

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

***SPECIAL SITTING***

**THE DAILY HANSARD**

**WEDNESDAY, 16<sup>TH</sup> OCTOBER, 2024**

**Mid-Morning Sitting**

**COUNTY ASSEMBLY OF BUNGOMA**  
**HANSARD OFFICIAL REPORT**  
**WEDNESDAY, 16TH OCTOBER, 2024**

The House met at the County assembly Chamber at 10:30 a.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

**PRAYER**

**MOTION**

1. REPORT ON THE LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR NANG'ENI INFORMAL SETTLEMENT IN WEBUYE TOWN, 2023-2027

**Mr. Speaker:** Hon. Chemion, with guidance, you proceed!

**Hon. Francis Chemion (Chairperson, Lands):** Thank you Hon. Speaker. I have risen to move a report on the Local Fiscal and Land Use Development Plan for Nan'geni Informal Settlement Scheme in Webuye Town from 2023-2027 from the Committee on Lands.

**Preamble**

**Mr. Speaker Sir,**

The planning and surveying of the Nang'eni Informal Settlement were undertaken under the Kenya Informal Settlements Improvement Project Phase II (KISIP II); a collaborative effort between the Government of Kenya and the World Bank. The primary objective of KISIP II is to enhance access to basic services, improve tenure security for residents in participating informal settlements, and strengthen the institutional capacity for slum upgrading across Kenya.

This Local Physical and Land Use Development Plan for Nang'eni has been prepared in line with the applicable laws and regulations and is set to guide the development of the settlement from 2023 to 2027.

We have the legal framework that is Article 184 of the Constitution, read with Section 102 and 107 of the County Government Act, 2012; we also have Section 107 of the County Government Act, 2012. Then 1.3 is relevant legal citations.

Consequently, the Local Fiscal and Land Use Development Plan for Nang'eni Informal Settlement, 2023-2027 was forwarded to the County Assembly on 17<sup>th</sup> September, 2024, tabled on 25<sup>th</sup> September, 2024 and subsequently committed to the Sector Committee on Lands, Urban, Physical Planning and Housing for processing and more specifically, for determination of the following issues;

- (i) Under the Urban Areas and Cities Act, 2011(amended 2019) read with the Physical and Land Use Planning Act, 2019, the relevant County Executive Committee Member shall, through own initiative and through a participatory approach with a Board of a city, Municipality or town committee and all relevant stakeholders as the case may be, prepare and adopt a single and inclusive physical and land use development plan for the development of a city, urban area or informal settlement.
- (ii) Under the provisions of Section 45(1) of the physical and land use planning Act, 2019, a county government shall prepare a local physical and land use development plan in respect of a city, municipality, town or unclassified urban area as the case may be.

Section 38 of the physical and Land use planning Act, 2019 provides that;

- (1) At least 21 days before commencing the preparation of a physical and land use development plan, the County Executive Committee Member shall publish a notice in the Gazette and the notice shall include the intention to prepare a physical and land use development plan, the objects of the plan and the matters to be considered in the plan and the address to which any comments may be sent.
- (2) The notice shall be displayed for a period of 14 days at the offices of the county government and such other places as may be necessary across the county.
- (3) The county planning authority shall hold adequate stakeholder meetings in the responsible ward before the completion of the preparation of the physical and land use development plan.

Further to the foregoing, Section 49(1) of the said Act provides that within 30 days of the preparation of a local physical and land use development plan, a County Planning Authority shall publish a notice in the Gazette; in at least two newspapers of nationwide circulation and through electronic media informing the public that the plan is available at the places and times designated in the notice for inspection and that an interested person may comment on the content of the plan.

## **Procedural 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 of the

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/County Executive Committee**

Within a reasonable period of time after the expiry of the 60 days' notice of completion of the local physical and land use development plan, the CECM responsible for Lands, urban, Housing and Physical Planning shall submit to the County Executive Committee a copy of the plan.

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

- (a) A summary of the report containing analysis and proposed land uses and strategies;
- (b) A statement that the process has complied with the Constitutional requirements and the relevant Acts, together with any relevant explanations that may be necessary to clarify the statement, including base maps showing existing land uses and community approved list of beneficiaries; and
- (c) A survey report in respect of the area to which the plan relates.

