

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

THURSDAY, 31ST OCTOBER, 2024

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

THURSDAY, 31ST OCTOBER, 2024

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

PRAYER

PAPERS

1. THE ANNUAL REPORT OF THE FINANCIAL STATEMENT OF THE COUNTY ASSEMBLY OF BUNGOMA FOR THE YEAR ENDED 30TH JUNE, 2024

Hon. Joseph Nyongesa (Majority Leader): Thank you, Mr. Speaker. Allow me to table the Annual report of the financial statement of the County Assembly of Bungoma for the year ended 30th June, 2024.

(Hon. Joseph Nyongesa tabled the report)

Mr. Deputy Speaker: Hon. Members, the paper having been tabled it stands committed to the Committee on Labour for processing and report back to this Assembly.

Next,

QUESTIONS AND STATEMENTS

BUSINESS OF THE WEEK COMMENCING TUESDAY 5TH TO THURSDAY 7TH NOVEMBER, 2024

Hon. Johnston Ipara: Thank you, Hon. Speaker for the honour. Allow me take through the Members the weekly programme of the business of the County Assembly for the week commencing Tuesday 5th to Thursday 7th November, 2024.

Tuesday 5th November, 2024 at 2.30 p.m.

Papers

1. A report by the House Business Committee on the affairs of the County Assembly for the period June to September 2024 of the Third Session.

Notices of Motion

1. That this House adopts a report by the House Business Committee on the affairs of the County Assembly June to September, 2024 of the Third Session

Motion

1. A report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the operations of the County Rig
2. Report by Sectoral Committee on Labour Relations, Members Service and facilities on County Assembly Service Board for the period January to December, 2023.

Wednesday 6th November, 2024 at 9.30 a.m.

Motion

1. A report by the Sectoral Committee on Education and Vocational Training on the status of the Home Graft Centers in Bungoma County.
2. A report by Delegated County Legislation Committee on the Acts passed by the County Assembly

Wednesday 6th November, 2024 at 2.30 p.m.

Motion

1. A report by Powers and Privileges Committee on the complaint laid by Hon. Jerusa Aleu against Hon. Sheila Sifuma.
2. Report by Sectoral Committee on Education and Vocational Training on the need for establishment of Childcare centers in Bungoma County.

Thursday 7th November, 2024 at 2:30 p.m.

Questions and statements

1. A Member of House Business Committee pursuant to the provisions of Standing Order 47 (2) (a) will inform the House of the weekly business of the week to follow

Motion

1. Report by Powers and Privileges Committee on the Integrity Framework for Bungoma County Assembly.
2. A report by Justice, Cohesion and Legal Affairs Committee on the scrutiny of ethnic and diversity audit of the County Public Service.

That is the tentative programme for next week; I now lay on the Table.

Mr. Deputy Speaker: Thank you, Hon. Okasida for taking us through the business of the House for next week. Members, kindly you acquaint with the businesses of the House for next week.

Next,

MOTION

REPORT BY SECTORAL COMMITTEE ON LANDS, URBAN, PHYSICAL PLANNING AND HOUSING ON 10 LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLANS LAID ON THE TABLE OF THE HOUSE ON 3RD JULY 2024

Hon. Francis Chemion (Chairperson, Lands): Thank you, Mr. Speaker. I rise to move a report by the Committee on Lands, Urban, Physical Planning, Housing and Municipalities on the 10 local physical and land use development plans laid on the Table of the House on 3rd July 2024.

PREAMBLE

Urban landscapes are ever-changing, influenced by factors like population growth, economic activities, and environmental concerns. Land use development plans provide a strategic framework for sustainable urban growth. It adopts an integrated approach to development by prioritizing the needs of the planning area and formulating appropriate strategies for their implementation. Development plans focus on compact development model where developments are concentrated in the Urban areas leaving the hinterlands to flourish as agricultural lands.

Urban land use and development planning offers the following benefits;

- i. Limits Urban sprawl
- ii. Controls development within the Urban core as well as the hinterlands
- iii. Promotion of functional Urban form
- iv. Improved quality of livelihood for Urban residents
- v. Protection of the rich agricultural lands
- vi. Emphasis on vertical development and minimizing horizontal spread
- vii. Sustainable economic livelihoods
- viii. Proper waste management
- ix. Improved infrastructure and road network circulation
- x. Environmental sustainability e.g. mainstreaming of climate change

This report is about the scrutiny of ten local physical and land use development plans, listed below, that offers a comprehensive overview of the foundational elements necessary for effective urban development;

- 1) Local physical and land use development plans for Kimilili Municipality, 2023-2033
- 2) Local physical and land use development plans for Kapsokwony Town, 2023-2033
- 3) Local physical and land use development plans for Naitiri Town, 2023-2033
- 4) Integrated strategic urban development plan for Bumula Urban Centre (2023-2033)
- 5) Integrated strategic urban development plan for Cheptais (2023-2033)
- 6) Integrated strategic urban development plan for Chwele Urban Centre (2023-2033)
- 7) Integrated strategic urban development plan for Tongaren Urban Area (2023-2033)

- 8) Integrated strategic urban development plan for Lwakhakha Urban Centre (2023-2033)
- 9) Integrated strategic urban development plan for Sirisia Urban Centre (2023-2033)
- 10) Integrated strategic urban development plan for Bridgadier Urban Centre (2023-2033)

Each plan begins with a clear identification of existing challenges, ranging from infrastructural deficiencies to social inequalities. The objectives for each plan were established, guiding the planning process towards desired outcomes such as environmental conservation and economic growth. Stakeholder concerns were carefully considered both by the department and the committee, ensuring that diverse perspectives are integrated into the planning process. Further, the plans contain Visions and missions providing a compelling narrative for the future of the urban area, while principles of spatial planning govern the rational allocation of resources. The best practices, drawn from international experiences, were incorporated to optimize strategies and interventions. Through this holistic approach, these urban plans strive to foster sustainable, inclusive, and resilient urban development, with a continuous monitoring and evaluation tools essential for adapting to evolving challenges.

NEED ASSESSMENT FOR PLANNING

The foundation for the preparation of the local physical and land use development plans is provided for in the Constitution of Kenya 2010, the County Governments Act 2012, the Urban Areas and Cities Act 2011(Amended 2019) and the Kenya vision 2030 and its medium-term plans. The ten plans cover the year (2023-2033), a ten-year integrated Geographical Information System based plans prepared to provide a spatial framework to guide development within the territorial jurisdiction/boundaries of the said urban areas.

Physical Land planning is key in the realization of the potential of the areas concerned including providing interventions to the myriad development challenges affecting them. It also seeks to give guidance on the physical and land use planning, surveying and development control, engineering, water and transport services and disaster management.

The plans were last prepared in the year 2015 under the old (Physical Planning Act Cap 286) of 1996 which has since been repealed. Currently, the new law is the Physical and Land Use Planning Act of 2019. Secondly, the initial plans were also not approved as required by law as they were caught in between the repeal of the old planning law and the enactment of the new one hence the need to review, update and align the plans with the new planning law and to have the same approved by the County Assembly as required by the law.

LEGAL FRAMEWORK

The Municipality of Kimilili, Kapsokwony, Naitiri Towns and the seven Urban Areas of Sirisia, Bumula, Lwakhakha, Cheptais, Brigadier, Chwele and Tongaren are decentralized units of service provision established pursuant to the provisions of Articles 176(2) and 184 of the Constitution of Kenya 2010, the Urban Areas and Cities Act 2011(amended 2019) and Section 48 of the County Governments Act, 2012.

Section 107(1) of the County Governments Act, 2012 provides that, to guide, harmonize and facilitate development within each County, there shall be the following plans-

(a)County Integrated Development Plan;

(b)County Sectoral Plans;

(C)County Spatial Plans; and

(d)Cities and Urban Areas Plans as provided for under the Urban Areas

The said County plans shall then, be the basis for all budgeting and spending in a County.

A City, or Municipal Board or a town committee shall, pursuant to the provisions of section 110 of the County Governments Act, 2012 and at the end of every ten years review the plan to assess its performance in accordance with performance management tools set by it, and may amend the plan where it considers necessary.

PROCEDURE FOR APPROVAL OF A LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN

Under the Urban Areas and Cities Act, 2011(amended 2019), a Board of a city, Municipality or town committee as the case may be, shall, within the first year of its election, prepare and adopt a single and inclusive physical and land use development plan for the development of the city or urban area for which it is responsible.

A local physical and land use development plan adopted by a Board of a city ,a municipality or a town may be reviewed or amended at the expiry of a ten year period(see section 110 County Governments Act,2012) or shall remain in force until a new urban area or city development plan is adopted by the succeeding Board, but the incoming City, Municipality Board or a town Committee shall ensure that there's seamless provision of key services and uninterrupted implementation of viable projects to the residents of the city or urban area.

A City or urban area shall upon adoption of the plan-

- a) Give notice of the adoption of the plan to the public in such manner as the Board or a town Committee may determine;
- b) Inform the public that copies of or extracts of the plan are available for public inspection at prescribed places; and
- c) Provide a summary of the plan.

SUBMISSION OF THE PLAN TO THE GOVERNOR

The City, Municipality manager or administrator shall then submit to the County Executive Committee, a copy of the plan as adopted by the Board or Committee within a reasonable period upon adoption.

The copy of the plan submitted to the County Executive Committee shall be accompanied by-

- (a) a summary of the process of its formulation plan provided by the Act; and
- (b) a statement that the process has been complied with, together with any relevant explanations that may be necessary to clarify the statement.

The County Executive Committee shall, within thirty days of receipt of a copy of the plan-

- (a) Consider the plan and make necessary recommendations; and
- (b) Submit the plan to the County Assembly for its approval.

The County Executive committee, upon receipt of the plans, shall Gazette/publication in at least two newspapers of national wide circulation and through vernacular radio stations as envisaged under sections 87 and 91 of the County Governments Act, 2012.

Notice of plan completion issued pursuant to section 49(1) of the Physical and Land use Planning Act, 2019 dated 3rd January, 2023 was duly given by the CECM-Lands (see extracts of the Daily Nation Newspaper and Taifa Leo both dated Thursday, 5th January, 2023 respectively).

The committee did public participation by putting the advert for the public to submit views on the ten plans, herein attached, in a newspaper of nationwide circulation as envisaged under section 87 and 91 of the County Government Act, 2012. When the time for submitting documentation was complete, the committee also invited the department to submit on the plans of which they did and their views considered by the committee.

