Building

The House met at 11: 10am

[The Speaker (Hon. Joel Kairu) in the Chair]

PRAYER

The Speaker (Hon. Joel Kairu): Good morning Honorable Members, you are all heroes; this is because despite all odds you always make time to come here to work for this Nation of ours. I want to thank you and God bless you. Let us continue work for the Government until the end. Let us encourage our colleagues to find time and come serve the people. Clerk next order.

MOTION

THE HOUSE TO ADOPT LANDS COMMITTEE REPORT ON NAKURU COUNTY SPATIAL PLAN

The Speaker (Hon. Joel Kairu): We have a Motion from the Chairperson for the Committee on Lands, Housing, and Physical Planning Honorable Stephen Ng'ethe. He is also vying on UBUNTU party ticket for Mai Mahiu Ward.

Hon. Stephen Ng'ethe: Thank you so much, I want to move a Motion; -

THAT this House adopts the Report of the Committee on Lands, Housing, and Physical Planning on the Nakuru County Spatial Plan tabled in this House on Wednesday 11th May, 2022 during the afternoon session.

The importance of a Spatial Plan cannot be overstated because it addresses and gives a roadmap on serious primary issues touching on reframing of our priorities as a County. First, this House the other day adopted the Valuation Role but it cannot be operationalised without the passage or adoption of Spatial Plan. Secondly, we have the rating Bill with us and we cannot ignite a debate on the rating Bill having not passed the Spatial Plan and the valuation role. Lack of an approved Spatial Plan is a hindrance to service provision.

For example, it seeks to address the issue of historical skewed land rates; we have had several Petitions from Gilgil and another serious Petition from Shabaab Ward whereby you find that plots that are adjacent or back-to-back, you will find one plot has a subscription of Kshs 70,000 while the other subscribes at Kshs 6000. The defunct Local Authorities informed these disparities and after a course check on really what transpired we found that those who owned those plots decided that they should subscribe at a lower rate than others should, which has really hindered the issues of collections of rate because Members brought a Petition that we never worked on it.

Now with the passage of this Spatial Plan, this will be history because it will deal with that Petition which is still with us. Secondly, there is zoning and with the Spatial Plan seeks to address the issue of controlled development whereby the development will be guided by zoning

of some places like Agricultural, Industrial, Residential, and Commercial to mitigate the urban sprawl.

After the 2007/2008 Post Elections Violence, we had so many immigrants here in Nakuru and because we did not have an elaborate Spatial Plan with us, you will find we have started realizing mushrooming of slums and without this Spatial Plan, such bad practices will continue. The other one is that the last Spatial Plan was done in 2005; it is in the County Government Act, and it provides that Counties should undertake a Spatial Plan after every 10 years.

We were supposed to have passed a Spatial Plan by 2015; we are back behind the schedule now it is 2022 and it is only that Nakuru residents are peace loving and they ought to have gone to court and challenge this issue of lack of an approved Spatial Plan with us. We have the Report with us Members and I do not need to go through this Report, you have the details with you.

That was just a rider so that where Members are now thorough with the information because we in land Committee are privy to this document and we are thorough so I do not need to embark on the Petition of the obvious and I rest my case.

The Speaker (Hon. Joel Kairu): How do you rest your case, you move or you rest your case?

Hon. Stephen Ng'ethe: I now want to move and request Honorable Kabutu to second the Motion.

The Speaker (Hon. Joel Kairu): But *Mheshimiwa* for the purpose of record and *Hansard*, you should have just told us a bit about. I can see some very good things here. Social Infrastructure, I can see at least 3 stadia, Regional Sports Centers. These are good things to go into record. Just highlight

Hon. Stephen Ng'ethe: Okay, I will quickly go through to page 7 on Committee observation on the Report.

One, the proposals in the County Special Plan; as a County and as an Assembly to consider budgetary allocations for implementation of the proposals of this Special Plan and the other one involvement of stakeholders because at the end of the day, the buck stops with them during implementation of this especial plan, maybe many will be affected adversely with implementation of this special plan on the urban sprawl...

