

SAMBURU COUNTY ASSEMBLY



THE HANSARD

Tuesday, 21st July 2015

The assembly met at the County Assembly chambers at 2.30 p.m.

Temporary speaker, (hon. Shadrack Lesoipa) in the chair

PRAYER

PAPERS

MCA Nominated, (Hon. Modesta Lalaikipiani): Thank you Mr. Speaker sir, I will like to table the Samburu County Public Service Board report on recruitment of County directors submitted to the County Assembly of Samburu on 23rd April 2015, Thank you.

MCA Nominated, (Hon. Rebecca Lengupae): Thank you Mr. Speaker sir, Pursuant to standing orders number 44 (i) i will like to table a report from the committee on Culture, Gender and Sports (**Not audible**)

NOTICES OF MOTION

MCA Nominated, (Hon. Modesta): Thank you Hon. Speaker, Pursuant to standing orders number 44 (i), I wish to give a notice of motion that this house debates and approves the report of the committee of Labour, social welfare, Justice and Legal Affairs on recruitment of the County directors by the Samburu County Public Service Board submitted to the County Assembly of Samburu on 23rd April 2015, thank you.

MCA Nominated, (Hon. Rebecca): Thank you Mr. Speaker sir, pursuant to standing orders number 44 (i), I wish to give notice of motion that this house debates and approves the public participation report on the **Samburu County**

STATEMENTS

MCA Ndoto ward (Hon. Letura): Thank you Mr. Speaker, and thank you for referring to one of my famous names back in school, Mr. speaker I wish to give a response to a statement sought by Hon. Benjamin Leitore MCA Wamba West ward to the sectoral committee on Physical Planning, Housing and Urban Development. Mr. Speaker sir, the member for Wamba west ward requested for the statement on 2nd July 2015 from the chair of sectorial committee on Physical planning, Housing and Urban development concerning the beaconing and planning of towns and group ranches in Wamba west towns. Hon. Speaker the committee conveyed the request for the statement from the County Executive Member in-charge of Physical Planning, Housing and Urban developments. Hon. Speaker on behalf of the committee I wish to report the communication received from the County executive committee member that;

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1. The *Lpus* group ranch is incorporated and titled prepared and is held at the Land register's office in Nyahururu pending collection by the members upon payment of a mandatory registration fee of kshs.500 per Acre Mr. Speaker.
2. *Nkutuk e ng'iron* is a small shopping center within *Nkutuk e ng'iron* group ranch that was incorporated 30th August 1996 measuring approximately at 31,190 Acres and title deeds issued to the members.
3. *Nkutuk e Lmuget* is a small developing center shared within a common boundary of both *Sesia* and *Kirimon* group ranches on either side of the dividing road, both ranches had been incorporated and their title deeds are withheld at the registrar's office there awaiting payment of statutory fee of kshs.500 per Acre.
4. *Nkaroni* is a small upcoming trading center located between *Sesia* and *Nkaroni* group ranches, both group ranches are incorporated with title deeds pending collection from registrar's office also payment of statutory fee of kshs.500 per Acre
5. *Lodung'okwe* trading center is located between *Lpus* and *Ntiamu* group ranches, it is existing boundaries was picked and mapped and forwarded to the director survey for amendments after which physical planning will follow.
6. The dispute between *Ngirgir* and *Nkutuk ee ng'iron* group ranches has never been received formerly by the department in writing from the disputing parties in which the department will be writing to the parties since the Ranches have been incorporated. The parties are advised to write to the department office and office of the land registrar formerly requesting for a boundary confirmation cases following which the registrar shall issue summon sitting for the same.
7. Wamba west ward has a total of five group ranches...*Lpus*, *Sesia*, *Nkaroni* and *Noonkeek* all of which have been beaconed.

Hon. Mr. Speaker I beg to lay this response from the Executive committee member.

Temporary speaker (Hon. Shadrack Lesoipa): What is it Member for Wamba west?