The County Executive Committee shall, within 30 days of receipt of a copy of the plan-

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

The County Executive Committee, upon receipt of the plans, shall gazette/publish in at least two newspapers of nationwide 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 3<sup>rd</sup> 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.

## **Periodic Review**

A local physical and land use development plan may be reviewed, pursuant to the provisions of Section 110 of the County Governments Act, 2012 at the end of every 10 years for the case of an urban area plan or eight years for the case of an informal settlement plan or when need arises to assess its performance in accordance with performance management tools set by it.

However, the subsisting plan shall remain in force until a new plan is adopted; but the responsible CECM shall ensure that there is seamless provision of key services and uninterrupted implementation of viable projects to the residents of the urban area during the transition period.

## **Mandate of the Committee**

The mandate of the Committee is as under Standing Order No. 217(5) of the Bungoma County Assembly Standing Orders.

## **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. Hentry	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

## Acknowledgement

I take this opportunity to thank the Office of the Honorable 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 physical and land use development plan for Nang'eni informal settlement.

Lastly, I would 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 Honourable Members of the Committee on Lands, Physical Urban, Planning and Housing to move this report and recommend it to the Assembly for consideration and adoption. Signed on 7th October, 2024 by Hon. Francis Chemion Masai, MCA Kaptama Ward and the Chairperson of the Committee

## CHAPTER TWO

### Background Information and Classification of Settlements in the Kenyan Context

The Kenya Informal Settlement Program (KISIP), phase I was started in June, 2011. The program was initiated in response to the urbanization phenomenon in the country that has been characterized with mushrooming informal settlements with attendant socio – economic and environmental issues. Informal settlements are characterized with inadequate infrastructure and services, poverty, inequality, insecure land tenure and unemployment etc.

In view of these socio-economic and environmental challenges, the Kenya Government with the support of development partners, i.e. World Bank, French International Development Agency (AFD) and the Swedish International Development Agency (SIDA) initiated KISIP to better respond to the challenges of informal settlement. Following the successful implementation of KISIP I, the Government of Kenya in the spirit of Article 189 of the Constitution (cooperation between National and County Governments) and in partnership with the development partners prepared KISIP II; running from 2020-2025.

### Classification of settlements

ITEM	IDENTIFICATION	CATCHMENT POPULATION	RESIDENT POPULATION
1.	Local Centre	5,000	-
2.	Market Centre	15,000	< 2,000

3.	Rural Centre	40,000	2,000 to 10,000
4.	Urban Centre	100,000 150,000	to 5,000>

### **Description of a Designated Local Centre**

A local center, should serve a catchment population of at least 5,000 people. In classifying an area as a local center, the center should have the ability to provide the following services-

- A full primary school
- A dispensary
- A Public water supply system; and
- An open air market.

Since it is anticipated that the above facilities are provided within the catchment population of the settlement, Nang'eni informal settlement in Maraka Ward, Webuye East Sub-County qualifies to be classified as a local center.

### **Key Objective of KISIP II**

The overall objective of the programme (KISIP II) is to improve access of the residents residing within the informal settlement to basic services and to strengthen the institutional capacity for slum upgrading in Kenya and to address the issues of securing of land rights.

### **Need Assessment for Planning**

The plans were last prepared in the year 2015 under the old Constitutional dispensation 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; hence the need to align all development plans across the Country to the new law.

Secondly, the preparation of the plans required the engagement with the County Executive, the County Assembly, the local leadership of the areas where settlements fall and the approach and methodology adopted should be participatory to ensure that, prior to their adoption by the County Assembly and approval by the County Executive Committee, the needs, priorities and aspirations of a cross-section of the stakeholders are taken care of and consensus built to ensure the plans are locally owned.

The consensus shall further ensure that the plans achieve a long term social, economic, political and environmental sustainability.

Thirdly, the initial plans were not approved by the County Assembly 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 they can't be used to control development. They need to review, update, and align them with the new planning law.

## CHAPTER THREE

### Consideration of the Nang'eni Local Physical Land Use and Development Plan

#### Necessity for Planning

**Mr. Speaker Sir**, the preparation of the Local Physical and Land Use Development Plan for Nang'eni informal settlement, which covers the period 2023-2027 is a five-year integrated GIS-based plan, which was done in line with the requirements of the Physical and Land Use Planning Act, 2019; prepared to provide a spatial framework to guide development within the territorial jurisdiction of the area where the settlement falls.