The Speaker (Hon. Joel Kairu): Maybe at that juncture would want to know, was it committed to public participation?

Hon. Stephen Ng'ethe: Yes, it is a thorough document Mr. Speaker by a renowned Learner. The other one is on the urban sprawl, you realise that for service provision, and people should be advised accordingly. They need water, they need electricity, and they need gas and roads. But when people are sparsely located you find that it is very difficult to issue such essential services when people are not gathered in a planned manner. The other one is on the many unexploited and underutilised resources; natural resources e.g. in the pyrethrum sector. Agriculture wise, we are not able to meet the County demand so you find economically we source our foods and other services from other Counties. Meaning that we should be advised to utilise properly these unexploited resources for business and their wellbeing.

There are also some liberal migrants from other parts I have hinted we have so many migrants in Nakuru. Some five years ago you find that Nakuru was the most growing city in Africa informed by the many migrants from other parts. Meaning that we have a lot of labour force with us. So, it is a matter of now investing so much on manufacturing and industries because you have a lot of labor with us as a county.

Also, the fertility rate in Nakuru is higher than the National average. So, you find that Nakuru also people are fertile and that translates to a larger population and that is labour that can be utilised positively

That other one is on issues of water. And we need dams so that we are able now has to do with that coping mechanism to deal with issues of lack of water, especially during the dry spells.

The Speaker (Hon. Joel Kairu): Thank you, I think those highlights are good. This document will be uploaded into our website because it is a very important document, it is a very well researched document. So, you make all your seconder.

Hon. Stephen Ng'ethe: Thank you, *Mheshimiwa* Mwangi kindly second this Motion.

The Speaker (Hon. Joel Kairu): Thank you Honorable Mwangi

Hon. Simon Mwangi: Thank you, Mr. Speaker. I thought the Chair had forgotten that he had actually asked honorable Kabutu to second the Motion. However, I am a Member of the Lands Committee and I must actually admit just as the Chair said, this document actually will assist the County in terms of planning. Most of the things are well elaborated and even in the Department of Finance also, it will be able to assist the Department in mapping out the entire County in terms of revenue collection. So it is a good document. And I want to urge the House to actually adopt it so that it can be put in place. Otherwise, I rise to second. Thank you.

The Speaker (Hon. Joel Kairu): Thank you; I want to propose the question. And the question is:

(Question proposed that the House adopts a Report of the Committee of Lands, Housing and Physical Planning on a Nakuru County Spatial Plan, tabled on the House on Wednesday 11th May 2022, during the afternoon plenary session).

Honourable Njuguna.

Hon. Njuguna Mwaure: Thank you Mr. Speaker, I like to commend the work the Committee has done. A County that does not invest in the research, or to such kind of planning, is the County that does not have a future. But this County with these kind of Reports, if they can be implemented, I think we can go far.

But Mr. Speaker, I want to say that we have been documenting things and they have not been implemented since the time we came into this House. We would wish that the House that will be coming to make sure that they will be overseeing the County Government of Nakuru so that they can implement whatever has been documented here.

Mr. Speaker that said, I have seen I do not know whether it is an oversight on what we did because some of the areas like Rongai, that is near... and is a hub of industries, and very soon we will be seeing it as the Industrial Area for Nakuru, it has not been quoted here Mr. Speaker and we would wish that if there can be some amendments to this Report, so that Rongai and some

parts of Molo can be captured Mr. Speaker, so that we can know when they are planning, our future will be bright. And the seconder of this Report, comes from Rongai and I wish the Committee saw that as an area that has a potential and an area that can be improved so that even in terms of planning, things can be done well.