MANDATE OF THE COMMITTEE

The Sectoral Committee on Lands, Urban, Physical Planning and Housing derives its mandate from the provisions of Standing Order 213(5) of the Bungoma County Assembly Standing Orders which defines its functions as to:

1.6 COMMITTEE MEMBERSHIP

The current composition of the Committee on Lands, Urban, physical Planning and Housing is as follows:

1.	Hon. Francis	Chemion	Chairperson
2.	Hon. Linda	Kharakha	Vice/Chairperson
3.	Hon. Ali	Machani	Member
4.	Hon. James	Barasa	Member
5.	Hon. Metrine	Nangalama	Member
6.	Hon. Sudi	Busolo	Member
7.	Hon. Henry	Nyongesa	Member
8.	Hon. Eunice	Kirui	Member
9.	Hon. Edwin	Opwora	Member
10.	Hon. Wafula	Waiti	Member
11.	Hon. Mildred	Barasa	Member
12.	Hon. George	Makari	Member
13.	Hon. Cornelius	Makhanu	Member
14.	Hon. Jeremiah	Kuloba	Member
15.	Hon. Polycarp	Kimeta	Member

ACKNOWLEDGEMENT

I take this opportunity to thank the Office of the Hon. Speaker and that of the Clerk to the County Assembly of Bungoma for the support the committee received as it

discharged its mandate. I further extend my appreciation to committee members for dedicating their time to examine the ten physical and land use development plans.

Lastly, I would also like to appreciate the members of the secretariat for offering the necessary technical support to the committee while developing this report.

It is therefore my pleasant duty and privilege, and on behalf of the Hon. Members of the committee on Lands, Physical Planning and Municipalities to move this report and recommend it to the Assembly for consideration and adoption.

Report signed by Hon. Francis Chemion Masai Chairperson Lands, Urban Physical Planning and Housing committee

CONSIDERATION OF THE TEN LOCAL PHYSICAL LAND USE AND DEVELOPMENT PLANS

One of the functions of a committee under Standing Order 217(5)(d) of the Bungoma County Assembly Standing Orders shall be to- *Study and review all County legislation referred to it.*

Consequently, the ten Local Physical and Land Use Development Plans were forwarded to the County Assembly on 22nd January, 2024, and 3 plans were tabled on the 20th February, 2024 and 7 Plans tabled on 9th April 2024, subsequently they were all committed to the Sectoral Committee on Lands, Urban, Physical Planning, Housing and Municipalities for processing.

OVERVIEW OF THE PROPOSED PLANS

The plans aim at regulating land use in the respective areas by targeting the Urban core and the hinterlands. They give direction on Land Use for an orderly development hence eliminating conflicts. The plans have set aside land for commercial land use, residential land use (High, Medium and Low Density), mixed land use, Agricultural land use, Public utility and public Purpose. The plans are a medium term ten-year plan running from 2023- 2033. They are a blue print meant to guide growth and development of respective areas. They are expected to have five-year mid-term reviews to observe the development pattern and to take into account any arising issues so that necessary adjustments may be made.

SITUATIONAL ANALYSIS

The situational analysis of all ten urban plans revealed a thorough consideration of key factors essential for sustainable urban development, leading to their unanimous merit for approval. Each plan meticulously examined the location of the planning area, recognizing its geographical context and physiographic dynamics. By understanding the unique features and constraints of the landscape, planners were able to tailor interventions that harmonized with the natural environment while addressing local needs.

Moreover, a keen assessment of population and demographic trends provided critical insights into evolving societal dynamics, informing decisions related to housing, employment, and social services. By anticipating future demographic shifts, planners could proactively design infrastructure and amenities to accommodate changing needs and preferences, thus ensuring the long-term viability of the urban area.

Land and land uses were carefully analyzed to optimize spatial efficiency and resource allocation. This entailed balancing competing demands such as residential, commercial, industrial, and recreational uses while safeguarding valuable ecosystems and green spaces. Infrastructure utilities, including transportation networks, water supply systems, and waste management facilities, were strategically planned to support urban growth and enhance connectivity, accessibility, and resilience.

Significant was the consideration of social amenities, recognizing their pivotal role in enhancing quality of life and fostering community well-being. From schools and healthcare facilities to parks and cultural institutions, the provision of essential services was integrated into the fabric of the urban plan, promoting social cohesion and equitable access for all residents.

Furthermore, energy considerations were paramount, with plans incorporating strategies to promote energy efficiency, renewable energy sources, and resilience to climate change impacts. By prioritizing sustainable energy solutions, planners aimed to reduce carbon emissions, mitigate environmental degradation, and enhance the resilience of urban infrastructure.

Lastly, the inclusion of SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis provided a holistic framework for assessing the internal and external factors influencing urban development. By identifying strengths to leverage, weaknesses to address, opportunities to seize, and threats to mitigate, planners were able to formulate robust strategies that capitalized on the urban area's potential while mitigating risks and challenges.

ZONING POLICIES, DEVELOPMENT PROPOSALS AND STRATEGIES

All ten plans meticulously incorporated a range of proposed zoning policies tailored to various facets of urban development. These policies encompassed residential development, central business district (CBD) revitalization, industrial growth, educational infrastructure, environmental conservation, transportation enhancement, and agricultural sustainability. Each plan recognized the significance of these zoning policies in shaping the urban landscape and fostering sustainable growth.

Furthermore, development proposals and strategies were precisely crafted to translate identified development potentials and opportunities into tangible, beneficial activities. These initiatives aimed to leverage the strengths of each locality while addressing existing challenges. Examples included sensitizing mixed-income housing to promote social inclusivity, revitalizing CBD areas to stimulate economic activity, streamlining permits for industrial growth, allocating land for educational institutions to foster innovation, implementing green infrastructure to preserve natural resources, improving public transportation to enhance mobility, and supporting urban agriculture for food security.

By aligning zoning policies with targeted development proposals, the plans aimed to unlock the latent potential of urban areas, catalyzing positive transformation and sustainable progress. Through proactive planning and strategic implementation, these initiatives sought to create vibrant, resilient communities that offer quality of life and opportunities for all residents.

ANALYSIS OF LAND SIZE, LAND TENURE AND LAND USE

Land Tenure System

Land tenure is a system through which land rights are determined and documented. There are different land tenure systems in Kenya but in general, land in Kenya is classified as public land, private land and community land. In most centers, most of the land is private hence under freehold tenure. The freehold tenure system poses difficulties in enforcing regulations on land and it is one of the major causes of unregulated land subdivision.

Land Size

The rapid urbanization and population increase are some of the major reasons of unregulated land sub-division leading to emergence of uneconomical sizes hence uneconomical plots with poor or no infrastructural facilities. The average land size held in all the 10 physical plans is 0.5 acres.

Land Use

Land use is the term used to describe the human use of land ([human-environmental interaction](#)); how society uses and modifies the land to suit its needs. It represents the economic and cultural activities (e.g., agricultural, residential, industrial, mining, and recreational uses) that are practiced at a given place. Public and private lands frequently represent very different uses.

Humans use the land provided by the natural environment, but humans also modify the land, thus human interaction with the environment takes place. The use of land is determined both by physical factors such as topography, climate, soil types as well as human factors such as population density, technological capability and culture and traditions etc.

Land use is extremely important to society. The way that land is used (or left unused) signifies the needs of society and whether or not these needs are adequately met. This means that the planning and management of land use are highly significant, as it ensures problems do not occur.

Some of the land use proposals in the affected areas of concern in this report include:

No.	Land Use Type	Explanation	Example
1	Agricultural	This is altering the land to produce varying agricultural products for human consumption, such as growing crops or keeping livestock.	Wheat field, irrigation schemes, fish ponds
2	Industrial	Industrial land use includes the production and manufacturing of different goods, it includes large-scale sites.	Factories.,
3	Commercial	Commercial land use is converting land to be able to sell goods and services.	Shopping malls,

4	Residential	Residential land use involves the building of properties to live in.	Housing estate.
5	Recreational	This is converting land for human enjoyment, such as parks, open spaces	Stadiums.
6	Transportation	Transportation land use is altering the land for various transportation methods.	Roads, highways, plane runways, railways, parking,
7	Public utilities	Improvement of waste coverage, water loses, standardize the drinking water	Water supply schemes, liquid waste disposal, solid waste disposal
8	Public purpose	Public purpose facilities such as sub-county offices, health facilities, community facilities, religious institutions cemetery and law courts	health facilities, community facilities, religious institutions cemetery and law courts
9	Educational	Provision and upgrading of learning facilities	ECDE centres, nursery, primary, Secondary, schools and VTC

LAND USES FOR THE TEN PLANS

TONGAREN PLAN

Residential Land Use

Residential land use includes government housing and other previously designated areas (Approved plan of 1966). The planning area has dilapidated government housing behind the open-air market. The high-density zones are found in the hinterland to the centre while the low density ones on the core.

Industrial Land Use

There are no major industries in the centre occasioned by inadequate human and financial resources.

Educational Land Use

In the planning area learning institution include primary, secondary schools and tertiary institutions.

Recreational Land Use

This land use comprises of green spaces as well as built up areas for use for recreational purposes such as resorts, parks, arboretum, nature trails, and beaches among others. Within the planning area this land use is under provided apart from open fields for public gatherings but there are no designated areas for recreation.

Public Purpose Land Use

This comprises of particularly institutions for use by the public or rather institutions that offer services to the public.

It includes the public administration offices, health care services, community Centre, fire stations, public library, post office and religious institutions. These services are under provided within the planning area.

Commercial Land Use

Commercial developments follow communication routes and some are located at the core of the planning area. The planning area has a designated open air market without a livestock auction ring.

Public Utility Land Use

Public utilities land use, is a land use that provides essential services or facilities that support human life that include water reticulation, sewerage, garbage collection, Electricity/power, communication, holding grounds, Cemeteries etc. Within the planning area, these services are underprovided hence the need to plan for them by providing space and way leave for their provision.

Transport Land Use

The center is located off the Misikhu –Naitiri – Brigadier Road which is in good condition. The other roads in the planning area are earth roads that are in poor condition and lack proper drainage infrastructure. The planning area has a designated bus terminal. Motorcycles (*bodaboda*) are the most common means of transport.

Undeveloped/Deferred Land Use

This is a land use where land is set aside for future use for example for expansion of a given land use. The planning area has not provided for this hence the need for the same to be addressed by the plan.

Agricultural Land Use

Agriculture is the main economic activity and it contributes to about 80% of the total household income in the planning area. Most of the land in the hinterland is under agriculture. Farm holdings range from small to large farms growing a variety of food crops, cash crops and livestock. Tongaren centre is known for its maize production and dairy farming.

BUMULA PLAN

Residential Land Use

This comprises of housing land use. The pattern of human settlement in the planning area is linear. The settlements have been established along Mateka-Bumula-Myanga road which cuts across the planning area. Conversely the road from Bumula – Bunambobi has influenced the settlement pattern.