The plan is key in the realization of the potential of the said area, including providing intentions to the myriad development challenges affecting it. It also seeks to give guidance on the Physical and Land Use Planning, Surveying and Development Control, Engineering, Water and Transport Services, Solid Waste Management, and Disaster Preparedness and Management. Section 55.1 of the Physical and Land Use Planning Act, 2019 states that the objectives of development control as being;

1. To ensure orderly physical and land use development,
2. To ensure optimal land use,
3. To ensure the proper execution and implementation of approved physical and Land Use Development Plans,
4. To protect and conserve the environment,
5. To promote public safety and health,
6. To promote public participation in physical and land use development decision-making,
7. To ensure orderly and planned building development, planning, design, construction, operation and maintenance and to promote the safeguarding of the national security.

#### Key planning issues addressed in public participation

The plan has identified and addressed critical issues faced by the community, including;

1. Inadequate infrastructure and basic services,
2. Lack of security of tenure,
3. High poverty levels and poor economic opportunities,
4. Substandard housing and living conditions

## **Components of KISIP II in Nang'eni Informal Settlement**

KISIP II implementation in Nang'eni Informal Settlement is structured under the following key components.

- a. **Integrated settlement development and tenure regularization:** This involves the development of the local physical and Land Use Development Plan for the settlement. It includes surveying the area, placing physical beacons to demarcate individual parcels and issuing letters of allotment and land titles to residents.
- b. **Socio-economic inclusion planning:** focuses on supporting economic empowerment initiatives, improving access to social services, and enhancing community resilience.
- c. **Institutional capacity development for slum upgrading:** strengthens the capacity of county administrations and local institutions to effectively manage and implement slum upgrading efforts.
- d. **Program management and coordination:** This component ensures effective coordination and management of the project between all stakeholders, including the residents, county government, and the KISIP II team.

## **Preparation of the Local Physical and Land Use Development Plan**

The development of the Nang'eni Local Physical and Land Use Plan followed the requirements outlined in the Physical and Land Use Planning Act of 2019.

The planning process included extensive public participation both by the department and later by the Committee on Lands, Urban Physical Planning and Housing, ensuring that the voices of the community were heard and considered in shaping the settlement's future. The Committee did visit the settlement on 4<sup>th</sup> October, 2024 for public participation and invited members of the public to submit memorandums on the Local physical and Land Use Development Plans through an advert on the standard dated Tuesday, 1<sup>st</sup> October, 2024.

Key steps in the planning process included; issuing a notice of intention to plan, publishing a notice of completion of the plan, collaborating with the Bungoma County Government to facilitate approval and publishing of the final plan.

## **Plan Components**

The key outputs of the settlement's Physical and Land Use Development Plans include reports, analysis of current land use and proposed strategies to address identified issues, base maps, depiction of existing land uses and beneficiary lists approved by the community, survey reports, documentation of surveyed areas reflecting the boundaries and plots based on the approved plan.

## **Strategies for Plan Implementation**

To achieve the plan's objectives, the following strategies are proposed.

- Enhancing tenure security
- Conducting surveys and issuing land titles to residents.

- Improving infrastructure and basic services,
- Investment in roads, water supply, sanitation and solid waste management.
- Promoting housing improvements,
- Supporting residents in upgrading their housing structures.
- Fostering economic growth,
- Encouraging viable economic activities to create employment.
- Youth empowerment, through training and skills development program aimed at empowering the youth.

## Committee's Observations

Mr. Speaker, the Committee makes the following observations.

1. The Local Physical and Land Use Development Plan for Nang'eni Informal Settlement 2023-2027 presents a robust framework for addressing the key developmental challenges faced by the community with its focus on tenure security, infrastructure development and socioeconomic empowerment.  
The plan will greatly improve the quality of life for residents while aligning with the national goals for urban upgrading.
2. There is an elaborate explanation under the executive summary contained in the plan on the factors that necessitated the planning and the issues identified which the draft plan seeks to address including inadequate infrastructure and poor basic services i.e. roads, water supply, sanitation and solid waste management, lack of security of tenure, high incidences of poverty and poor housing.
3. There was evidence of engagement with all relevant stakeholders including conducting of series of town hall meetings with the local communities, relevant national and county government officials, KISIP County Coordination Committee, the Settlement Executive Committee and the local leadership.
4. The Committee on Lands, Fiscal Planning and Housing carried out an elaborate public participation exercise by visiting the Nang'eni Informal Settlement and running a gazette advert inviting the public to submit written memoranda on the plan in a nationwide newspaper.
5. Notice of intention to prepare the plan was duly issued via a gazette notice dated 23<sup>rd</sup> January, 2023 and notice of completion of the said plan was duly issued via a gazette notice dated 14<sup>th</sup> November, 2023.
6. The lists of bonafide beneficiaries and attendance lists of the meetings held; including minutes of the said meetings and the written comments, notes from the technical team relating to the local physical and land use development plan were duly attached as annexes to the plan for verification by the sector committee.