Mr. Speaker you find that some of the areas like where I come from in Molo, and specifically Kasarani, there are no social amenities that were left behind by the Municipal Council. And today people are committing suicide because even having areas where they can go to rest like parks and such kind of things are not there. However, we do not blame the County Councils that were there. But today because we have time, let us have proper planning and let this Report be amended so that it can include social amenities where people can go to rest and in Industrial Areas, let us have areas where people can at least after doing their work, they can have places where they can rest. I want to rest my case, thank you Mr. Speaker

The Speaker (Hon. Joel Kairu): Do you want to be informed of anything or you have already rested your case? Okay.

Hon. Stanley Karanja: On a point of information. Mr. Speaker, you know, that is why sometimes we advise Members first of all, to go through the Report, digest and then ... and then involve all parameters Mr. Speaker, so that you can understand the Report, let me direct the Member, although I am not a Member of the Committee but I have gone through the Report. If you go to page 21, bulletin 8.6, about Spatial Development Framework. It is good sometimes to direct young Members; if you check that one ...

The Speaker (Hon. Joel Kairu): Order! There is no young Member and old Member in this House. All Members are Honorable Members.

Hon. Stanley Karanja: Mr. Speaker sir that is why I am saying if you check very well, we start with those who came earlier.

The Speaker (Hon. Joel Kairu): If you go like that, even you are a young Member. The only Member I can say is an old Member is Hon. Ng'ethe.

Hon. Stanley Karanja: Mr. Speaker sir, bulletin number 8.6 Spatial Plan Development Framework; Nakuru and Naivasha. In bulletin 1, it says the County Government should promote high level urban functions. That is the terminology. There is Subukia and there is Molo. If you check there, you will see that what it means by that is putting all what he was talking about. The only thing I have seen is that even the Member who contributed in terms of seconding is Hon. Simon. He always seems to struggle.

The Speaker (Hon. Joel Kairu): Okay. I do not see if your information is any useful because it has been proved that Rongai is not mentioned here.

Hon. Njuguna Mwaura: Thank you Mr. Speaker sir. I think the Member just because he is advanced in terms of age does not mean that he has a monopoly of interpretation of this report. I just gave a reference of poor planning in Elburgon and I was alluding to Elburgon because I know very soon, Sobeia will be congested and I was saying Rongai ought to have been captured by this report because I have seen the kind of developments that are taking place there. However, I was not coming up with the issues of Elburgon because I already saw it here as part of the summary of the report.

The Speaker (Hon. Joel Kairu): Noted. The mover will reply to that. Hon. Kabutu.

Hon. Timothy Kabutu: Thank you Mr. Speaker sir. I am a Member of Lands Committee and we were taken through this report. This is just the brief of the report. The whole Report is wide and very comprehensive and it has taken care of all those satellite towns like Molo, Rongai, Elburgon and Subukia. If the Honorable Members can be taken through that report, they will see that their areas have been taken care of. Therefore, this is a very important report because a County that does not plan, plans to fail. Therefore, I am standing here to support this report because it will help us to develop very quickly. Therefore, I support this Report.

The Speaker (Hon. Joel Kairu): Thank you. Hon. Karanja.

Hon. Stanley Karanja: Thank you Mr. Speaker sir. First of all, I want to congratulate the Committee for explaining whatever was in the large report and reducing it to summary form. You know why whole houses were beneficial is that we do call whoever came up with the spatial report so that we can be taken care of as a House such that even when the report comes, we have already consumed the bigger report and we have asked the question whoever came up with the spatial plan so that now we be able to understand. If you check at this report, because ...

The Speaker (Hon. Joel Kairu): Hon. Karanja, you know it is also good to be on record that full houses were important. Do you want to imply they are no longer important?

Hon. Stanley Karanja: I am saying that they are important but currently, they are no longer there. That is why I am saying that such a report ...

The Speaker (Hon. Joel Kairu): But as you say, because we have the one, we were to go this week. Probably, when we plan to go, you should inform the Chair that he should get the consultant to come and explain.