Industrial Land Use

This land use comprises of value addition enterprises; which includes both processing and manufacturing. Within the planning area there are no industrial activities despite having the potential due to availability of land and labour.

Educational Land Use

This land use for learning facilities and their land allocation depends on the age and population of the learners. In the planning area learning institution include primary, secondary schools and tertiary institutions (KMTC).

Recreational Land Use

Within the planning area this land use is underprovided apart from the open ground in between the administration offices and the sub-county hospital. The residents also tend to utilize open fields/play grounds within the learning institutions; however, this only happens during holidays, hence the need to designate specific area for recreational purposes within the planning area.

Public Purpose Land Use

Public purpose land use includes the public administration offices, health care services, community Centre, fire stations, public library, post office and religious institutions. This is underprovided as some of the services like library services are not available.

Commercial Land Use

This land use comprises of trade related aspects which includes shops, kiosk, malls, hotels, various profit-making enterprises, among others. It is important to note that the planning area has adopted linear type of development which needs to be discouraged as it leads to high cost of service provision especially infrastructure meant to boost commercial activities.

Public Utility Land Use

Within the planning area, essential services or facilities that support human lives are underprovided hence the need to plan for them by providing space and way leave for their provision. These services include water reticulation, sewerage, garbage collection, Electricity/power, communication, holding grounds, Cemeteries etc.

Transport Land Use

The main mode of transport within the planning that will need to be planned is the road transport. The plan shall provide for hierarchy of roads with adequate road reserves for future expansion as provided by law within the planning area.

Undeveloped/Deferred Land Use

The planning area has not provided for this land use hence the need for the same to be addressed by the plan.

Agricultural Land Use

This is a land use that provides for areas within a planned area for agricultural activities. This use comprises of land set aside for both livestock and crop farming in the area.

CHWELE PLAN

Residential use

Residential use is very crucial to the development of Chwele as a commercial hub of the county. This Urban Centre also acts as a dormitory Urban Centre for people working in Sirisia and Mt. Elgon areas.

Honourable Speaker, I am very sure you have heard that term, that Chwele acts as a dormitory for the people of Mt. Elgon and Sirisia. It's a dormitory; they sleep there most of the time.

Mr. Deputy Speaker: Honourable Masai, you have to read what is there, someone will come to elaborate. You read what is written.

Hon. Francis Chemion: I have read that this urban Centre also acts as a dormitory for people working in Sirisia and Mt. Elgon areas and therefore there is need to provide for their residence. The plan proposes housing for the county government and national government. The upper part of the Urban Centre towards Sirisia is zoned for low density while lower parts are zoned for mixed densities.

Industrial use

Since Chwele is basically an economic and residential Urban Centre, the plan limits the location of industries within the Urban Centre boundaries to light and processing industries. The existing Chwele chicken slaughterhouse will be expanded and a cattle slaughter house put up within the area. The land surrounding the coffee factory will also be set aside for food processing factories due to easy availability of water and a strategic place to the offloading of agricultural products.

Education use

Upcoming of private institutions within this Urban Centre is on the rise due to demand but there is need to regulate them to ensure they follow planning standards. The plan proposes that schools that are within the CBD and do not have enough land for expansion should be relocated to areas that are within rich of Urban Centre but have enough space for expansion. Public schools land needs to be clearly demarcated and fenced to prevent encroachment.

Recreation use

The plan proposes a stadium along Sinandiki road; this land is within the Urban Centre, flat and not developed making it suitable for a stadium. It will also serve as an open space for large gatherings such as political rallies and church crusades and in turn it will earn the county revenue. The area behind the health centre which is marshy should be reclaimed and landscaped so that it can be used as a public park; this area has a small dam that can also be used for amusement purposes. The plan also encourages planting of trees and beatification of the streets to encourage walking.

Public purpose

Chwele is an administrative headquarters of Kabuchai sub-county and also hosts the deputy county commissioner. This plan proposes that land be set aside where the current cattle deep is for establishment of county offices, social hall and public library. In addition, the county should also put up another public library in Busakala primary to cater for the residents of that area.

Commercial use

This plan envisions Chwele as the commercial hub of the county and considerations should be put into place to improve the status of the Urban Centre.

Public utilities use

This plan proposes a public sewer due to expected densification and oxidation ponds located near river Chwele. Trees should be planted around the area to act as a buffer zone, the market area to have a public toilet that is well maintained, several waste collection points should be provided within the center and the county should collect regularly and dispose it off at the designated dumpsite. Enough space (6m) shall be left in between plots to act as service lanes for utilities such as sewer and water pipes

Transport use

Mr. Deputy Speaker: It's okay; our sergeants are removing some branch from the palm tree. It's just a branch that is so beautiful. Proceed, it's just part of the beauty of nature!

Hon. Francis Chemion: Thank you Hon. Speaker.

Mr. Deputy Speaker: You know Hon. Kawa is very afraid. I did not know that he is such a coward but we proceed!

Hon. Francis Chemion: Transport use

The plan sets aside land opposite the Chwele market to be developed into a bus terminus to remove on-street parking. Roads linking to this area should be opened up to ensure smooth flow of vehicles in and out of the terminus. The plan further proposes a Non-Motorized

Transport (NMT) parking off Chwele-Mukuyuni road where Donkeys will terminate their journeys.

Agriculture use

The plan recommends the practice of agroforestry with focus on trees that have economic value.

Public Utility

The plan has designated land for the public utilities due to the fact that they are inadequately provided for. With the growing population in the planning area due to the anticipated growth of the center, much pressure will be put on the existing utilities leading to their detriment unless they are upgraded.

CHEPTAIS PLAN

Residential Use

Residential settlements are scattered at various densities in Cheptais centre. Majority of the residents live in their own farms where they also practice farming. Several rental houses are located at the centre while other residential developments are located behind the commercial buildings.

Industrial Land Use

Cheptais centre has a slaughter slab that serves the residents within and beyond the planning area.

Coffee factories located at the periphery of the planning area, along Cheptais-Chwele road, serves the coffee farmers within the region. The centre has also other light industries scattered at different locations e.g. fuel pumps, workshops, Jua Kali artisans etc.

Educational Use

This use comprises of learning institutions. It includes primary, secondary and tertiary institutions.

Recreational Use

The land initially earmarked for the stadium has a vocational training center, therefore there's need to acquire land for the construction of a stadium, resource centre, public library and green parks.

Public Purpose

The centre being the Sub County's headquarters accommodates health institutions, administrative facilities, community centers, places of worship, post office, among others.

Commercial Land Use

The commercial activities are concentrated along the major roads forming a linear pattern. Majority of the activities are at the junctions, which includes, retail outlets, street traders and eateries.

Public Utility Land Use

This use includes infrastructure that promotes conducive living, it includes water supply, electricity supply, storm water drainage channels and sewer infrastructure.

The center lacks a sewer system.

Transport Land Use

Transportation includes all land under highways, roads, and footpath networks, vehicle parking, and bus terminals. The centre has a good road network linking it to other centres, such as Chepkube, Lwakhakha, Chwele, Sirisia, among others. The centre has no designated public service vehicles station. Matatus and Bodaboda are the most common means of transport. The centre is mostly served by earth roads, with most being in poor conditions.

Agricultural Land Use

Agriculture is the main economic activity and it contributes to about 80% of the total household income in the area. Most of the land in the area surrounding the centre is under agriculture. Farm holdings range from small to large farms growing a variety of food crops (maize, beans, potatoes, tomatoes, onions etc) cash crops (tea, coffee) and livestock. Cheptais centre is known for marketing farm produce.

BRIGADIER PLAN

Commercial Land Use

The commercial activities are concentrated along the major roads forming a linear pattern. Majority of the activities are at the junction and they include retail outlets, street traders and eateries. The designated open air market day is Sunday.

Residential Land Use

Most of the residential developments in the centre are located behind the commercial buildings.

Industrial Land Use

There are no major industries in the centre although there are few light industries e.g. fuel pumps, workshops etc.

Transport Land Use

The center is located at the junction of Misikhu-Naitiri -Matunda and Soy-Ndalu - Kiminini roads hence the name Makutano. Growth of the centre is partly because of its location at the

junction which links it to other centres in the region. The centre has no designated public service vehicles station. Matatus and Bodaboda are the most common means of transport.

Access roads are also in poor condition.

Agricultural Land Use

Agriculture is the main economic activity in the region. Maize and sugar cane farming is dominant in the area although there is also dairy farming and bee keeping.

LWAKHAKHA PLAN AREA

Residential use

Most of the residential developments in the centre are located behind the commercial buildings.

Commercial use

Cross-border trade is predominant within the planning area. This is depicted by the presence of both open and closed air markets initiated by the County Government of Bungoma. Some of the shops operate on a 24 - hour basis despite lack of security lights. Other commercial activities include eateries and retail shops. This is a sector that has a lot of potential if the town will grow into a full border town.

Agricultural Use

The Centre is found within a rural setup where agriculture is the dominant land use. Apart from the narrow stretch along the road (commercial zone), the rest of the land within the 2 Km radius is under agriculture. The main crops include; Maize, beans, bananas and Irish potatoes. Animal husbandry is for subsistence purposes because people use local breeds that are less productive.

Industrial Use

The industrial potential of the centre remains untapped due to lack of investment in the processing industry. Coffee farmers from the area take their coffee to Mayekwe coffee factory.

Transport Use

Due to its location along a major transport corridor, (Kenya, Uganda and Southern Sudan) Lwakhakha's development is greatly influenced by the transport network. Upgrading of Chwele – Lwakhakha road to bitumen standards has enhanced the planning area as a border point.

Public Purpose Use

Public purpose uses in the planning area include health and social hall in the area.

SIRISIA PLAN

Residential use

The plan designates the residential areas in the planning area into three zones; low, Medium and high-density areas. Low density areas will be along the road to Sibanga behind the Mayuba stadium and the area at the back of the Deputy County Commissioner residence. This is to allow for minimal land sub-division for conservation of the fragile environment. High density will be along the road to Malakisi which is relatively flat while the other residential areas will be medium density. Other areas beyond the planning area shall be of low density residential to allow agricultural activities.

Industrial use

The plan proposes to promote creation of employment through value addition on agricultural products and the Jua kali industry. The current area where the coffee factory is has been zoned for industrial use while the area off Lwakhakha road has been set aside for Jua kali and light industries.

Educational use

The plan proposes to enhance the environment of Sirisia Township Primary school by removing the shops in front of the school. It further proposes additional 2 acres of land so that the school can have enough land as per the planning requirements.

The plan also sets aside land for its development at Kasiamo area. It further proposes to set aside land at Kasiamo for development of a university campus.

Recreational use

There is need to fence off Mayuba Stadium to prevent encroachment and trespassing. A standard stadium should be constructed as per international standards.