## Committee's Recommendations

Mr. Speaker, sir, the Committee wishes to recommend as follows:

1. **THAT** the County Assembly approves the Local Physical and Land Use Development Plan for Nang'eni Settlement in Webuye Town covering the period of 2023-2027.

That marks the end of the report; we have all annexures here with us; the map and the beneficiary list. I would now like to call Hon. Hentry Nyongesa to second the report.

**Mr. Speaker:** Hon. Hentry you have the honor of seconding the Committee report

**Hon. Hentry Nyongesa:** Thank you Hon. Speaker. As I rise to second, I laud my Chair for the eloquence in moving the report in reference to the Land used development plan under Nang'eni Settlement Scheme. The Committee derives its mandate from Standing Order No. 117 and the report has cited all the relevant laws both at the National and County Level. This is a project that is supposed to be undertaken by the World Bank under KISIP programme and all issues to be considered were looked at; especially on public participation which is key. The committee went to the site and all relevant stakeholders were involved. From what is illustrated, it is a project that is going to benefit people of Webuye and more specifically Nang'eni residents in Maraka Ward.

This project is also being done in Bungoma Town and the impact is so huge because one, it is opening up the slum areas. Most of the amenities are being upgraded in terms of roads infrastructure, street lights, and water and so on. As I second, I wish to say that this report will benefit Nang'eni scheme which is domiciled within this county. As it is being put clearly, the programme does not benefit an individual; it shall benefit the community in partnership with this County. The County has been ready and waiting for this House to approve the plan so that it forwards it to the relevant agencies. I therefore second the report.

**Mr. Speaker:** Thank you Hon. Hentry for seconding the motion. Allow me now propose the motion for debate

*(Motion proposed)*

**Hon. Caleb Wanjala:** Thank you Hon. Speaker for giving me an opportunity to contribute. I rise to support that this is timely because the project at Nang'eni is going to impact the lives of so many people; bearing in mind that after Pan Paper went into limbo or not performing well, I think this will serve. The situation at Nang'eni is not good, the roads are depleted and I think the World Bank coming in is going to improve the status and livelihood of the people of Nang'eni.

I wish that it is replicated in other places such as Hon. Job Mukoyandali's Ward; there is land, almost 18 acres bought by the County Government of Bungoma just lying idle. There is nothing that is being done there! How I wish that if there was another project of similar magnitude that place should be considered.

When you come to my own Ward, Nzoia Sugar Factory has the largest nuclear in East and Central Africa and that land is not being put to good use. There are some sections of the land which are just lying idle. I wish that if there is a similar project coming up, we consider that. At

the same time there was a market inaugurated at Sang'alo but nothing is happening! If such a project can be taken to Sang'alo where we put our industrial park, the impact could be of great help to the community.

Otherwise I support. This is timely and one way of lifting our own source revenue because I believe the markets there are going to grow because of modernizing the place.

**Hon. Johnston Ipara:** Thank you Hon. Speaker. Let me start by lauding the mover of the report and the seconder. This is a major project that we have in Bungoma County and in particular for the informal scheme. As we reflect back, you find that it has attracted donors and this is based on the confidence that we have instilled; that has persuaded them to come and support this programme.

There are so many benefits that will come with this project; one of them is the improvement of the living conditions of those who live in the informal scheme.

This has always been a cause for all that we have been seeing around Webuye and that has spread to Bungoma County; and this will be addressed by building houses for the unfortunate in the society. Number two, it will address health issues because a health facility as stated by the mover of the report will be built around and it will also serve not only those in the informal settlement, but also the people who live around Nang'eni scheme.

