

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Wednesday 20th September 2023

Assembly Building

The House met at 3:35 PM

[The Speaker (Hon. Joel Karuri) In the Chair]

PRAYER

STATEMENT(S)

EL NINO PREPAREDNESS

The Speaker (Hon. Joel Karuri): There are requests for Statements. The first request for Statement is by Hon. Anthony Kanyere, who is requesting for a Statement from the Chairperson of the Committee on Disaster Management and Emergency Services concerning the County preparedness for the expected El Nino rains.

Hon. Anthony Kanyere: Thank you Mr. Speaker sir. I stand to request for a Statement that Pursuant to Standing Order 47 (2) C, I rise to request for a Statement from the Chairperson Committee on Disaster Management and Emergency Services concerning County preparedness for the expected El Nino rains.

The Department of Metrological Services issued a warning that there is a likelihood of the Country experiencing El Nino rains between October and December of 2023 and early Months of 2024. This will affect most parts of the Country since the rains are expected to be above normal.

It is worth noting that the Country was worse hit by El Niño rains in 1997 and 2006, which resulted in significant loss of life, food and property due to flooding and landslides. Nakuru is particularly vulnerable to the climate crisis due to poor soil, inadequate infrastructure and limited access to clean water and sanitation, increasing the risk of health challenges during and after floods.

While Nakuru County has not suffered such deaths, losses and injuries as other Counties, it is no excuse to relax in the face of El Niño. The most vulnerable to effects of Climate Change are in urban areas and villages, especially in flood and landslide prone areas.

Nakuru County should therefore be recruiting and training Emergency Response Teams now as they stock pile essential supplies and establishing evacuation plans for food prone areas.

In view of this, I request the Chairperson for the Committee on Energy, Environment, Water and Natural Resources to respond on the following;

1. The County Government preparedness for the upcoming El Niño rains projected in October to December 2023.
2. The Mitigation measures that the County Department has put in place to decrease the menace that could be poised by the upcoming rains.

With that, I submit my request. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you honourable Member for Nakuru East. The Chairman for Committee on Disaster Management and Emergency Services? Vice Chairperson? Any Member of the Committee?

Yes, honourable Hezzy take note that you report this to the Chairperson that you need to table a Report in this Honorable House 14 days from now.

Hon. Hezy Kariuki: Yes Mr. Speaker Sir, I will do so.

The Speaker (Hon. Joel Karuri): Thank you.

There is a request for a Statement by the Honorable George Nene who is requesting for a Statement from the Chairperson Committee on Roads, Transport and Public Works concerning the poor workmanship on the Ti Gashuma and Muthaita roads in Elementaita Ward.

STATUS OF ROADS

Hon Bernard Gatuso: Thank you Mr. Speaker sir. I am standing on behalf of Hon. George Nene who happens to be on some other duties of this Assembly.

Pursuant to Standing Order 47(2) (c), I rise to request for a Statement from the Chairperson of the Committee on Roads, Transport and Public Works concerning the status of Ti Gashuma and Muthaita roads in Elementaita Ward.

Mr. Speaker, in the Financial Year 2022-2023, a total of Kshs. 5 million was allocated for murraming and grading of Ti Gashuma access road in Elementaita Ward. The project was completed and handed over as expected. However, it should be noted that there were savings from the project that was re-channeled towards finalising of grading and fixing of culverts along Muthaita in the same Ward. Mr. Speaker, The roads in question are now in dilapidated and terrible state due to poor workmanship and use of substandard materials.

This House should seriously be worries about the trend of Contractors shoddily carrying out road maintenance work in full glare of the County Engineers who are charged with the responsibility of supervising such works.

I therefore request the Chairperson Committee on Roads and Public Works to issue on whether the Department of Roads and Public Works is aware of the poor workmanship on the two roads and what measures the County Government is putting in place to ensure roads are constructed in accordance with the laid down standards before handing over and payments. Thank you Mr. Speaker.

Thank you Hon. Member for London Ward for standing in for the Hon. Member for Elementaita Ward.

There is another Statement. I presume that you will still be standing in for the Member for Elementaita Ward.

Hon. Bernard Gatuso: Thank you Mr. Speaker sir for according me this chance also to represent my able colleague, MCA Elementaita. Hon. Speaker pursuant to Standing Order 47 (2) (c) I rise to request for a Statement from the Chairperson of the Committee on Lands, Housing and Physical Planning concerning purchase of land in Mbombo area Elementaita Ward for construction of Early Childhood Education class room. The Assembly appropriated financial resources for purchase of five acres of land to construct ECD classroom in Mbombo.