The plan proposes the area around Sirisia dam be developed into a recreational park complete with a management structure.

Public purpose use

Sirisia Sub County hospital has enough land for development. The County Government of Bungoma should therefore construct more labs, casualty wing, pediatric wing, a morgue and staff housing.

The existing land is enough for development of a fully-fledged police division in the area.

Commercial use

Most of the commercial land use shall be sited along the main roads traversing through the planning area for easy access.

Public utilities

The plan proposes construction of sewer line and oxidation ponds along river Ndakaru. The oxidation ponds will be zoned off by a buffer of indigenous trees to improve the aesthetics of the area and also prevent bad odour from reaching residential homes.

Strategic location of waste collection points within Sirisia urban area shall be constructed and emptied regularly into the public dumpsite. The plan proposes a biogas plant within the planning area.

Transport use

The plan proposes opening of blocked roads within the planning area as well as tarmacking access road in the urban centre. The plan further proposes provision of shades for the boda boda operators at strategic points.

Agricultural use

The plan proposes that 10 per cent of Agriculture land to be under tree cover.

NAITIRI PLAN

Residential Land Use

This land use is depicted in areas around commercial nodes including Naitiri Town, Lungai centre and Nasianda and Nyange markets.

Industrial Use

This land use manifests itself as both light and heavy industrial developments. Major industrial investments include the milk cooling plant within Naitiri Town, West Kenya Sugar Factory towards Sikhendu and petrol filling stations also within the Town.

Educational Land Use

89.7% of the residents of the planning area stated that they have access to educational facilities whether pre-primary, primary, secondary or post-secondary.

Some of the most reachable institutions include Bungoma North Technical Training, Lukhokhwe primary, Maliki Boys, Nabing'eng'e Institute, Nabing'eng'e primary and secondary, Naitiri Boys High school, Naitiri Girls Secondary, Naitiri Township primary, Nyange DEB Primary, St. Erastus School, St. Joan Sango Primary, Bishop Wabukala Primary and Kewa DEB Primary.

Recreational Land Use

96% of residents of the planning area have no access to recreational facilities. For the few who do, the most reachable and accessible facility was identified as the Naitiri RC football pitch that is within the boundaries of Naitiri RC Primary School. Existing forest are private and have entry into the areas restricted. Existing wetlands, rivers and streams are not well protected and conserved to serve as recreational facilities.

Public Purpose Land Use

This land offer services for the good of the public. They include health facilities, religious areas and centres, government offices among others. The planning area boast of a number of these facilities.

Commercial Land Use

From the study undertaken, Naitiri Town is the major commercial point in the planning area with other notable commercial nodes comprising of: Nasianda, Nyange and Nabing'eng'e Markets and Lungai Centre.

The major activities within the commercial nodes include trading of agro based products including cereals, hotels and shops. Naitiri Town has a designated market area and major challenges facing these commercial nodes particularly Naitiri Town is the absence of business shades, inadequate access to basic amenities such as clean water, clean sanitary facilities and proper waste management areas.

Public Utility Land Use

This land use comprises aspects relating to waste management with reference to both solid and liquid waste, energy sources and usage, water sources and connectivity. Most residents use borehole water with the main source of energy being firewood and charcoal which are not environmentally friendly.

Transport Land Use

This land use examines mode and means of transportation as well as their adequacy and reliability. The major transportation routes are the road from Naitiri-Sikhendu, Naitiri-Mukuyuni, Naitiri-Misikhu, Naitiri-Turbo and Naitiri- Tongaren. All these roads are earth roads except for Naitiri-Tongaren road that is presently being upgraded to tarmac. The use of roads was identified as the most common mode of transport.

Agricultural Land Use

This land use represents land that has been deferred or whose use has not been presently determined. This land use forms the largest percentage within the planning area as compared to the other land uses.

Agricultural activities comprises of both crop growing and animal keeping. Some of the crops grown include maize and sugarcane while animals kept include cows and also poultry such as chicken.

KAPSOKWONY PLAN

Commercial Land Use

Commercial land uses within the planning area are concentrated in existing urban nodes i.e. Kibuk, Kapsokwony CBD and Kimobo areas and along major transport routes forming a linear pattern of development. The area also has a designated market area characterized by stalls. Most of the stalls are dormant because the residents still prefer to sell their products along the roads for easier access to customers.

Industrial land use

Quarrying activities dominate the planning area as it hosts three major quarry sites. The quarries produce the construction stones that are used locally while some are transported to neighboring counties. Kapsagisio coffee factory is also found within the planning area

Public purpose land use

Land use involves public institutions like health facilities, religious facilities, police stations and other administration offices. Public purpose land use is concentrated within the town's CBD area. The centralization of public purpose facilities is mainly to facilitate easier access by the residents hence facilitating efficient service to a wider population margin. Public purpose land use covers a total of 17.14Ha which is equivalent to 0.34 % of the planning area

Educational Land Use

In relation to other land uses in the planning area the educational land use covers an approximate area of 31.02 Ha which is about 0.74% of the total land in the planning area. Educational facilities are distributed evenly within the planning area with a large number of the residents stating that they have adequate access to educational facilities.

Recreational Land Use

Forms the second largest land use cover within the planning area at 31.33% of the total land, this is mainly due to the presence of large forested areas within the area consisting of Mt. Elgon Forest and Kapsokwony Escarpment. Recreational facilities within the area are inadequate with almost 100% of the residents stating that they have no access to recreational facilities.

Transport and Utilities use

Land use covers approximately 1.03% of the total land in the planning area amounting to approximately 51.5Ha. Public utilities include service delivery facilities like water points,

sewer treatment plants, garbage collection points and power production and distribution points. Public utilities in the area are limited mainly due to the fact that they lack a designated dumpsite, there are very few garbage collection points and not all households have access to piped water system. The area lacks a sewer system and the drainage facilities are in poor condition. On the other hand transport in the area is mainly by road. The CBD area has a well-developed transport network connecting it to the hinterlands. Despite the presence of a good transport network, some of the roads need interventions.

Agriculture Land Use

Agriculture is the main economic activity in the area. It is the main driving force behind the economy of the town.

KIMILILI PLAN

Residential Land Use

The current scenario in the Municipality indicates that there are no clear cut residential zones as evidenced by the conflicting housing typologies. The proposed plan recommends a clear zoning of residential areas with much emphasis on density, type and standards and guidelines for the developments.

The proposed residential land use covers an area of 687.94Ha. The proposed residential zones take into account the existing residential land uses, compatibility with surrounding land uses as well as future housing demands in the Municipality.

Industrial Land Use.

The plan seeks to promote industrial development in Kimilili Municipality by optimizing its industrial potential. This is made possible by the availability of locally produced raw material that will greatly reduce the cost of production. The total area assigned for industrial land use is approximately 22.05Ha.

Recreational land use

The plan allocates a total of 17.45Ha for recreational use with additional land for 10m riparian reserves along the rivers and streams in the Municipality. The plan sets aside a riparian reserve of 10m along Rivers Sosio, Kimilili and Kibingei. This will be accompanied by planting of appropriate trees and shrub species to control siltation into water bodies.

The plan also recommends the establishment of open space at the former Amutalla stadium. This is because the Amutalla stadium does not meet the land size requirement for a standard sports stadium thus the conversion to an open space. The space is also strategically located within the Municipality making it ideal for the recommended use.

Commercial land use

The proposed commercial zone is intended to encourage economic vitality in the Municipality through businesses, investment, redevelopment, and efficient use of land; encourage safe and comfortable access for pedestrians, transit, and motorists; Encourage attractive mixed-use development, affordable housing, and a variety of commercial uses; and foster a sense of place and community and at the same time be sensitive to the surrounding land uses

The plan maintains Kimilili CBD as the main commercial centre in the Municipality. Additionally, it creates other commercial nodes within market centres that will offer low order services and ease congestion in the CBD area. These nodes include: - Kamasielo, Kamutiong', Maeni, Bituyu and Bahai markets.

Agriculture land use

The plan is in cognizant of the fact that agriculture plays a huge role in the economic development of the Municipality therefore it makes effort to conserve the available agricultural land in the area.

Although most of the lands forming the hinterlands have been proposed for agricultural use, very low density residential developments are allowed. This concept promotes household farming where a large part of the farming land is used for agriculture while the farmer occupies the least part.

3.1 PROPOSED DEVELOPMENT ALTERNATIVES

The evaluation of development alternatives across all ten urban plans revealed a consistent consideration of both "Nil intervention" and "Proposed intervention" scenarios. This dual approach underscored a commitment to comprehensive analysis and strategic decision-making, ensuring that a range of options were explored to address urban challenges effectively.

The "Nil intervention" scenario served as a baseline for comparison, reflecting the potential consequences of maintaining the status quo without any deliberate intervention. Through examining the trajectory of urban development in the absence of proactive planning measures, planners were able to identify existing vulnerabilities, anticipate future risks, and highlight the imperative for proactive intervention. This scenario also provided valuable insights into the potential social, economic, and environmental impacts of inertia, underscoring the urgency for proactive planning and policy action.

Conversely, the "Proposed intervention" scenario presented a vision for transformative change and sustainable development. Drawing upon the findings of situational analyses and stakeholder consultations, planners articulated a strategic framework comprising targeted interventions and policy measures aimed at addressing identified challenges and seizing opportunities for positive change. These interventions encompassed a wide spectrum of

strategies, including infrastructural upgrades, policy reforms, land use regulations, community engagement initiatives, and investment incentives.

As a result of placing these two scenarios side by side, planners were able to evaluate the potential benefits and trade-offs associated with different development pathways. This comparative analysis facilitated informed decision-making enabling stakeholders to weigh the merits of maintaining the status quo against the potential benefits of embracing proactive interventions. Moreover, it fostered a deeper understanding of the dynamic interplay between urban systems, highlighting the importance of adaptive governance and flexible planning approaches in navigating uncertainty and complexity.

Nil Intervention

This alternative proposes to maintain the status quo such that there will be no significant changes and that stakeholders will still achieve their development priorities during the planning period. The advantage of this scenario is that there is no defined direction of growth therefore development takes a laissez-faire approach and it is also less bureaucratic. The option however comes with a number of disadvantages which include.

- i. No defined direction of growth for the planning area.
- ii. Difficulty in service provision due to Urban sprawl.
- iii. Mushrooming of Urban nodes with undefined Urban growth limits and functions.
- iv. Incompatibility of land uses.
- v. Lack of environmental sustainability.