When we talk about improvement of the informal settlement, it will also bring water and when water is brought around, it will benefit those who live in the scheme. So it has more benefits than any other demerits that people may think about. We have not talked about socioeconomic factors which bring inequality in a society. Socioeconomic issues are issues that cause crime within an area and when we address that, what it will mean is that it will also reduce the crime rate that is seen within a bare town and neighbouring towns and if we did that then lastly..

**Mr. Speaker:** Hon. Ipara, you know I come from that region and that includes the Hon. Violet and others. We are very peaceful. We don't have criminal cards around that region. We are very peaceful people!

**Hon. Johnston Ipara:** Thank you for that guidance. It does not even need any substantiation and let us not forget the economic use of land as it is today. That place is not planned. The houses that are there are shanties and when our partners come and we approve this program, it will bring good economic use of that land. Some land will remain where we shall put up a market, we shall put up a school, and we shall put up other facilities so that it will help all of us.

Lastly, if you walked there today, the poor environment is the cause of disease outbreaks but when it is well managed, we shall have a good environment. We shall also control outbreak of diseases because we shall have clean water. With that, I don't hesitate to support this program. I persuade the Honourable Members that let us approve this as early as yesterday. I support

**Mr. Speaker:** Hon. Cornelius. I saw some sign language from your neighbour. I don't know what he was trying to pass across.

**Hon. Cornelius Makhanu:** Thank you Mr. Speaker for giving me this opportunity to also contribute to this report. I first applaud the move of this report. Besides what earlier speakers have talked about, it is going to address the issue of land tenure and security. We have seen already another slum that he has gotten these benefits in Musikoma Ward; and if we don't approve this report, there is a lot at stake. People who live in the informal settlement have not been using their land to the maximum because they lack proper papers of ownership. Once we approve this report, is going to address that and they will be able to now develop their land.

As I have said, residents of this area are worried. They only own allotment letters and if this report is approved, they are going to process the title deeds and they will be able to settle without worrying about eviction. Some of the benefits that come with this development plan are that those residents are going to get schools and even health centres; but if we don't approve this report, I am worried that even the donors may pull out even at the end of this month. So I want to urge this House to approve this report so that we get these benefits.

**Mr. Speaker:** Thank you Hon. Cheseto

**Hon. Martin Chemorion:** Thank you Hon. Speaker for giving me this chance. First and foremost, I wish to appreciate the mover for moving the motion elaborately and highlighting all the issues and the prior informed consultations that the Committee had with the people of Nang'eni. I know this project is going to empower the community in terms of addressing issues that affect them economically and socially.

So this program is ideal and it suits to the *Kenya Kwanza* program on the bottom up empowerment. It is actually going to empower the selected community which is of low income earners. So in as much as we are going to have so many benefits that have been highlighted, I know such kind of projects also come with some adverse effects to the community in the short term; especially disturbance in terms of livelihoods. People who shall generate income may come from that place. I know the program is going to have a very good resettlement strategy or plan when the projects will be undertaken so that those people will not feel like their livelihoods have been disturbed.

At same time, issues with the development obviously raise even complaints and I believe the donor and the department that is in charge are definitely is going to come up with a robust complaint handling mechanism; whereby the issues that come up with this implementation of projects that adversely affect them are going to get addressed. For example, we can get issues of tenure system, maybe have a community or a persons who reside in that place and when the project is being undertaken, definitely they are going to be affected and of course they should be heard and their issues be addressed and be given alternatives. So with those with those few remarks, I support the motion.

**Mr. Speaker:** Before I bring the Leader of Majority, allow Hon. Jeremiah. I have been seeing him do sign language. So you can use the dispatch because you don't have the card. That is what you are trying to put across?

**Hon. Jeremiah Kuloba:** Asante bwana Spika kwa kunipa fursa hii. Kwanza napenda kumshukuru mwenyekiti wa kamati hii kwa unenaji wake ambapo amesoma ripoti hii kwa njia inayoelewaka. Maswala ambayo amezungumzia ni yale yanayoweza kubadilisha Kaunti yetu hii ya Bungoma.

Jambo kuu lililokua katika sehemu hii tulipotembea kama kamati, tuliona kuwa wakaaji wa pale hawana stakabadhi ya kuonyesha kuwa wanamiliki mashamba. Mradi huu umewasaidia wale wanaokaa pahali pale kupata stakabadhi ya shamba. Barabara katika sehemu hii sio nzuri. Mradi huu kulingana na vile mpangilio ulivyo, pesa ambazo zitatoka katika benki ya ulimwengu zitakuja kusaidia barabara katika sehemu hio zifunguke.