The construction has since stalled due to disagreement between the land owner and the County Government. If this continues the kids are likely to be deprived of the right to basic education. It must also bother the House why the County Government will hand over the land to the contractor despite existence of payment and in the absence of legal documents showing ownership. Mr. Speaker, I request the Chairperson for the Committee on Lands, Housing and Physical Planning to respond on the following:

1. Why the County Government handed over the site for construction of ECD classroom despite lack of requisite legal document due to disagreement over payment.
2. What measures is the County Government putting in place to resolve the stalemate?

Thank you Mr. Speaker and I hand in the Statement.

The Speaker (Hon. Joel Karuri): Thank you. The second request for Statement was made to the Chairperson Committee on Transport and Public Works. The Chair, you have twenty one days to bring a Report to this Hon. House and you respond to the issues that have raised by the Hon. Member for Elementaita. Chairman take note.

Hon. Francis Kuria: Noted Hon. Speaker.

The Speaker (Hon. Joel Karuri): Thank you. The third request for Statement which was also done by the Hon. Member for Elementaita has been made to the Chairperson Lands, Housing and Physical Planning. Is the Chair in the House? The Vice Chairperson? Yeah, you got three weeks; that is 21 days to bring a Report to this honourable House, to respond to what the Hon. Member for Elementaita has requested to be informed; thank you.

There is a response for a Statement that was requested earlier concerning bursary disbursement for the Financial Year 2022-2023 in Turi Ward, Molo Sub County. The Hon. Chair for Education, Hon. Peter Njoroge.

Hon. Peter Njoroge: Mr. Speaker this is my response concerning the bursary disbursed balances in Turi Ward. Mr. Speaker, Aware that the 2010 Constitution of Kenya recognises that every person has the right to education according to Article 43 1 f, and stipulates that every child has a

right to free and compulsory education according to Article 53 1 b, and that it serves a critical responsibility of making children well prepared for their future education.

Mr. Speaker, on 30th of August 2023, Hon. John Mwangi MCA for Turi sort a Statement from the Chair Person of the Sectoral Committee on Early Childhood Education and Vocational Training concerning the status of the bursary disbursement for the Financial Year 2022-2023 in Turi Ward. In specific the Hon. Member requested to be informed on the following:

1. The status of Turi Ward bursary cheques which were launched by her Excellency the Governor, on 4th April 2023, at Molo Sub County
2. Why a Ward Bursary balance amounting to Kshs 120 000 allocated in the Financial Year 2022- 2023 had not yet been disbursed.
3. The plans the County Government is undertaking to avert such delays in bursary disbursement in future.

Mr. Speaker, in Department response, they observed that they are aware of Turi issue since Turi Ward had appropriated Kshs 2 million towards bursary F/Y 2022/23. Kshs 50 000 went to Administration charges hence the amount to be allocated Kshs.1. 950 million

Mr. Speaker, concerning the status of Turi Ward bursary cheques which were launched on 4th April 2023, at Molo.

The Department has stated that disbursement was done as follows:

Cheque payments.....Kshs. 1.2 million

EFT Payments.....Kshs. 644 000.

Total.....Kshs.1.8 million

The balance of Kshs. 69 000 was disbursed between 12th June and 3rd August 2023 therefore completing the entire allocation for Turi Ward. Mr. Speaker, concerning the plans the County Government is undertaking to avert such delays in bursary disbursement in future.

The Department stated that;

- I. There shall be constant consultations among all Stakeholders, including the County Assembly, Ward Administrators and the County Bursary Committee to ensure smooth running of the process.
- II. There will be thorough verification of Ward Lists before printing of cheques.
- III. They have some plans to strictly follow the proposed Nakuru County Bursary Schedule and that all stakeholders should adhere to the deadlines.
- IV. Institutional payments for Ward Bursaries would be done per Ward for all the 55 Wards.

V. That all payment shall be done by cheques and they have already done away with Electronic Fund Transfer (EFT) method. And last but not least Mr. Speaker;

VI. That each Ward shall receive its own cheques and that there shall be no matching of cheques going forward. Mr. Speaker, in conclusion, the Department has stated that Monitoring and Evaluation shall be enhanced to avoid cases of non-disclosure by beneficiary institutions. Mr. Speaker, I hope that the honorable Member who had requested for Statement has been duly answered.