Hon. Stanley Karanja: It is important. Then if you clearly check and you go to bulletin 6.0 on the Committee's observation from the Report, if you check that Report well because I have gone through the Report. Let me cite bulletin 5, that the Report also depicts that Nakuru County is endowed with many unexploited, underutilized or poorly managed natural resources which if utilized well, will positively impact on the economic fortune of the population. That one is very important.

Jump one bulletin then go to that bulletin that says that most urban areas are characterized by urban sprouts, abject poverty, poorly structured human settlement, informal trade, and environmental destruction among other negative attributes. Go to the other one that follows. On the population pyramid, the Report indicates that the population of the age group of 65 and above is large. This means that the region has a huge population of ageing, thus increasing dependency ratio.

It also indicates that most of the younger population has moved out of the region in search of greener pastures. This is a very important document and it informs the type of Government that should come in because if at all the County Government should have put such a consultancy when it was starting, we could have gone far. If you check at page 8, that the Report also gives the birth rate to be approximately 6,735 births in the County per year and death rate to be approximately 1,720 deaths per year. This is according to the 2009 population census.

In the other bulletin, the teenage pregnancy is still high in the County and that nearly a quarter of women aged 15 to 19 years have had children. That the total fertility rate is 6.4 and a woman who survives from age 15 to 49 is expected to give birth to 6 children etc. but that population, what worries me is that you go to that place that the per capita line is estimated at Kshs 1 562 and 2 913 per adult. Now Mr. Speaker if you go to the supermarket today with Kshs 1000, you cannot buy a packet of *unga* and if you combine the two, packet of *unga* and also a packed oil, Kshs 1000 cannot buy. That means we are living in very dangerous times. Take that one and population, then it means that in the near future, we will be a County of bandits, we will have insecurity and that is why I am saying the Report is very important although it has some several gaps that I was asking Hon. Ng'ethe and that one goes to the last page 17 on agriculture and livestock.

That Pyrethrum should be rehabilitated by putting around Kshs 18million seedlings in the nurseries in collaboration with Kenya Pyrethrum Board though I think the entity changed. So if you check some of the recommendations that have been given and the County is just moving now, you know we are in a transition period, and then you check page 13 on agriculture production, that huge population that we saw and then you contend with the fact that there is inadequate budgetary allocation for agriculture. I am seeing that this Report is very important and that is why we need to call the County and the residents of this County to come up with a sober Government. We should not look at the National Government because what normally...

The Speaker (Hon. Joel Kairu): Honorable Member please do not use the floor of the House to insinuate or impeach or campaign, because it is this Government which has prepared this Report.

Hon. Stanley Karanja: In the wee hours!

The Speaker (Hon. Joel Kairu): No, no, no! This matter has been pending...

Hon. Stanley Karanja: From this Report, Mr. Speaker listen to this, you see what I am saying...

The Speaker (Hon. Joel Kairu): Yes point of information, inform the Member.

Hon. Simon Mwangi: Mr. Speaker I just wanted to inform the Member that this document that we are having in this House, this Report that we are having in this House is just but a highlight from what the consultant has been doing. Remember this is process that has actually taken very long because...

The Speaker (Hon. Joel Kairu): I was in the other Government and I remember this document started being prepared in the other former Government. Is it not Hon. Chair?

Hon. Simon Mwangi: Yes. So Mr. Speaker for us why we want to pass this document is so that if need be, the next Government that is going to come in, should come up with plans to mitigate these issues that have been raised by this Report in this Assembly. So it is not about blaming the previous or whichever Government but it is about setting a step forward in terms of what we need to do to sort out the problems that we are facing as a County Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you for the information. You have been informed my friend.

Hon. Stanley Karanja: Thematic! and that is what I am saying that the County ought to be...

The Speaker (Hon. Joel Kairu): Yes Hon. Kabutu

Hon. Timothy Kabutu: I arise on a point of information to Hon. Karanja

The Speaker (Hon. Joel Kairu): Yes

Hon. Timothy Kabutu: Because Hon. Karanja is also a Member of this House and he is also part of the Government.