Sehemu ya maji taka pia hawajakuwa nayo. Tukija kuangalia hata usambazaji wa umeme katika sehemu hii ulikua haupo na ulikua unachangia katika maswala ya ukosefu wa usalama. Kwa hivyo mradi huu utafanya pia watu watacaa kwa amani kwa sababu pia wakaaji wa sehemu hiyo walikua wanasema ikifika saa moja ni nduru. Lakini mradii utakuja kutoa hizo changamoto ambazo ziko katika sehemu hiyo.

**Mr. Speaker:** Hon. Jeremiah what are you alleging? That my area is full of criminals?

**Hon. Jeremiah Kuloba:** Bwana Spika sikusema hivyo, nilisema nduru... sikusema kuna wale...lakini wewe ndo umesema bwana Spika...

*(Laughter)*

Nduru *maybe* (labda) watu walikua wanashangalia kwenye giza lakini nimesema tu ni nduru lakini wewe umesema ni majambazi. Bwana Spika yale maneno ulikuwa unaweka kwangu sio mimi...

Sehemu hiyo haina maji taka... maji safi hayana mpangilio wowote. Huu mradi unakuja kurekebisha shida hizo zilizoko katika sehemu hio. Majumba pale ni makuukuu na mradi huu vile unakuja, utapatia wenyiji wa pale fursa ya kuwa na majumba ya kisasa ambapo tukimalizana na sehemu ya kwanza ya kutengeneza barabara, wakaaji hawa watakuja kutengenezewa majumba ambayo yatalipiwa pole pole. Kwa hivyo pia maisha ya watu yanaweza kubadilika.

Tunacho Chuo Kikuu katika sehemu hiyo, tunacho kiwanda cha kutengeneza maziwa katika sehemu hiyo. Sehemu hiyo ikifunguka itakua nzuri; Chuo kikuu kile, makaazi ya wanafunzi yanaweza kuwa katika sehemu na watu waweze kupata mapato yao ya kila siku au kila mwezi.

Afya ya watu pia itakua nzuri pia kwa sababu katika hiyo sehemu, tutajengewa pia kituo cha afya.

Nilishangaa sana kusikia mwenzangu mmoja akizungumzia kuwa sehemu ya mashamba ambayo iko bure ichukuliwe ijengewe watu majumba hapo. Sehemu ambayo iko kavu... Mpango huu hauhusu sehemu isiyo na watu; mpango huu unahuusu sehemu ya makazi ya watu wanaokaa katika maisha ya mabanda maisha mabaya yasiyo na stima, yasiyo na maji, yasiyo na shule na yasiyo na vyoo. Hatuwezi tukasema mpango huu upelekwe... sehemu kama Kibra, sehemu kama Mathare ina watu lakini walikua hawana...tukiangalia majumba ambayo yamewekwa ya kisasa; nikupitia mpango kama huu.

Siku zijazo sehemu kama ya Mayanja, sehemu kama Cheptais tukimalizana na sehemu moja kama hii tukubaliane pesa ziende zifanye huo mpango. Benki ya dunia tunaeza tukatoa maoni kuwa tukepeleke mpango huu sehemu nyingine ata Khalaba hapa tunazungumzia mbali. Tukichukua sehemu kuanzia machinjoni tukachukua mpaka Bondeni hata jina la sehemu yenyewe linakumbia kuwa hio ni sehemu ya mabanda... watu hawana mipangilio, hawana barabara huko chini. Wakati mwingine mwenyekiti tunaomba pia uangalie hiyo sehemu sababu kila kitu tukichelewesha pesa hizo zinaenda mahali pengine

Tulikua na mpango wa kikundi kilikua kinaitwa SWED lakini kwa sababu serikali ya Kaunti ya Bungoma ilitaka kuingilia iendeshe mradi huo, mpango huo ulipelekwa Tharaka Nithi na sisi tukanyang'anywa na sehemu nyingine ikawa Kisii. Kwa hivyo naomba kupitia Kamati hii ya Ardhi na majumba, sehemu ya Gavana isiingilie msimamizi wa huu mradi; ikiingia ndani sana hawa wafadhalii huja wakatoa fedha na kupeleka kwingine. Ninauunga huo mswada.