Proposed Intervention

This alternative adopts an integrated approach to development by prioritizing the needs of the planning area and formulating appropriate strategies for their implementation. This alternative has the following benefits;

- xi. Limits urban sprawl
- xii. Coordinated development within the urban core as well as the hinterlands
- xiii. Promotion of functional urban form
- xiv. Improved quality of livelihood for urban residents
- xv. Protection of the rich agricultural lands
- xvi. Emphasis on vertical development and minimizing horizontal spread
- xvii. Sustainable economic livelihoods
- xviii. Proper waste management
- xix. Improved infrastructure and road network circulation

xx. Environmental sustainability e.g. mainstreaming of climate change

The interventions give rise to proposed land uses that aim at enhancing coordination in the proposed plan areas.

IMPLEMENTATION FRAMEWORK

The implementation of Integrated Strategic Urban Development Plan is a critical step towards achieving optimal use of space towards making the planning area a sustainable Urban Centre. In the absence of an implementation mechanism the preparation of any Local Physical Land Use and Development Plans may end up being an exercise in futility. The implementation framework identifies the different strategies and projects as well as actors needed to ensure adequate measures are taken for proper implementation of the respective plan.

The adoption of the Local Physical Land Use and Development Plan is the first step in the implementation process. Working with a range of implementation partners, the County Government of Bungoma will be the lead facilitator in implementing, coordinating, monitoring and reviewing the plan among other development partners. Besides, increasing avenues for revenue collection, the County will also develop framework for raising funds both within and externally.

Capacity Building

This is a conceptual approach that focuses on understanding the obstacle that might inhibit the plans from realizing development objectives while enhancing the abilities that will enable the plans achieve measurable and sustainable results.

Measures to actualize the strategy

- i. **Individual level:** sensitizing, creating awareness and public education to the planning area stakeholders on plan provisions.
- ii. **Institutional level:** Training of staff in the use of the plan for decision making; and equipping the service departments with tools deemed necessary to spur implementation of the plan;
- iii. **Societal level:** Establishment of spatial/physical planning executive committee; action area plan implementation committees; and informal settlements upgrading committees.

IMPLEMENTATION STRATEGY OF THE PLANS

S/No.	Actors	Roles
1	The County Government of Bungoma	<ul style="list-style-type: none">• Employ qualified personnel for the Planning department;• Ensure the time frame stipulated in the service charter is adhered to.

S/No.	Actors	Roles
		<ul style="list-style-type: none"> • Prioritize the preparation of a valuation roll. • Provide official vehicles for Sub-County offices.
2	Department of Lands, Urban/Physical Planning, Housing and Municipalities	<ul style="list-style-type: none"> • Provide funds for upgrading of settlements. • Provide funds for construction of the proposed bus parks • Deployment of personnel with technical competence to the planning area. • Ensure implementation of the plans • Provide funds for Construction of sewerage systems in the areas within the plan • Provide funds and technical know-how for establishment of dump sites. • Ensure implementation of approved Local Physical Land Use and Development Plans.
3	Sub-County Physical Planning Officers	<ul style="list-style-type: none"> • Critique the completed plan. • Facilitate development control process. • Issue compliance certificates where required. • Secretary to the liaison committee. • Attend planning committee meetings for the sub county. • Control sub divisions. • Provide funds for Construction of sewerage system within the areas in the plan
4	Area local leaders: Sub-County and Ward Administrator, Assistant Chiefs and Chiefs	<ul style="list-style-type: none"> • Ensure formation of local committees. • Ensure local mobilization for plan implementation. • Facilitate development control.
5	Sub-county Development Committee	<ul style="list-style-type: none"> • Coordinate implementation of projects. • Mobilize resources for the implementation of projects. • Ensuring provisions of the Strategic Urban Development Plan are

S/No.	Actors	Roles
		<p>observed.</p> <ul style="list-style-type: none"> • Ensure representation in the Action Area Plan Implementation Committees and settlements Committees. • Liaising with the County to initiate plan reviews where necessary. • Monitoring developments within the planning area.
6	The Public	<ul style="list-style-type: none"> • Monitoring developments within their neighborhoods. • Critique on public notices on proposed developments. • Participating in all proposed development initiatives in the planning area. • Own development in the planning area.
7	County Environment Office (NEMA)	<ul style="list-style-type: none"> • Critiquing applications for environmental impact assessments and environmental audits. • Enforcement of environmental regulations.
8	Kenya National Highways Authority & Kenya Urban Roads Authority	<ul style="list-style-type: none"> • Liaise with the county and sub county offices in road improvement. • Provision of storm water drains. • Construction of pedestrian walkways and cycle paths. • Opening up of access roads in the commercial areas and the settlements within the planning area.
9	National land Commission (NLC)	<ul style="list-style-type: none"> • Oversight role on the preparation and Implementation of Local Physical Land Use and Development Plan
10	Land Registrar	<ul style="list-style-type: none"> • Issuance of title deeds for both free holds and lease holds.
11	Land Surveyor	<ul style="list-style-type: none"> • Survey, amendments of Registry Index Maps and issue new parcel numbers. • Arbitrate boundary disputes.
12	Land Control Board	<ul style="list-style-type: none"> • Vetting, approval and consent of subdivision and transfer applications.
13	Land and Environment Court	<ul style="list-style-type: none"> • Arbitrate on land, environment and spatial planning issues.

OPPORTUNITIES THAT COME WITH PLAN IMPLEMENTATION

- Devolved funding which ensures that all regions of the Country can benefit from planning initiatives,
- Presence of a willing human capital that is motivated to participate in planning and implementation,
- Existence of legal backing that support economic targeted spatial plans,
- Increasing regionalization that has opened up rural areas to numerous regional opportunities

COMMITTEE OBSERVATIONS

The Committee makes the following Observation;

1. Most institutions in the County lack the capacity to effectively implement the plans.
2. There is disconnect between planning and actual implementation mechanisms as witnessed through constraints in inadequate budgetary support in the County.
3. Stakeholder concerns were carefully considered both by the department and the committee, ensuring that diverse perspectives are integrated into the planning process.
4. Pursuant to the provisions of section 110 of the County Governments Act, 2012, the County Executive has laid plans at the end of every ten years, to review and assess performance of the plans in accordance with performance management tools.
5. Without having the plans approved will lead to a lack of legal framework to control development in the respective areas leading to under-utilization of public land in the specific urban areas, development conflicts, and uncoordinated actions and investments in time and space.

COMMITTEE RECOMMENDATIONS

The Committee wishes to make the following recommendation;

THAT the county Assembly approves the ten Local Physical and Land Use Development Plans as listed below:

- 11) Local physical and land use development plans for Kimilili Municipality, 2023-2033
- 12) Local physical and land use development plans for Kapsokwony Town, 2023-2033
- 13) Local physical and land use development plans for Naitiri Town, 2023-2033
- 14) Integrated strategic urban development plan for Bumula Urban Centre (2023-2033)
- 15) Integrated strategic urban development plan for Cheptais (2023-2033)
- 16) Integrated strategic urban development plan for Chwele Urban Centre (2023-2033)
- 17) Integrated strategic urban development plan for Tongaren Urban Area (2023-2033)

- 18) Integrated strategic urban development plan for Lwakhakha Urban Centre (2023-2033)
- 19) Integrated strategic urban development plan for Sirisia Urban Centre (2023-2033)
- 20) Integrated strategic urban development plan for Brigadier Urban Centre(2023-2033)

Honourable Speaker, the report is adopted by all the undersigned Honourable members and it has several attachments, we have the copies of the ten plans as submitted by the department of Lands, Physical Planning, Housing and Municipalities then the copies of the advert by the committee from the County Assembly of Bungoma.

It is now my pleasant and honourable duty to ask Hon. Makhanu who is a member of the committee to second the report, thank you Hon. Speaker.

Hon. Cornelius Makhanu: Thank you Mr. Speaker Sir. First, I take this opportunity to thank my able chair for having moved the report so eloquently. Secondly, the report is self-explanatory, I just urge the House to support the report. I second.

Mr. Deputy Speaker: Thank you Hon. Makhanu, member for Khalaba. Honourable Members, a motion having been moved and dully seconded, allow me now to propose the question

(Question proposed)

(Question put and agreed to)

Next item,

REPORT BY THE COMMITTEE ON SELECTION ON THE RECONSTITUTION AND PLACEMENT OF MEMBERS TO THE COMMITTEES

Hon. Joseph Nyongesa (Chairperson, Selection): Thank you, Mr. Speaker. Before us is a report by the Committee on Selection on the reconstitution and placement of members to committees, we have table of contents then we have Background.

Background

Article 186 of the Constitution provides that the legislative authority of the County of Assembly is vested in the exercise by its County Assembly. The County Assembly may make laws that are necessary for the effective performance of the county functions and while respecting the principle and separation of powers, may exercise oversight over the county executive committee and any other county executive organs.

Section 14(a), 14(1)(b) of the County Governments Act 2012 states that a County Assembly may establish a committee in such a manner and for such a general or special purposes as it considers it fit and regulate the procedure of any committee so established. Standing Order No. 174(2) mandates the Committee on Selection to nominate members to serve in committees, self-membership of the House Business Committee, Committee on Appointment and members of the Speaker's Panel

Committee Membership

The Committee on Selection as currently constituted comprises of the following members.

- | | |
|-----------------------------|-------------------------------------------------------------|
| 1. Hon. Joseph Juma | - Chairperson |
| 2. Hon. Anthony Luseneka | - Vice-Chair. |
| 3. Hon. Meshack Museveni | - Majority Whip |
| 4. Hon. Milliah Masungu | - Minority Whip |
| 5. Hon. Busolo Sudi | - Deputy Whip on the Majority |
| 6. Hon. Tony Barasa | - Member |
| 7. Hon. James Mukhongo | - Member. |
| 8. Hon. Franklin Simotwo | - Member |
| 9. Hon. Jerusa Aleu | - Member |
| 10. Hon. Everton Nganga | - Member. |
| 11. Hon. Ali Machani Mutoka | - Member |
| 12. Hon. Godfrey Mukhwana | - Member Co-opted, to take care of the independent members. |

The Committee mandate

Pursuant to Standing Orders No 174(2) and 175(1), the Committee on Selection is mandated to:

- i. Nominate members to serve in committees, save for the membership of the House Committee and Committee on Appointments and members of the Speaker's Panel.
- ii. Consult with the County Assembly Parties while nominating members to serve in all other committees.

Acknowledgement

The Committee is grateful to the House through the Speaker for the support granted to execute its mandate. The Committee is also grateful to the Office of the Clerk and the staff for facilitating and providing technical support to the Committee.

Finally, I wish to express my appreciation to the members of the Committee on Selection who sacrificed their time to participate in the activities of this Committee, including participating in report writing.