(Applause)

The failing the Government that he is talking about because he needs to come up with a solution so that our people can live a better life. Instead of blaming others and he is a honorable Member of this House. Therefore...

The Speaker (Hon. Joel Kairu): Thank you Hon. Kabutu for informing the member that he is part of that government. Hon. Karanja you have been informed properly if you had forgotten that you are part of that government.

Hon. Stanley Karanja: Mr. Speaker members are getting me of guard in terms of information I want to give. I am saying now from this report that has highlighted all those good things, I am saying we need a serious Executive. I am not blaming anything, I am saying we require now truth because we are residents of Nakuru, we are residents of this County and because now we have this Report, we need a serious Executive to implement this Report to the latter such that from now whatever we are talking about here, Mr. Speaker,

The Speaker (Hon. Joel Kairu): Hon. Karanja I am trying to tell you to desist from that debate because you also need a serious Assembly to oversight actually what is more important is a serious Assembly to oversight and make sure this is implemented. Remember this House has an Implementation Committee. Okay!

Hon Stanley Karanja: Which has been sleeping and now that is where the issue is. So just deviate from that issue because I was supporting the debate but now there are so many interruptions. You know Mr. Speaker, as I leave I am saying we require a serious Government with a serious Assembly and if somebody did not fail you cannot fail Mr. Speaker to be regurgitated in the name of an Ubuntu; this one requires serious Executive and a serious Assembly and that is what I stand for because this Report, I am telling you this is a very important Report and that is why I was asking the Chair who has also been consumed in the Ubuntu life, to tell us the consultant so that we can ask several questions. He was also not serious when presenting.

The Speaker (Hon. Joel Kairu): Okay.

Hon. Stanley Karanja: If he was telling you do this other than giving the Report...

The Speaker (Hon. Joel Kairu): You have a point of order. The Chair has a point of order.

Hon. Stephen Ng'ethe: Mr. Speaker, Hon. Member is digressing and going political. Stick to the debate.

The Speaker (Hon. Joel Kairu): Okay Hon. Karanja may be you should summarise so that we can conclude.

Hon. Stanley Karanja: I was saying the obvious that it requires a serious Government to implement this special Report and a serious Chairman, the way he is, but he is a good man

The Speaker (Hon. Joel Kairu): Okay; thank you

Hon. Stanley Karanja: He is a good man in a wrong Party.

The Speaker (Hon. Joel Kairu): Chair reply to the issue of the consultant taking through Members because it is a serious document. Reply to the issue of Rongai.

Hon. Stephen Ng'ethe: Mr. Speaker on the issue of Rongai, simply this is a compressed document, that is oversight but on its bulletin no.2, you will find that the County Government should develop the Sub-County headquarters which could provide jobs and services for their surrounding rural hinterlands. Rongai is also one of Sub-County headquarters and so it is captured under that bulletin Hon. Karanja.

The Speaker (Hon. Joel Kairu): The consultant taking the Members through the document.

Hon. Stephen Ng'ethe: What we need, I am reacting to Hon. Karanja's concern is that we need to be proactive retrospective for purposes of future and greater good of the greatest majority but we cannot keep on the funds are not with us now that we have gotten priorities right, being part and parcel of this Government, it is good that now we have gotten priorities right for purposes of the Government that is coming later. Thank you Members for having favorably considered this Motion. Thank you Mr. Speaker.

The Speaker (Hon. Joel Kairu): The issue about the consultant taking Members through the major Report?

Hon. Stephen Ng'ethe: I think I will liaise with your Office Mr. Speaker

The Speaker (Hon. Joel Kairu): Thank you. Members, I want to propose the question.

(Question proposed that this House adopts the Report of the Committee on Lands, Housing and Physical Planning on the Nakuru County Spatial Plan tabled on this House on Wednesday 11th May 2022 during the afternoon session).

(Question put and agreed to)

ADJOURNMENT

Honorable Members, this House stands adjourned to 2.30 pm today.

(The House rose at 11.50am)