**Mr. Speaker:** Thank you Hon. Jeremiah. Majority you may make your contributions as Chemion prepares to reply to the motion accordingly proceed.

**Hon. Joseph Nyongesa:** Thank you Mr. Speaker. First and foremost I would like to appreciate the Chair and the Committee for such a wonderful report and again thank them for working tirelessly to ensure that we are not left out as Bungoma County. You know amongst the counties that are receiving the support from the World Bank, if we could not work so tirelessly to ensure that we are also part of it, we would miss out and we think even the implementers will do us a good job so that immediately we pass it, they should also do the necessary.

As much as we are supporting, how I wish that the Committee and the Chair when replying could also tell us the kind of schools and the names of the schools which are within that settlement area so that we know that as we are working for funding, there is need because there is a school. Whereby it is landlocked, there is no road, there is a dispensary, and there is no road. That is why we are pleading for this.

Another key issue is the issue of the allotment letters that were given to those people in this settlement. I think the Committee, because in their report they have said the list of those

beneficiaries is in our annexures; which I think it will not again get doctored to have new members who are not part of that settlement scheme brought on board. Although the only other key challenge that I am saying because we want to compare the Nang'eni settlement scheme with that one Mjini or Mandizini because mostly I have seen storied buildings which I think there are people who should also pay land rates to the County Government. As much as we support this, the County Government should make a follow up to ensure that they pay land rates to the county. Otherwise, we support this report and urge the Committee to make a follow up to ensure there are no new encroachers on public land.

**Mr. Speaker:** Hon. Chemion, you can now reply to the motion.

**Hon. Francis Chemion (Chairperson, Lands) (Mover to reply):** First of all Hon. Speaker I wish to thank you to your office because we are out for training but through your office and offices of the leadership of this House allowed us back to conduct this duty. I also thank Honourable Members for coming to attend this sitting.

Hon. Speaker, we have several schools in that settlement scheme; PAG Primary School Webuye, we have three churches that will also benefit. We also need roads as the leader has said to access all those public facilities which are supposed to be standard roads. That is why a survey was done and the roads have been standardized and as alluded by Hon. Chemorion, it will affect some of the members because if the road was two meters wide and they have expanded it four or five, there will be some effect. Eventually there will be goodies to that community.

There have been positive comments about this report and as a county we are amongst the counties that were earmarked by World Bank programme KISIP II after successful implementation of KISIP I; Bungoma was one of the counties earmarked to benefit. Other than Bungoma, we have Siaya, Homa Bay, Trans Nzoia and West Pokot. We are in lot five, cluster three. We were supposed to be ahead of everything so that we don't lose out among these other counties. Other counties are also doing what we are doing, but on our part, we are ahead of time if we pass this motion today to secure the funding.

We have a list of the beneficiaries that is part of this report and the county government is part of the beneficiaries because there areas that are fallow and have been designated to belong to the County Government of Bungoma. Members who have been given allotment letters and eventually lease titles will be required to pay land rates. Right now we cannot collect anything but after they have been given those titles, they will start paying land rates which will improve our revenue collection. All the benefits from component one, two to the ones that I have read to the House are geared in uplifting the livelihoods of those people who live in deplorable conditions. Places without infrastructure in place in terms of waste disposal. Poor latrines, water, street lighting, roads, and types of houses are a problem among others. There is a component that

will be used to construct houses for the people which will be good for the people in that community to live a decent life.

KISIP has done a lot in our county and right now we are implementing two major projects which amount to more than Kshs200 million in our county. One project is in Musikoma Ward whose beneficiaries vote in Township Ward. I participated recently in a meeting that was held there and the community is happy. They are going to put street lights around that place, they have already started working on the roads, and they will work on the sewer line. The same project is happening in Land Matope in Chwele where they are doing a lot of infrastructural work in terms of roads, street light and water connection. It is a good programme that we cannot manage to miss; reason the Committee burnt the mid-night oil. They did not talk to the Leader of Majority that they are given time to go out and write a report. The report was written from the Assembly because that is the work that you gave us Mr. Speaker. We have written many reports as a Committee within the precincts of the County Assembly to help our county. If this report is passed and we get the Kshs200 million for Nangéni, that place will be transformed.

