

**KERICHO COUNTY ASSEMBLY**

**THE HANSARD**

**Second Assembly**

**Thursday, 14<sup>th</sup> November 2019**

*(The House met at 2.30 p .m.)*

*[Speaker (Hon Dominic Rono) in the Chair]*

**PRAYERS**

**The Speaker (Hon. Dominic Rono):** We may proceed.

**COMMUNICATION FROM THE CHAIR**

**The Speaker (Hon. Dominic Rono):** We have received a petition from Vincent Mutai of P.O.Box 157 Litein dated the 25<sup>th</sup> Oct 2019. The petition is request for your intervention for malicious destruction of my properties. An injustice committed to me by one, Kipkoech Kirui Elkana, an Officer Commanding Police Station Litein via a court order in respect of a dispute in clause number Kericho, Litein/695. So the contents are;

I write to request your office to intervene on the above subject matter. I had earlier on submitted my petition to you on the same subject. Currently as I write, my two containers have been vandalized by goons and hooligans under the supervision of OCS Litein Police Station. My properties worth over Ksh 1.5 million was on the morning of 24<sup>th</sup> October 2019 reduced to nothing. Some were destroyed and much of it stolen. It is worth to note that it was standing on a road reserve a place which I was allocated temporarily by the County Council of Bureti way back in 2012. The matter has really affected me socially and economically. Please find this petition to the County Assembly of Kericho for your deliberation I look forward to your kind

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response and assistance. So honorable members I will therefore commit this petition to The Committee on Justice to look into and appraise the Assembly on the same. Thank you. Next Order!

**MOTION (HON. ERICK BETT)**

**The Speaker (Hon. Dominic Rono):**Hon. Erick Bett!

**Hon. Erick Bett:** Thank you Mr. Speaker.

Aware that Article 185(4)(b) of the Constitution of Kenya states that a County Assembly may receive and approve plans and policies for the development and management of infrastructure and institutions.

Further aware that the county government under the fourth schedule is mandated to undertake county planning and development including land survey and mapping trade development and regulation among others:

Noting that the main function of devolution (Article 174 (c) (f) of the constitution of Kenya is to give powers of self-governance to the people and enhance the participation of the people in exercise of the powers of the state and in making decisions affecting them and to promote sound and economic development and provision of proximate, easily accessible services throughout Kenya.

Concerned that mechanic operators conduct their businesses at road reserves, posing risks to their lives and at the same time causing congestion to the road users thus contravening the fact that the residents should access services and enjoy use of the public facilities.

I therefore urge this honorable House to resolve that the department of lands, housing and physical planning should:

1. Conduct consultative public participation with all 'Jua kali' mechanics to identify their needs.

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2. Set aside space/land for use by mechanics and vehicle spare parts shop; and
3. Enlighten the members of the public on the proposed Kericho town spatial plan.

Mr. Speaker have just read my motion for today which is very clear to me because I do represent some part of the entire CBD of Kericho town which falls under Kipchebor ward. Mr. Speaker, there has been a lot of the concern on mechanics who do repair vehicles in our town. This town is the largest in the county and that it concerns the members of the county and even the mechanics themselves in terms of where one can access services in this town. Suppose you want to have your vehicle get repaired, there is a specific place you can go, where you can take your vehicle for repair. Mr. Speaker Sir, just in my last service, I took my car to road reserve for service because there is no other place in this town where you can service your vehicle, apart from the main service dealers like Auto Express but majority of the mechanics who have been trained, who have skills to repair vehicles. We only have a designated area set aside by the County Government where they can do repairs.

Mr. Speaker Sir, there have been issues of safety, I remember one time where there was a mechanic who was nearly crushed to death because he was servicing a vehicle just on the road reserve and a vehicle that was moving never noticed that there was somebody servicing under the car. He only he survived by a whisker when a friend informed him that a vehicle was coming close to him.

Mr. Speaker, those are some of the clear examples of incidents that could happen because of lack of designated area. Mr. Speaker am also aware that the County Government of Kericho is mandated to provide such places where people can have their vehicles serviced and during the time when we host KICOSCA games in August, there was a lot of clean up in town to make sure that anybody who was operating on the road reserve was relocated. I remember very well that mechanics who used to operate in certain areas along hospital roads, near Guru Nanak had to be relocated because of the distance.

Mr. Speaker, am very happy because there was cleanliness in town but what happened is that the mechanics that were operating in town were forced to think of where to operate and carry out their works. So Mr. Speaker this motion clearly is basically to help the department to at least once prioritize the department of having a solution by setting aside a piece of land for this case. So that mechanics can be given chance to go on.