Mr. Speaker, sir, pursuant to the Provisions of Standing Orders No. 177(3), it is now my pleasant duty and privilege to present this report of the Committee on Selection on the Reconstruction and Placement of Members to the County Assembly Committee for consideration and approval by this House.

The report is dully signed by the Chairperson.

THE COMMITTEE PROCEEDINGS

- a) The Committee deliberated on the placement of members to various committees, considering its mandate as provided for, under the standing order and taking note of the fundamental principles as set out in Section 14(4) of the County Government Act 2012, which provides that the County Assembly shall, in establishing committee under this section, ensure that each member of the County Assembly is appointed to at least one committee.
- b) The criteria set out under Standing Order No. 176 in nominating members to the various committees, this Standing Order requires Committee on Selection to ensure that membership to each committee reflects the relative majority to the seats held by each County Assembly parties in the County Assembly.
- c) Standing Order No. 176(2) provides that a member belonging to a party other than a County Assembly party or an independent member may be nominated to serve in selected committees and the allocation of membership of selected committees shall be as nearly as practicable proportional to the number of members belonging to such parties and independent members.

RECOMMENDATIONS

The Committee after deliberation and upon taking into consideration the aforementioned principles, the Committee resolved to reconstitute and place members to serve in the following 16 committees upon approval by this House as follows;

Finance and Economic Planning

- | | |
|-----------------------------|---------------|
| 1. Hon. James Mukhongo | - Chairperson |
| 2. Hon. Orize Kundu | - Vice |
| 3. Hon. Everton Nganga | - Member |
| 4. Hon. Everlyne Mutiambu | -Member |
| 5. Hon. Aggrey Mulongo | - Member |
| 6. Hon. Vitalis Wangila | - Member |
| 7. Hon. Violet Makhanu | - Member |
| 8. Hon. Stephen Wamalwa | - Member |
| 9. Hon. Tony Barasa | - Member |
| 10. Hon. George Makari | - Member |
| 11. Hon. Jerusa Aleu | - member |
| 12. Hon. Jack Kawa | -Member |
| 13. Hon. Christine Mukhongo | -Member |
| 14. Hon. Francis Chemion | - Member |
| 15. Hon. Godfrey Mukhwana | - Member |

Education and Vocational Training

- | | |
|--------------------------|---------------|
| 1. Hon. Benjamin Otsiula | - Chairperson |
| 2. Hon. Stephen Kaiser | - Vice Chair |
| 3. Hon. Vitalis Wangila | - Member |

- | | |
|-----------------------------|----------|
| 4. Hon. Timothy Chikati | - Member |
| 5. Hon. Aggrey Mulongo | - Member |
| 6. Hon. Ali Machani | - Member |
| 7. Hon. Hentry Nyongesa | - Member |
| 8. Hon. Charles Nangulu | - Member |
| 9. Hon. Jack Kawa | - Member |
| 10. Hon. Joan Kirong' | -Member |
| 11. Hon. Abraham Obama | - Member |
| 12. Hon. Christine Mukhongo | - Member |
| 13. Hon. Frankline Simotwo | - Member |
| 14. Hon. Jacob Psero | - Member |
| 15. Hon. Johnston Ipara | -Member |

Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development

- | | |
|---------------------------|---------------|
| 1. Hon. Waiti Wafula | - Chairperson |
| 2. Hon. Iddi Owongo | - Vice |
| 3. Hon. Everton Nganga | - Member |
| 4. Hon. Anthony Luseneka | - Member |
| 5. Hon. Everlyne Mutiambu | - Member |
| 6. Hon. Alfred Mukhanya | - Member |
| 7. Hon. Frankline Simotwo | - Member |
| 8. Hon. Jerusa Aleu | - Member |
| 9. Hon. Sudi Busolo | - Member |
| 10. Hon. Bernard Kikechi | - Member |
| 11. Hon. Caleb Wanjala | - Member |
| 12. Hon. Edwin Opwora | - Member |
| 13. Hon. Meshack Simiyu | - Member |
| 14. Hon. Martin Chemorion | - Member |
| 15. Hon. George Tendet | - Member |

Tourism, Environment, Water and Natural Resources

- | | |
|--------------------------|--------------------|
| 1. Hon. Edwin Opwora | - Chairperson |
| 2. Hon. Martin Chemorion | - Vice Chairperson |
| 3. Hon. Anthony Luseneka | - Member |
| 4. Hon. Aggrey Mulongo | - Member |
| 5. Hon. Vitalis Wangila | - Member |
| 6. Hon. Milliah Masungu | - Member |
| 7. Hon. Joseph Nyongesa | - Member |
| 8. Hon. James Mukhongo | - Member |
| 9. Hon. Meshack Simiyu | - Member |
| 10. Hon. Bernard Kikechi | - Member |

- | | |
|---------------------------|----------|
| 11. Hon. Jack Kawa | - Member |
| 12. Hon. Orize Kundu | - Member |
| 13. Hon. Sudi Busolo | - Member |
| 14. Hon. George Tendet | - Member |
| 15. Hon. Benjamin Otsiula | - Member |

Gender, Culture and Social Welfare

- | | |
|-----------------------------|--------------------|
| 1. Hon. Jack Kawa | - Chairperson |
| 2. Hon. Abraham Obama | - Vice chairperson |
| 3. Hon. Alice Kibaba | - Member |
| 4. Hon. Florence Juma | - Member |
| 5. Hon. Alfred Mukhanya | - Member |
| 6. Hon. Jeremiah Kuloba | - Member |
| 7. Hon. Joseph Nyongesa | - Member |
| 8. Hon. James Mukhongo | - Member |
| 9. Hon. Grace Sundukwa | - Member |
| 10. Hon. Orize Kundu | - Member |
| 11. Hon. Violet Makhanu | - Member |
| 12. Hon. John Wanyama | - Member |
| 13. Hon. George Tendet | - Member |
| 14. Hon. Christine Mukhongo | - Member |
| 15. Hon. Godfrey Mukhwana | - Member |

Health Services

- | | |
|--------------------------|--------------------|
| 1. Hon. George Makari | - Chairperson |
| 2. Hon. Jerusa Aleu | - Vice chairperson |
| 3. Hon. Milliah Masungu | - Member |
| 4. Hon. Job Mukoyandali | - Member |
| 5. Hon. Vitalis Wangila | - Member |
| 6. Hon. Anthony Luseneka | - Member |
| 7. Hon. Meshack Simiyu | - Member |
| 8. Hon. Jackson Wambulwa | - Member |
| 9. Hon. Grace Sundukwa | - Member |
| 10. Hon. Bernard Kikechi | - Member |
| 11. Hon. Joan Kirong' | - Member |
| 12. Hon. Orize Kundu | - Member |
| 13. Hon. Jacob Psero | - Member |
| 14. Hon. Tony Barasa | - Member |
| 15. Hon. Waiti Wafula | - Member |

Lands, Urban, Physical planning and Housing

- | | |
|---------------------------|---------------|
| 1. Hon. Francis Chemion | - Chairperson |
| 2. Hon. Benjamin Otsiula | - Member |
| 3. Hon. Cornelius Makhanu | - Member |
| 4. Hon. Jeremiah Kuloba | - Member |
| 5. Hon. Aggrey Mulongo | - Member |
| 6. Hon. Ali Machani | - Member |
| 7. Hon. Edwin Opwora | - Member |
| 8. Hon. Waiti Wafula | - Member |
| 9. Hon. Hentry Nyongesa | - Member |
| 10. Hon. Sudi Busolo | - Member |
| 11. Hon. Joan Kirong' | - Member |
| 12. Hon. James Mukhongo | - Member |
| 13. Hon. Johnston Ipara | - Member |
| 14. Hon. George Makari | - Member |
| 15. Hon. Polycarp Kimeta | - Member |

Trade, Energy and Industrialization

- | | |
|---------------------------|---------------|
| 1. Hon. Bernard Kikechi | - Chairperson |
| 2. Hon. George Makari | - Member |
| 3. Hon. Ali Machani | - Member |
| 4. Hon. Alfred Mukhanya | - Member |
| 5. Hon. Milliah Masungu | - Member |
| 6. Hon. Jeremiah Kuloba | - Member |
| 7. Hon. Polycarp Kimeta | - Member |
| 8. Hon. Wafula Waiti | - Member |
| 9. Hon. Stephen Kaiser | - Member |
| 10. Hon. Tony Barasa | - Member |
| 11. Hon. Jackson Wambulwa | - Member |
| 12. Hon. Jerusa Aleu | - Member |
| 13. Hon. Godfrey Mukhwana | - Member |
| 14. Hon. Charles Nangulu | - Member |
| 15. Hon. Joan Kirong' | - Member |

Public Administration and ICT

- | | |
|---------------------------|---------------|
| 1. Hon. Tony Barasa | - Chairperson |
| 2. Hon. Caleb Wanjala | - Vice |
| 3. Hon. Timothy Chikati | - Member |
| 4. Hon. Jeremiah Kuloba | - Member |
| 5. Hon. Cornelius Makhanu | - Member |
| 6. Hon. Job Mukoyandali | - Member |
| 7. Hon. Joseph Nyongesa | - Member |
| 8. Hon. Jackson Wambulwa | - Member |

- | | |
|---------------------------|----------|
| 9. Hon. Johnston Ipara | - Member |
| 10. Hon. Franklin Simotwo | - Member |
| 11. Hon. Grace Sundukwa | - Member |
| 12. Hon. Stephen Kaiser | - Member |
| 13. Hon. Polycarp Kimeta | - Member |
| 14. Hon. Francis Chemion | - Member |
| 15. Hon. Sudi Busolo | - Member |

Labour Relations Members Service and Facilities

- | | |
|---------------------------|---------------|
| 1. Hon. Hentry Nyongesa | - Chairperson |
| 2. Hon. Sudi Busolo | - Member |
| 3. Hon. Jeremiah Kuloba | - Member |
| 4. Hon. Everton Nganga | - Member |
| 5. Hon. Milliah Masungu | - Member |
| 6. Hon. Anthony Luseneke | - Member |
| 7. Hon. Charles Nangulu | - Member |
| 8. Hon. Polycarp Kimeta | - Member |
| 9. Hon. Bridgit Katasi | - Member |
| 10. Hon. Iddi Owongo | - Member |
| 11. Hon. Abraham Obama | - Member |
| 12. Hon. Joan Kirong | - Member |
| 13. Hon. Orize Kundu | - Member |
| 14. Hon. Martin Chemorion | - Member |
| 15. Hon. Caleb Wanjala | - Member |