I therefore request and urge the Honourable Members that we adopt this report and the Committee will continue looking at whatever happens to ensure that it complies with the law.

**Mr. Speaker:** Thank you Hon. Francis Chemion the mover of the motion for the reply.

*Question on the motion as moved put and agreed to.*

The ayes have it. The report by the Committee together with the observations and recommendations is hereby adopted by the House.

*(Applause)*

Honourable Members before I wind up, today was not an ordinary sitting day but there was a request by a school called Lotters Highway School to come to the Assembly and they walked in late while we were in session. They are 60 pupils specifically grade four and five learners who have come to the County Assembly to see how we conduct our Business. The visit aims to enlighten learners on the following areas;

- role of the Member of the County Assembly which will be done by our staff,
- How the County Assembly conducts its Business which they have been able to see.

Pupils from Lotters Highway School, please, be up standing.

*(Pupils rise)*

You can now sit.

*(Pupils resume their seats)*

They are accompanied by four teachers;

1. Festus Wechuli,
2. John Satuku,
3. Titu Masibo and
4. Moses Opakala.

I note that they come from Bukembe East Ward. I therefore allow Hon. Caleb to make brief remarks before we adjourn and resume our trainings.

**Hon. Caleb Wanjala:** Thank you Mr. Speaker. I wish you could consider gender and allow one female Member to make comments...

**Mr. Speaker:** I have given you permission to speak and that is my discretion.

**Hon. Caleb Wanjala:** Thank you Mr. Speaker. First I take this opportunity to appreciate the County Assembly for allowing Lotters of Highway to visit us today. This is a school in my ward that performs well especially in academics in Bungoma South. In the last exams they were position four in this county and it is a school that has a vision not just to improve the people of Bukembe, but Bungoma County at large. Majority of Members in this House have had their children passing through that school; including my own children. I currently have a daughter in Grade five. It is a good school and I appreciate the teachers and parents for electing me to represent them in this House.

Pupils as you can see in this House we have many Members; some are teachers, surveyors among other professionals. I therefore encourage you to work hard knowing that education is the key to success. When you put your effort in education and also put God first you will succeed. Proverbs 1:7 says, "*the fear of the Lord is the beginning of all knowledge, wisdom and understanding*". When you read Proverbs 12 it says "*whoever that is rigid to reprobation will fail*" If you are rigid to correction you will not succeed, but if you accept correction, you will succeed. For those few remarks, Mr. Speaker, I thank you.

**Mr. Speaker:** Now that you wanted me to be gender sensitive, I will exercise discretion and pick Hon. Angeline Rugut to make brief remarks.

**Hon. Angeline Rugut:** Thank you Mr. Speaker Sir for giving me the chance to welcome the young ones to the County Assembly of Bungoma together with their teachers. Feel welcome and it is only that this was a special sitting and some of our Members are not in and the pupils may wonder why there are a few Members. I want to encourage you to work hard and to continue being focused. You are still young but I know you have a career in mind and you should continue preparing for it. Some of you would like to be doctors; you should start practicing that by working hard, respecting yourself and let people know that you are growing up to be a doctor, lawyer, teacher and any other professional in this country.

This is an important stage in the foundation of these young ones and I know that the teachers are doing what is possible to make sure that they grow up and become responsible citizens. If there is any professional in this country that does more than what is expected of him or her by the employer then it is a teacher. It leaves one wondering; teachers are asked to start their work at 8.00 in the morning and end at 4.00 in the evening. You will find them sneak into the schools at 5.00 in the morning and extend to mid-night; and when schools are closed, they still want to teach. That is why teaching as a profession is a calling that cannot be compared to any other. Teachers you are blessed and continue molding the young ones. We wish you well and we have heard that the school has a good history. Continue improving and aiming high, for the sky is the limit. We wish you well and have a good day.

*(Applause)*

**Mr. Speaker:** Thank you Hon. Rugut for speaking on behalf of ladies in the House.

Honourable Members, on behalf of the County Assembly of Bungoma, we wish the teachers and pupils all the best as they wind up for third term and close for long holidays.

## **ADJOURNMENT**

That was our last item on the Order Paper. We will therefore adjourn to resume as per the earlier amended calendar; unless a need to reconvene arises. I wish you a good week ahead.

**The House rose at 11:39 a.m.**