Number two Mr. Speaker Sir, conditional participation, I spoke to the mechanics and I told them why they are not cooperating with the County Government and they told me that they have never been approached by the department of Lands or even trade to discuss on options or where to carry out their

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businesses and so they told me that they are ready for public participation with the department that is why I am aware that the same report has never been tabled to members of the public to know at least in this town what is the plan in terms of where one can get services for example if your car breaks down what is the plan of this town in that. That is why members of the public have been asking me as the area MCA the plan of this town. Where the designated market where people can be able to service their vehicles is and that is why in my third resolution am asking the house that we ask the executive to make public the proposal on the Kericho Town Spatial Plan which will really address among many issues the issue of where mechanics can be able to operate among many other services people of Kericho do require. So Mr. Speaker I do want to ask Honorable members to really support me on this motion because it is really going to address one of the many problems in our towns and I believe the same will apply to other major towns like Litein and so am asking for their support on this motion because it is just a motion that is going to address issues pertaining mechanics in town who have not been able to be given conducive environment. So I do not want to take much time but I was supposed to be seconded by honorable Daniel Ngetich but he has stepped out. So I will ask honorable Alex Bett because what we are discussing today am sure they have many mechanics in Litein probably also who have not been resettled. So I want to ask honorable Alex Bett to second my motion as I conclude. Thank you Mr. Speaker.

**The Speaker (Hon. Dominic Rono):** Honorable Bett?

**Hon. Alex Bett:** Thank you very much honorable Speaker for giving me this opportunity. I must also say that this is a motion that has come at the right time and indeed Mr. Speaker I support and second this motion that has been tabled by honorable Erick Bett. I have also seen and I am aware also because I am one of the victims who has had to take my vehicles also to some very funny joints in order to get services and indeed Jua kali mechanics play a very vital role in our economy they contribute a lot in terms of either paying taxes and also by servicing our vehicles. So as any other business people also I think they deserve a better place of service where they can conduct their business without being interfered, so I support this motion Mr. Speaker. Thank you.

*(Question proposed)*

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**The speaker (Hon. Dominic Rono):** The Hon. William Soi!

**Hon. William Soi:** Thank you Hon. Speaker for giving me this chance. I stand to support this motion because if you can go to Litein at this time behind road where it has been tarmacked you will not get space to park your car in order to buy some things. So this motion is very important to our county and our local markets. I stand to support this motion like yesterday, thank you Mr. Speaker.

**The speaker (Hon. Dominic Rono):** The Hon. Grace Koech!

**Hon. Grace Betty Koech:** Thank you very much Hon. Speaker for according me this opportunity also to contribute and support this motion. Mr. Speaker we are all aware and concerned about this Jua kali people because most of the times when we need their services, unless they have been designated a particular point, most of the people would not locate them. One time I was at some corner and I witnessed some mechanics who were repairing some vehicles and when they had dismantled some part of these vehicle, the county Askaris came and the mechanic was carried crying and the owner of the vehicle was also disadvantaged because everything had been removed. So this motion honestly has come at the right time if they are assigned a particular place, they will be able to conduct their services and at the end of it, this is part of employment. Our youths will be able to earn a living and at the same time, the risk being caused by the road users will be removed. So Mr. Speaker, I rise to support this motion that the honorable Erick Bett has tabled. How I wish the chairman of lands if he was in, he could have answered number three on the part of the Kericho town Proposed Spatial Plan because he could have given us some highlights. Nonetheless, I support this motion. Thank you very much.

**The Speaker (Hon Dominic Rono):** Thank you, the honorable Erick Bett, do you want to reply?

**Hon. Erick Bett:** Thank you Mr. Speaker and I want to thank the members for supporting this important motion. I am really humbled and happy because of the discussion to sort the issues of mechanics in this town. And I want to encourage honorable members that there is representation on the people who elected us. We did try as much as possible to bring on board such issues to help our people and this one of them which will address the biggest concern because it has been a big question to me as an MCA representing this town, what are we doing about this problem that we have and this will be a very important and being the chair on the committee on the implementation, I will be very keen also to follow up with my committee on the status of

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implementing this particular motion once it has been approved . Thank you honorable Members for your support and I say thank you so much, God bless you.

*(Question put and agreed to)*

*(Adjournment)*

**The Speaker (Hon. Dominic Rono):** So honorable Members, that marks the end of today session and this week's session, so the assembly stands adjourned until next week. Thank you.

*(The House rose at 2. 55 pm)*

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