Youth Affairs and Sports

- | | |
|---------------------------|---------------|
| 1. Hon. Violet Makhanu | - Chairperson |
| 2. Hon. Grace Sundukwa | - Vice Chair |
| 3. Hon. Job Mukoyandali | - Member |
| 4. Hon. Allan Nyongesa | - Member |
| 5. Hon. Timothy Chikati | - Member |
| 6. Hon. Cornelius Makhanu | - Member |
| 7. Hon. Charles Nangulu | - Member |
| 8. Hon. Caleb Wanjala | - Member |
| 9. Hon. Iddi Owongo | - Member |
| 10. Hon. George Tendet | - Member |
| 11. Hon. Jacob Psero | - Member |
| 12. Hon. Edwin Opwora | - Member |
| 13. Hon. Abraham Obama | - Member |
| 14. Hon. Martin Chemorion | - Member |
| 15. Hon. Catherine Kituyi | - Member |

Powers and Privileges

- | | |
|---------------------------|---------------|
| 1. Hon. Emmanuel Situma | - Chairperson |
| 2. Hon. Edwin Opwora | - Member |
| 3. Hon. Vitalis Wangila | - Member |
| 4. Hon. Cornelius Makhanu | - Member |
| 5. Hon. Milliah Masungu | - Member |
| 6. Hon. Tony Barasa | - Member |
| 7. Hon. Orize Kundu | - Member |
| 8. Hon. Jack Kawa | - Member |
| 9. Hon. Caleb Wanjala | - Member |
| 10. Hon. Mourine Wafula | - Member |
| 11. Hon. Bernard Kikechi | - Member |

Justice Cohesion and Legal Affairs

- | | |
|---------------------------|---------------|
| 1. Hon. Jacob Psero | - Chairperson |
| 2. Hon. Ndasaba Dorcas | - Member |
| 3. Hon. Jeremiah Kuloba | - Member |
| 4. Hon. Timothy Chikati | - Member |
| 5. Hon. Everlyne Mutiambu | - Member |
| 6. Hon. Linda Kharakha | - Member |
| 7. Hon. Francis Chemion | - Member |
| 8. Hon. Sheila Sifuma | - Member |
| 9. Hon. Edwin Opwora | - Member |
| 10. Hon. George Makari | - Member |
| 11. Hon. Iddi Owongo | - Member |

Delegated County Legislation

- | | |
|---------------------------|---------------|
| 1. Hon. George Tendet | - Chairperson |
| 2. Hon. James Mukhongo | - Member |
| 3. Hon. Everlyne Mutiambu | - Member |
| 4. Hon. Alfred Mukhanya | - Member |
| 5. Hon. Job Mukoyandali | - Member |
| 6. Hon. Metrine Nangila | - Member |
| 7. Hon. Godfrey Mukhwana | - Member |
| 8. Hon. Martin Chemorion | - Member |
| 9. Hon. Wafula Waiti | - Member |
| 10. Hon. Angeline Rugut | - Member |
| 11. Hon. Aggrey Bosire | - Member |

Implementation Committee

- | | |
|--------------------------|---------------|
| 1. Hon. Aggrey Mulongo | - Chairperson |
| 2. Hon. Job Mukoyandali | -Vice- Chair |
| 3. Hon. Evelyn Mutiembu | - Member |
| 4. Hon. Timothy Chikati | -Member |
| 5. Hon. Eunice Yeko | -Member |
| 6. Hon. Franklin Simotwo | -Member |
| 7. Hon. Abraham Obama | -Member |
| 8. Hon. Evelyn Anyango | -Member |
| 9. Hon. Vitals Wangila | -Member |
| 10. Hon. Alfred Mukhanya | -Member |
| 11. Hon. Idd Owongo | -Member |

Committee on Public Accounts and Investment Committee

- | | |
|---------------------------|--------------------|
| 1. Hon, Everton Nganga | - Chairperson. |
| 2. Hon. Timothy Chikati | -Vice-chairperson. |
| 3. Hon. Jeremiah Kuloba | -Member |
| 4. Hon, Anthony Luseneka | -Member |
| 5. Hon. Alfred Mukhanya | -Member |
| 6. Hon. Ali Machani | -Member |
| 7. Hon. Stephen Kaiser | -Member |
| 8. Hon. Joseph Nyongesa | -Member. |
| 9. Hon. Jerusa Aleu | -Member |
| 10. Hon, Godfrey Mukhwana | -Member |
| 11. Hon. Stephen Wamalwa | -Member |

Hon. Speaker, below is the adoption report schedule that was signed by every member. Having reached there, allow me to call upon the Leader of Minority to second the report.

(Applause)

Mr. Speaker: Thank you, Hon. Juma. Hon. Anthony Luseneka Namunyu, Leader of Minority.

Hon. Anthony Luseneka: Thank you, Hon. Speaker. I rise to second the report as moved by the Majority and maybe just to comment on that, this is just a self-explanatory report. It's a working document. The committee may not have done it perfectly but we call its own motion or maybe moved by the coalitions. We will still review it so that we come up with a working document. So for now that is what we have and I ask the House to adopt it. Thank you.

Mr. Deputy Speaker: Thank you, Hon. Anthony Luseneka Namunyu, Leader of Minority for seconding the report.

(Question proposed)

Hon. Alan Nyongesa,

Hon. Allan Nyongesa: Thank you, Speaker for the chance to speak on the report moved by our able Majority Leader who is also the chair of the Selection Committee. I want first to start by applauding the Committee of Selection for the excellent work done. In a span of one month they have been able to give us two reports, that is something that is laudable and maybe I want to encourage all other committees to work in such kind of a speed. By doing that, we may help our country.

Secondly, I have just a few concerns that maybe the mover of the report will respond to. Hon. Speaker, remember this is a House of Rules and Procedure. We are here as legislators, so we are bound by the law. We are supposed to follow the law to the latter because we are the legislators and we should at all times be bonded by the law.

I want to draw the attention of the House to the Standing Order 178(b), where it talks of discharging of a member from a committee. Which says, before a member is removed from a select committee, he/she be accorded a fair hearing in accordance with Article 47 of the Constitution of Kenya.

As the report was being moved, I realized most members who have been affected are the specially elected Hon. Members. I have realized they have been discharged from committees and I want to thank the Selection Committee for their wisdom because at least they were generous enough to give us at least a committee which is in order but our own Standing Orders say, before a member is discharged, that member is supposed to be given a fair hearing. As per the law, we are surprised this afternoon we have been removed from committees and we don't know why we have been removed.

So we humbly ask before being removed, it would have been fair to our leadership. You could have called the specially elected members and tell them we are removing you from the committees because of the following reasons; that didn't happen. That aside, I also want to throw you to Standing Order 175 (2) which reads; the Committee on Selection shall give consideration to the need for gender balance and shall so far as may be practicable ensure that no more than two thirds of members of our committee of a County Assembly including a committee established through a resolution of the County Assembly shall be of the same gender. If you have been following those committees being read, you realize we are having so many committees comprising of 15 members and only having two Hon. Ladies in those committees. There is no gender equity in those committees, so I am humbly asking the Committee on Selection that as it does that, as it does placement of members to committees, it should always be considering that and maybe as to why the IEBC gave us Bungoma County Assembly 17 specially elected MCAs, it was to cure that disease of gender top up. It

gave us 14 women who were nominated because you already have 7 who are elected making it to be 21 ladies in this House. That was to cure that issue of gender imbalance. So there should be no circumstance where we are having a committee where we are having that issue of a third gender problem but here despite having all those members, we are still having this problem in placement of members in committees.

I also have an issue in our Standing Order, 176(3) I will read that it says except as the House may otherwise resolve on the recommendation of the Committee on Selection for reasons to be stated, no member shall be appointed to serve in more than three Sectoral committees. I know you have the report with you. We are having so many members having more than three Sectoral committees, it has said unless a reason is given. Our report didn't have any observation or recommendation so there was no reason given as to why we are having members having more than three Sectoral committees. We are breaking our own laws.

Then lastly, I now refer to the last Standing Order 209 on the committee of PAC. This is an oversight committee. 209(4) it says the County Public Accounts and Investment Committee shall consist of a Chairperson and not more than 10 other members who are not chairpersons of any other committee. I have been surprised this afternoon being taken through the report, I realize Hon. Majority Leader reading his own name under the committee of PAIC.

Majority Leader is the leader of government business in this House; I am wondering how he will be oversight his own government. You being the Deputy Speaker of this House your name is also part of that committee knowing that you are the Chair of the Liaison Committee, Hon. Majority Leader being the chair of Selection and other committees. Remember our Majority Leader is also a member of the service board including Hon. Balala. They are also part of that committee. They are the ones planning for us as an Assembly.

They put their own names in the committee of PAC. I don't know whether that was intentional or it was a mistake. As the leader will be responding to the motion , I am humbly asking that as the Chair responds, he should clearly tell the House whether we are a House that follows law or a House that breaks law because Hon. Speaker surely...

(Loud Consultations)

Hon. Speaker as I finish...

Mr. Speaker: Let's give him that chance to make his point of information, Hon. Ali Machani Mutoka.

Hon. Ali Machani: Hon. Speaker, I am a member of the Service Board, I want the member to inform this House which law stops a member of the Service Board to be a member of PAIC.

Mr. Deputy Speaker: Hon. Nyongesa, proceed

Hon. Allan Nyongesa: Hon. Speaker that is common knowledge being a member of the service board you are there...

Mr. Deputy Speaker: Hon. Nyongesa, there is nothing like common knowledge, you have to have facts.

Hon. Allan Nyongesa: Hon. Speaker, where you sit you know this. The service board of this Assembly...

Mr. Deputy Speaker: Hon. Nyongesa, don't cast aspersions. I appreciate your argument but be factual.

Hon. Allan Nyongesa: It's okay Hon. Speaker. Let me be limited to Hon. Leader and the Deputy Speaker being the chairs of different committees, if it is okay for them to be in the PAIC committee, Hon. Speaker? That was my question.

Lastly, just a fair comment. I want just to besiege our leaders who are in this House both on the majority and the minority side. It is not fair when your child asks for what is rightfully his and you go ahead to punish him/her. Leadership is not about punishing your peers but is about serving your peers. I rest my case

(Applause)

Mr. Deputy Speaker: Thank you, Hon. Allan. Hon. Katila.

Hon. Maureen Katila: Thank you, Honorable Speaker for giving me this opportunity to speak to this House. Today, I have watched what has happened. How all the special elected MCAs have been de-whipped, have been removed from the committees and I have wondered if at all we have the good leadership in this House. I just want to ask the mover of this motion what the special elected MCAs did to be given such a punishment of being left with one committee especially me. I have been left with the committee of powers as much as I know if I have done something wrong, I was supposed to be dismissed from the Committee of Powers, so that I can be investigated. Why is it that I have been removed from all the committees and I have been left with the Committee of Powers and yet I have been punished? I am supposed to be removed from the Committee of Powers for me to be investigated for anything that I have done. Maybe I have done something wrong, which I don't know. So I want to be answered why up to now my name is featuring on the Committee of Powers.