MCA Wamba West (Hon. Benjamin Leitore): Hon. Speaker I was struggling to contribute, first and foremost Mr. Speaker, I want to thank the chair for Physical planning, housing and urban development for the elaborated answer. It is only that the department seems to mislead this house by saying that my ward has five group ranches including *Noonkeek*, but it is in Baawa ward Mr. Speaker which is in Samburu North constituency, it is far from my ward, so Mr. Speaker this is misinformation and it is also an indication that the department does not understand the group ranches' location Mr. Speaker. Mr. Speaker I am also concerned and need clarification from the chair because this has been a song since the establishment of the County Government and particularly establishment of the said docket Mr. Speaker, that the planning especially of the ranches has been a song all through so we need to have the clarity from the

department on when this should be done. The beaconing of a town and beaconing of a town, Mr. Speaker, the decentralization of powers and devolution has created a lot of awareness and people will like to be empowered and we can only empower people socially and economically by making sure that we have given them Land so that the land can be utilized and be put into the right use Hon. Speaker and this should start from our house, so the issue of referring the centers in my ward as small towns, these are towns we need to develop and it should have authority from the said department the planning and beaconing. So hon. speaker we need a clarity and the answers should also be extended to other parts of this county when the planning is to be done. Mr. Speaker and in terms of *Nkaroni* and *Lpus* as indicated in the statement that there is a conflict and was created by the department in the beaconing of the said group Ranches, in fact went into another group ranch Five kilometers into the group ranch so it has created a lot of conflicts in the community and the department is informed because the surveyor was sent by the said department Mr. Speaker. I also want to know what the Government is planning to make sure that the conflict is resolved. Mr. Speaker the issue of *Ngirgir* and *Nkutuk eng'iron* is also a long time problem and we need clarity on that but I appreciate the answer given by the chair thank you.

Temporary speaker (Hon. Shadrack Lesoipa): What is it member for Wamba East?

MCA Wamba East (Hon. Jackson Lelenkeju): Thank you Mr. Speaker, I also have some few concerns regarding the statement and I congratulate the chair person for some misleading parts that indeed appear in the report and I also believe that he is less involved because physical planning is one of the sectorial department that works very little if any with the committee concerned so I think with the changes in place I believe you will be able to led the committee to get this house the right information. I am also concerned of beaconing of the group ranches some of which were done and created a lot of conflicts instead of solving problems. I recall the case of Baragoi or Elbarta and Lesirikan, Wamba also has the same case, you know the border of Samburu County in Koom area we left 15 Kilometers square towards Boranas. We planted some plants somewhere and leaving a boundary 15 kilometers away from where it is supposed to be. I am also of the opinion that next time this department does the beaconing it is paramount that it involves the elders from the concerned group ranches who know the original boundaries where it passes instead of just picking some people who are not locals and then just go around the group ranches and pick where to put the plant and bring the returns to Maralal that is a concern that has created conflicts even in locations. For example Wamba, Ngilai location about seven point five (7.5) Kilometers were left to Ngilai west so this left people with quarrels especially when it comes to collection of resources like sand, hardcore and the rest. So the right beaconing should actually be done afresh and the right people from the right communities should be involved in planning of these Towns. Hon. Leitore is right to say that these are upcoming towns although I sympathize with the member because he is already affected, am sure he does not have Lodung'okwe as we speak, part of Nkaroni has been marketed and most of you might have seen

in the media that Nkaroni and Lpus are on sale so any willing buyer should go to Isiolo and know if he can be able to buy the land because my friend has no bound as we speak it is on sale and I think we need to support him because he is not going to have a town anymore. Thank you Mr. Speaker.

Temporary Speaker (Hon. Shadrack Lesoipa): What is it Hon. Member for Elbarta.

MCA Elbarta Ward (Hon. Romano Leakono): I was thinking maybe Hon. Speaker Sir with your due respect as we still scroll through the report can I give a comment on the statement.