Mr. Speaker, before I wind up, I would like to confirm to this honorable House that we already have a detailed copy of all allocations that were done in Turi and this copy shall be made available for the Hon. Member for Turi. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you, the Hon. Chairperson for Education, for that response. The Hon. Members for Turi Ward.

Hon. John Mwangi: Mr. Speaker I am satisfied; thank you.

The Speaker (Hon. Joel Karuri): Thank you. Next order; what is it the Hon. Members for Elburgon?

Hon. Njuguna Mwaura: Thank you Mr. Speaker; I arise because the Hon. Member sought the Statement on behalf of the House and that is why it was responded directly through the House and I believe the Statement response that has been issued by the Hon. Member for Murindat is not conclusive. Mr. Speaker, we also have the Ward Committees; those individuals who usually sit down for weeks without being paid and I believe that there were resources that was set aside which I believe it is 25 percent for each and every Ward that is supposed to be catering for their welfare as allowances.

The Speaker (Hon. Joel Karuri): The Hon. Members for Elburgon, you are introducing us to a new item because the request specifically was for the bursary disbursement for the FY2022/23 in Turi Ward. So now, there is issue now for the welfare or allowances for the Ward Bursary Committee. Now that needs to come as a substantive agenda or substantive request for Statement or any other form in this House so that it can be substantiated fully.

Hon. Njuguna Mwaura: Thank you Mr. Speaker; as Consolidated Fund, the one that goes to the students, goes to the students; but that allocation that he said of Kshs 2 million constitutes also the funds for the Committee, and that is why however you have given your ruling, also your wisdom in it, I believe that the Members ought to have also touched about those funds and the monies that were supposed to go to those individuals because it was part and parcel of the said Bursary Fund that the Hon. Member had raised in that question.

Mr. Speaker not only were they supposed to actually remit the funds to the school but also to pay the Bursary Committee so that we can say the whole process has been concluded. Thank you Mr. Speaker; however, I am obliged to abide by your ruling and perhaps by next week I will be seeking a Statement from him on the same but it would have been thorough, if we would have

come up with a conclusive document that would be touching on all those issues because you realise that we were to contribute on the same.

The Speaker (Hon. Joel Karuri): The Hon. Members for Elburgon... what is it Chair?

Hon. Peter Maina: Mr. Speaker, I have already tabled a thorough response with regard to the Statement that had been raised by the MCA for Turi and he is satisfied. I would like the MCA for Elburgon to confirm to this House whether he is the Deputy MCA for Turi.

(Laughter)

That is one. Secondly Mr. Speaker, it is important if the MCA for Elburgon is interested in this matter, he needs to go through this Report so that he does not prematurely question it. So it is only fair that he gets a copy for it because it is a huge document that we could not go through it. We do not have the luxury of time to peruse this document. It has more than 200 pages and it is only logical that he goes through it first and then he can question it later. Thank you, Mr. Speaker,

The Speaker (Hon. Joel Karuri): The Honourable Member for Turi.

Hon. Njuguna Mwaura: Mr. Speaker because the Members has mentioned me Mr. Speaker; it seems the Members even did not look at the particulars of the document because he has responded to something that he has not read. That is what he has confirmed and that one actually opened a Pandora box. However, I would wish to be supplied with a copy because even the chairperson did not read; he has actually summarised having gone through the whole report. However, I will abide to that I will read the document.

The Speaker (Hon. Joel Karuri): So that we put that to a close, the Hon. Chair for Education there is a serious allegation that you did not read that you just responded without taking so much attention or details to that. Did you read or what was that you were doing?

Hon. Peter Maina: Mr. Speaker I can confirm that I had gone through the whole Report and not just read but the entire Committee and we only did a summary of it. Whatever I read here as response was a summary of it and that is why I am suggesting we are generous enough to share copy with the Deputy MCA for Turi so that he can also have a chance to go through it.

The Speaker (Hon. Joel Karuri): The honourable Chair for Education, there is no Deputy Member for County Assembly of Turi. Kindly withdraw that.

Hon. Peter Maina: Withdrawn Mr. Speaker

The Speaker (Hon. Joel Karuri): Thank you; next order.

ADJOURNMENT

Hon. Members this House stands adjourned to 9.30 am on Tuesday next week.

The House rose at 4.05pm