Secondly, I want to ask the mover of this motion why all special elected MCAs are always sidelined on the important issues of this House. I wonder and ask myself how the House is going to run without the gender balance, without the special elected MCAs in this House.

Because as a matter of fact, I know we are now leaderless and we are going to control ourselves in this House.

(Loud consultations)

Because now our leaders have left us.

Mr. Deputy Speaker: Order Hon. Katila...

Hon. Maureen Katila: We don't have leaders.

Mr. Deputy Speaker: Hon. Katila be orderly. Order! That is unparliamentary. How can you suggest that we are leaderless in this House? That's very unparliamentary. You have to withdraw that.

Hon. Maureen Katila: Yes, Hon. Speaker, I withdraw that statement.

Mr. Deputy Speaker: Now, Hon. Kikechi has something. What is it, Hon. Kikechi?

Hon. Bernard Kikechi: Thank you, Hon. Speaker. Maybe we need a clarification from where you sit because a report was read here by the chair of the Selection Committee and Hon. Katila is saying that that report was a form of punishment. In that report, there was no word like somebody being or any Hon. Member being punished. Is she in order to say that the report was done for the sole purpose of punishing some Members?

Mr. Deputy Speaker: Hon. Katila, may note that. Hon. Kawa, what is the point of information?

Hon. Jack Kawa: Mr. Speaker, I want to request the speaker on the stage that apart from Hon. Speaker just withdrawing, she must also apologize because we are the ones who put the leadership in place and when someone demeans my leader, it means tomorrow I will also be demeaned. So apart from withdrawing she must apologize.

We have able leadership here both Leaders of Majority and Leadership from the Minority side.

Mr. Deputy Speaker: Well advised, Hon. Katila.

Hon. Maureen Katila: Thank you, Hon. Speaker for the direction. I withdraw and apologize for using such a term.

(Applause)

Lastly, I know that the specially elected MCAs asked what rightfully belonged to us and I know the reason why most of us are being left with only one committee. When we came here, we also voted for this leadership. I voted for the Speaker, the leadership in place and we knew that along the way, we are also Hon. Members and we will be treated the same as Hon. Members in this House, but the way we are treated in this House, it's like we are not Hon. Members. It's like we were just picked from the street somewhere and we are not supposed to be in this House.

Mr. Deputy Speaker: What is the point of information? Hon. Waiti.

Hon. Waiti Wafula: Hon. Speaker, I rarely miss debates on the floor of this House. From where I sit, I have never come across any specially elected member of this House coming up with a report on this floor asking what is rightfully meant for them. Is the member on the stage in order trying to convince this House that the affected members rightfully demanded for their rights on this floor?

Mr. Deputy Speaker: Hon. Katila.

Hon. Maureen Katila: Thank you, Hon. Speaker. I remember when we were in Kisumu during the Whole House. We stood and asked for our rights; we asked for the money for our three employees and the office operation money we were...

Mr. Deputy Speaker: Before Hon. Kawa speaks, Hon. Katila, are you referring to any matter that is before the court or not?

Hon. Maureen Katila: Hon. Speaker, I will not continue because I know the matter is before the court but now, let me finish.

Mr. Deputy Speaker: Before you finish, Hon. Kawa, what is it?

Hon. Jack Kawa: Speaker, these is a House of rules and procedure and when a report is read in this House, let us strictly deal with the report but not outside this House. If Hon. Katila claims that we were in Kisumu was it on HANSARD? We can't tolerate that. The report has been moved on this floor and we want to discuss the report nothing more apart from the report that has been read.

Mr. Deputy Speaker: Hon. Katila, you are guided.

Hon. Maureen Katila: Thank you, Hon. Speaker. Thank you, Hon. Kawa for your guidance.

Lastly, I want to urge our leaders in this House. Some of you we are your daughters. Some of you, we are your sisters, so please; you will have to go and think and remember what we are going through. There is a generation to come. One day, we will meet outside there. What

testimony will you be giving before us and before anybody else? I will end by a quote from Martin Luther Jr. that our lives begin to end the day we become silent about the things that matter most.

(Applause)

Mr. Deputy Speaker: Hon. Leader of Majority. Sorry but when? I have not seen... Hon. Leader, you can... You are late.

(Loud Consultations)

Let's allow her. Hon. Leader, kindly let's allow Honorable...

Hon. Mildred Barasa: Tumsifu Yesu kristo

(Laughter)

Mimi Mildred Barasa nimesimama hapa kusema asanteni sana kwa kazi ile imeendelea na kwa Mwenyezi Mungu inatakikana ukubali vile iko. Mimi nimekubali bila jina yangu pahali popote. Nimekubali. Kwa hio *List* sioni kama jina yangu iko pahali popote. Lakini nimekubali kwa uwezo wa Mwenyezi Mungu kila kitu inawezekana na mahindi unayopanda kwa shamba lako ni wewe mwenyewe unavuna, hakuna mtu anakuvunia?

Nataka niseme la pilli... simuniskize Henry?

(Laughter)

(Applause)

Ninaomba kila mtu asikize ile kitu ninasema. Ya pili nimekubaliana na *Leaders* lakini ninaomba kwa unyenyekevu kila kitu kinachotendeka kwa hii nyumba tusiiite Jina ya *National Speaker, my party leader* hata amesema anatupenda sisi sote. Kwa unyenyekevu ninajibu marafiki wangu wale wanaoniuliza; wewe ni mtu wa *Ford Kenya* na unaumia, huongei na *Party Leader*. Nafasi iko ya kuongea naye na wale wanasema wanaongea na yeye, yeye haezi kubali wachape watoto wote. Hii ni yetu ya nyumba hii na yeye hajui. Ninaomba kwa unyenyekevu, ule mtu anafikiria ati alikosea yeye ...

Mr. Deputy Speaker: Hon. Mildred *don't invoke...* usiweke jina la *Party Leader* kwa mambo ya hapa kwa sababu yeye hayuko hapa

Hon. Mildred Barasa: Si ndio ninasema, mimi ninakataza kwa sababu imekua...

Mr. Deputy Speaker: Okay

Hon. Mildred Barasa: Ndio mimi ninasema, kila mtu...

Mr. Deputy Speaker: Mheshimiwa nataka niku *guide* kidogo

Hon. Mildred Barasa: Uni *guide* baba...

Mr. Deputy Speaker: Unajua ukisema kwamba jina la Mheshimiwa *Party Leader* hapa na hakuna mahali imesomwa, hio inatoka nje na haiko kwa hii *report*. Sasa ndo ninakuambia usiweke iende kwa *HANSARD* kwamba *Party Leader*; maneno yenye hajui. Sasa hio ndio nakuambia uwache hio nje. Sawa

Hon. Mildred Barasa: Nimesikia

Mr. Deputy Speaker: Haya endelea

Hon. Mildred Barasa: Ya tatu hii maneno wanasema iko kortini, hio hatuwezi ongea sahi. Iko ingine inakuja.

(Applause)

Iko ingine inakuja, mimi hata sai niko upande yoyote lakini kwa jina yangu mimi ni *Nominated MCA* niko pale. Inge inakuja iko kwa njia. *Members* wa nyumba hii inatakikana waende masafari ya nje. Mara moja kwa mwaka, *elected* na ule si *elected* na walikataza ati hatuendi wengi walipunguza tu tuende kama watu watano ama kumi kila mwezi ili kufika mwaka kila *member* ameenda nje.

Hio ninaambiwa iko kwa njia inakuja. Yakumalizia...

(Loud Consultation)

Hon. Millie Masungu: Hon. Speaker, you will have to guide us and give direction. Either we restrain ourselves on the matter at hand or allow members to speak recklessly and going outside the matter on the floor of the House. Kindly guide us.

Mr. Deputy Speaker: Hon. Millie that is a point that is worth noting. I was intentional in letting Hon. Mildred speak. Don't worry. Okay? Now Hon. Mildred *umemaliza*?

Hon. Mildred Barasa: Mimi sijui kuongea vizuri.. Mimi naendelea

Mr. Deputy Speaker: Nitakupa dakika tatu

Hon. Mildred Barasa: Asanti sana ubarikiwe. Sasa kwa hii yote ninaomba wale *pecially elected* wale wametolewa kwa kamati wasikue na roho mbaya. Tukuwe watu wazuri,

tupendane vile tulikua tumepandana kwa hii nyumba. Tuendele namna hio. Ukikua na hasira mungu hatajibu maombi yako.

(Applause)

Mr. Deputy Speaker: Asante Mheshimiwa Mildred nilikupa nafasi uongee kwa sababu wewe ni mama yetu. Nilisema kwamba hata ukienda kando kidogo nitakupa tu nafasi uendele kuongea lakini ni vizuri umemaliza. Mheshimiwa *Leader of Majority* tafadhali...

Hon. Joseph Nyongesa: Thank you, Mr. Speaker. First, allow me also appreciate members who have contributed to this report and indeed it's a learning process. It is not an event and we shall keep on learning. The key issue was placement of members not punishing of Members. So this report does not punish anybody. We have just placed members where possible to work in those committees.

So Members, we urge and request you that when you are in that position, represent the Members in that committee where you are. Placement of Members is a consultative affair in Party Leadership. That is where we are. So the Special Elected Members also be contended and contribute where you are and in the County Government Act 2012 says each member of the county assembly is entitled to at least one committee, then we will also be working and embracing also friendship.

I have seen the last speaker say that we leave you to Christ, indeed we are here because of Christ. That is why we are alive and allow me to also give them a verse to read and internalize it. You can also read Isaiah 1:2-3 see what it says.

Otherwise, Members, we wish you all the best in those committees and those who are not contended then there is also a next chance and in politics, people should also learn endurance and pressure and that is how politics is and we are so lucky that we have our son who is the Speaker of the National Assembly.

Last weekend he said the only currency in politics and I quote this and I think Hon. Wanyama could also adhere to it that the only currency in politics is Loyalty

(Applause)

So if you are loyal you will be rewarded. If you are arrogant in politics then may it be so, otherwise I request the House to approve this report and wish all members to work tirelessly in those committees and ensure we get the best.

(Applause)

Mr. Deputy Speaker: Thank you, Hon. Leader of Majority. Hon. Members, I now put the question that this House adopts the report by the Committee on Selection on the reconstitution and placement of Members to the committees.

(Question put and agreed to)

The ayes have it.

(Applause)

The report is adopted.

Next Item,

ADJOURNMENT

Hon. Members, this has been our last item on the Order Paper of the day, so we shall adjourn and resume on the 5th November 2024 at 2:30 p.m.

The House rose at 4:54 p.m.