Temporary Speaker (Hon. Shadrack Lesoipa): Continue Hon. Romano

MCA Elbarta Ward (Hon. Romano Leakono): Thank you Hon. Speaker Sir, (inaudible), unfortunately it seems my Hon. Chair is actually bruising my right side, because if you look at the beginning of the statement, the statement itself is not actually specific. It is so ambiguous and actually it is not saying anything on the as such, because if you look at the first question and the first response, the department is mitigating to hold some meetings. We do not know where and when, and we are not told with whom, so that makes it a very ambiguous statement. Now if you go to question 2, whereby it says that it will consult with the Samburu National office staffs, you find that they do not realize that there is a need so far, it is giving us what was intended to be done in case of a need and here I believe that this statement was sought by the Hon. Member Shadrack Lesoipa because of the need at heart, and the department is realizing that the need is already there. They are saying that if need arise, but I believe that the need is already there, so I want to say that as much as the hon. Member has tried so much but again this statement is not conclusive. It is not answering what the hon. Lesoipa requested, because if you say that you remember the lives of the people of his ward are sick, (inaudible). Secondly, this need is already here, it requires a course of action today, so the land National office should have been consulted by now and not go to the manage (inaudible) to hear that it can be consulted, thank you Hon. Speaker Sir.

Nominated MCA (Hon. Irene Leshore): Thank you Hon. Speaker, I just need to congratulate the Chair of Lands, because it seems that today he is very active and he has brought us responses to two statements and I would just like to remind him in the same spirit that he should also bring the report on Sarima which was requested by Hon. Linda which has been lying with him for over one year or so,

Hon. Chair we hope that you can bring that statement to us as soon as possible, thank you Speaker Sir.

Temporary Speaker (Hon. Shadrack Lesoipa): Hon. Member for Wamba West MCA Wamba West (Hon. Benjamin Leitore): Thank you Mr. Speaker, I am standing to elaborate for the sake of the answer given bearing in mind that the Hon. Member for Suguta MarMar is the current Speaker of this hon. House. There are a lot of unclear answers from this statements because, timelines, time specification, when or where, I think the department needs to be clear on some issues here, because if the department keeps on telling us that we will, then when will it be?. But I do not think that the department is informed that this issue of group ranches in Suguta MarMar ward or the said process has been grabbed, and even to an extent that a few rich from that community or the few rich in this County has grabbed land from the said group ranches to an extent of acquiring title deeds, just the same way Mr. Speaker that the illiteracy levels were used by the then chairman of the local authority to acquire land in this group ranch and in the said land in Parsilinga. The illiteracy levels were used back in 1978 to acquire land from the community, just misleading the community that they should sign a document that he is expecting to supply food stuffs for the people who were affected by drought by then. I do not know if the Government is informed that a few people have acquired land in the said group ranches in Suguta MarMar ward especially in the mentioned group ranches for themselves leaving bigger population without land and if the department is informed then what plans do they have to solve this conflict? This will create bigger conflict amongst the people of Samburu, and in extension our neighboring Pokot community, we need this to be discussed by the department under concrete and a long solution should be provided hon. Speaker.

Temporary Speaker (Hon. Shadrack Lesoipa): Okay, thank you, the Hon. Chair you can clear the ambiguity of your response.

MCA Ndooto Ward (Hon. Raisy Letura): Thank you once again Mr. Speaker, I may not want to say that there are any ambiguity, because they probably get it from different perspectives Mr. Speaker. Mr. Speaker depending on the dimensions that you have looked at the response, it maybe where the ambiguity comes from. Having said that, I continue on the same, I think the land issues are very sensitive, yes I agree when the Hon. Member says that where is the meeting, the hon. Member for Elbarta who is also my neighbor, I think the meeting is going to be done on where the hon. Member for Suguta MarMar ward actually was claiming

that there is a conflict or the temperature are high. So that means that if it is not going to be in Baragoi, then it will be between Samburus and Turkanas and Pokots neighbouring Suguta...interrupted by Hon. Leakono

Point of Order

MCA Elbarta Ward (Hon. Romano Leakono): Is it in order for the Hon. Member to refer to Baragoi when he is actually addressing this statement which is specifically talking about Suguta MarMar? I think he should withdraw if it is not in order, Thank you.

Temporary Speaker (Hon. Shadrack Lesoipa): Continue Hon. Letura.

MCA Ndooto Ward (Hon. Raisy Letura): Thank you Mr. Speaker, to continue on the issue of dates, the department is serious on this and my committee will follow up on this we know very well that there is a lot of issues concerning land and this land issues are very emotive, and that is why the department has not given the specific dates for more consultations. We know that we have that land bought and it represents the National land commission, the department will very soon call for the meeting and I am very sure that the members of this committee will also be involved, and also member for Suguta Marmar ward who actually sought the statement. The department will actually keep you updated in the said meetings as we also try to see how we can solve it amicably without causing any other confusion. Mr. Speaker you understand that currently a lot of issues are going around especially in the borders of Samburu County and Baringo East, but actually the members of the Pokot community who also stay there are claiming that the land belongs to them, to an extent of saying that Loosuk is a part of their area, since it has a name that emanates from the Pokot community. So we will deal with this in a very systematic manner so that we do not cause conflicts, but again with a high level of consultation and one that is communicated to this committee and even the members of this Assembly who have been affected in those wards and even in Suguta marmar, and to see that this issue is brought to an end in a very amicable manner. Also when need arises and I think that also when the need arises, I think this was about the issue of the statement by Hon. Leitore that is talking about some groups members who have got title deeds that they have taken their farms that belong to the community, I may not answer it fully because it was not part of the statement, so Hon. Speaker...

Hon. Leakono:(Point of information!)

Temporary Speaker (Hon. Shadrack Lesoipa): Inform Hon. Romano Leakono.

MCA Elbarta Ward (Hon. Romano Leakono): Thank you Speaker Sir, may I inform the Hon. Chair for lands that, this actually is the Hon. CEC's response to question 1 (a), (b), so please consult (b), because that is where the ambiguity of when the need arises is, thank you Speaker Sir

MCA Ndooto Ward (Hon. Raisy Letura): Thank you Speaker, I am seeing part 2 (b) as the response and I do not know whether the Hon. Member wants to amend the response to be need arise, and replace it with something else, but Mr. Speaker, for now I still stand that the committee will consult with its' given stakeholders of the County Land Management board, members of this committee and even the members of the group ranches, to see that the boundary issue not only in Suguta marmar ward, not only in the side of Baringo East and Samburu East, even the Hon. Lelenkeju was telling us about the issue of Koom that we need to be very clear on the issue of our boundaries. Mr. Speaker as a County Government and also as this house I also think that we need to move ahead and also develop and see that the issue of the boundaries is settled once and for all. As we embark on the issue of Suguta Marmar ward and Baringo East we also want to embark on exactly where our County boundary lies, and it is the mandate of this Government and it is also the mandate of this house, I want assure this house that in a short time we will be embarking on the exercise to mark our boundaries and to mark our borders. Mr. Speaker we are also aware of the fact that our communities have been claiming the original border whereby it was done by very old age sets. I do not know whether it is the Ltarigrig, famously known as "Lkirrie Lelesoi" so Mr. Speaker we will embark on that exercise and we need backing from this house to put up more resources on the lands department so that the said exercise can be accomplished, thank you Mr. Speaker

Temporary Speaker (Hon. Shadrack Lesoipa): Next order

Order No. 8, the Samburu County Health Services bill 2015, Samburu gazette supplement No.15, bill No. 13, a bill of an act of the County Assembly of Samburu, to provide for the implementation of section 2 of part 2 of the whole schedule, to the constitution of County Health Services and accommodating purposes, first reading

Temporary Speaker (Hon. Shadrack Lesoipa): Next order

Order No. 9, the Samburu County early childhood bill 2015, Samburu County gazette supplement No. 9, bill No. 8, a bill of an act of the County Assembly of Samburu to provide for early childhood education in Samburu County and for other connected purposes, first reading.

Temporary Speaker (Hon. Shadrack Lesoipa): Next Order

Order No. 10, The Samburu County alcoholic drinks control bill, 2015, Samburu gazette supplement No. 14 bill No. 12, a bill for an act of the County Assembly of Samburu, to provide for the licensing and regulation of the production, sales and distribution, consumption and other outdoor advertising of alcoholic drinks and for connected purposes, first reading.

Temporary Speaker (Hon. Shadrack Lesoipa): Hon. Members, the time being eight minutes to four o'clock and there being no any other business, this Assembly stands adjourned until Wednesday morning 22nd July 2015 at 9:30 am.

Temporary Speaker (Hon. Shadrack Lesoipa): What is it Hon. Member for Elbarta

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Temporary Speaker (Hon. Shadrack Lesoipa): Hon. Members, the time being eight minutes to four o'clock and there being no any other business, this Assembly stands adjourned until Wednesday morning 22nd July 2015 at 9:30 am.