

KERICHO COUNTY ASSEMBLY

THE HANSARD

Third Assembly

Third Session

Wednesday, 22nd May, 2024 A

(The House met at 9.50 a.m.)

[The Deputy Speaker (Hon. Eric Bett) in the Chair]

PRAYERS

The Deputy Speaker (Hon. Eric Bett): Good morning honourable members. Welcome to today's session being Wednesday, the 22nd of May 2024. I ask that the Clerk reads the Order of Business.

STATEMENTS

STATUS OF PUBLIC LANDS IN BELGUT SUB COUNTY

The Deputy Speaker (Hon. Eric Bett): We have one statement by Hon. Edna Tonui. You may raise your statement.

Hon. Edna Tonui (Nominated Member Representing Women): Thank you Mr. Speaker for this opportunity to raise my statement. Pursuant to section 9 of the County Governments Act of 2012 and the County Assembly Standing Order Number 48 (1), I wish to seek statement from the committee on Lands, Housing and Physical Planning and Settlement on the following concerns:

1. The total acreage that Sosiot playground occupies in Belgut sub county
2. The total acreage that Sosiot Health centre occupies
3. The total acreage that the police station in Belgut sub county occupies
4. The total acreage of both cattle auction and open air market
5. What is the status of the said parcel of land in terms of ownership and encroachment
6. What plans has the Department of Lands, Housing, Physical Planning and Settlement put in place in ensuring that all public lands are secured.

I would like to request the chairman of the committee to work on this statement immediately because it is needed so urgently. Thank you.

The Deputy Speaker (Hon. Eric Bett): Thank you so much. The Statement is committed to the committee on Lands, Housing and Physical Planning and Settlement. The chairman is here with us and as you respond, look at the contents of the letter. Also note that we will be going on recess and so give us the exact number of days that you will be able to give us a Report. Welcome!

Hon. Hezron Ngetich (Member for Chilchila Ward): Thank you Mr. Speaker for the opportunity you have granted me. Before I respond, allow me to thank the raiser of the statement for having trust in this committee. Mr. Speaker, as you are the Chair of Liaison Committee, I would like you to give us a special consideration because of the urgent matters we have and the bulk of activities we have. Right now we have two serious deliberations. One is about the School of Agriculture in Kipkelion- Londiani and it is needed urgently. Secondly we have another issue that has the State interest and that is the approval of the Physical Plan for the proposed Special Economic Zone, the Affordable Housing Zone and the entire Kevoko land. That commitment requires special attention and I need your indulgence. We are bound by timelines and we have been asking your desk and the Assembly administration to give us consideration to go outside the premises of the Assembly to deliberate on such matters. Some of the issues we are handling in Lands are bound by timelines. So irrespective of the financial status of the Assembly, I think there are some things which we cannot postpone and it is now almost three weeks. Now that Hon. Edna needs that statement to be responded to immediately and I think we are proceeding on recess today, I request that we respond to that statement as the Committee on Lands immediately we resume from our recess.

I don't know how you will assist us as the Committee on Lands because some of those commitments I have highlighted have timelines and with constant postponement, we have been caught up by this recess and these are the issues which we could have deliberated on earlier on. As the table office and Chair Liaison and the administration of the Assembly, I kindly request that you see the magnitude and the urgency of the commitments we have so that we can handle them on time because some of them are halfway done. We are just going to finish up on the report. Some other engagements have come up again like the Financing Locally-Led Climate Action (FLLOCA) which will interrupt us again. So in future, irrespective of the challenges we have, just see even if it is one committee going out to deliberate on very important issues, because right now our tray is full and we need to offload.

Otherwise, I want thank the Hon. Members for the Committee on Lands for the dedication; they have dedicated themselves and every now and then I have been receiving calls from members telling me that please Chairman what is the way forward we need to handle this, but now we need your direction so that we see what we will do because I know we have to call for a Special Sitting so that we come and deliberate.

On the issue of Kevoko physical planning, it is not a Committee on Lands deliberations, it needs the indulgence of all of us because it is affecting the whole County and it is of County importance. So we need that deliberation as soon as possible, so that we go as a committee to deliberate on it and after that we call the entire house to take them through it because it is of public interest, so that we bring the report it will have the blessings of the whole house. So see how you will handle, and allow us also to respond to a statement sought by Hon. Edna immediately after recess. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Eric Bett): Thank you so much. I can see there is a hand; I don't know what it signifies. That is Hon. Weldon Rogony.

Hon. Kiprotich Rogony (Member for Sigowet Ward): Thank you Mr. Speaker. I rise to reinforce the statement raised by Hon. Edna Tanui. The reason why she raised the statement is because in this County, there has been a continued encroachment on public lands across the County. I want to give you three scenarios in your own ward-Nyagacho Market-the said Land has been encroached badly. We have now a number of lands which were meant for cattle dips, markets and Sondu is one of them, Roret and Kapkatet. That statement will be an eye opener and how I wish this House through the Committee on Lands will look for the Report that the defunct local authority submitted all the assets of the County Government of Kericho during the inception of devolution.

The reason is it looks like even the first administration and even this one has not been keen to take over all the public lands spread across the County because a number of markets will not be having lands because people have taken over their lands and have processed title deeds and we keep losing. So even for this County to put up social amenities across the County will be very impossible because the County will have to buy land. So the statement raised by the Hon. Member though it is squarely for Sisiot and its environs, I invite you to see a way on how this house will audit all the public lands across the county because it is something that we ought to address because we will be losing what ought to be given to the people of this County. Thank you Mr. Speaker!

The Deputy Speaker (Hon. Eric Bett): Thank you for that. I think that I have seen the hand of Hon. Peter Kemoi. I will just give the room for remarks so that we come to the end of today's morning session.

Hon. Peter Kemoi (Member for Kapsuser Ward): Thank you Mr. Speaker, Sir, for the opportunity that you have granted me. I wanted to raise a point of concern and also a statement. In Kericho County and especially the area of Kapsoit, we are no longer secure. There is a lot of insecurity and we have the body supposed to be concerned with security in the area. We have lost lives . . .

The Deputy Speaker (Hon. Eric Bett): Order Member! Are you trying to raise another statement?

Hon. Peter Kemoi (Member for Kapsuser Ward): Yes, Mr. Speaker.

The Deputy Speaker (Hon. Eric Bett): Then you are out of order. Please have your seat because you cannot. I will give you a chance to make your remarks but you have to formally do a statement but since you have an urgent matter, I will give you a chance to make remarks. You will have to do the formal statement as required so that you can table and be committed. I will give you a chance to air your concerns on the security matter but be guided as I have said.

Hon. Peter Kemoi (Member for Kapsuser Ward): Thank you Mr. Speaker for that direction. It is an urgent issue. We are no longer safe because each and every day we are losing the lives of our people. People are even being threatened as they are transacting their businesses. It is just a matter of concern and we need to rise to occasion as the leaders of Kericho County because we are no longer safe. I am urging you that you give us the right direction so that we deal with this issue urgently. Today we are going to bury a very young man who was killed at Kapsoit doing *bodaboda* business. He was going with a customer and was attacked along Kapsoit-Sondu Road and unfortunately he lost his life while the customer is admitted at the Nursing Home with several injuries on the head and other parts of the body. Please give us the direction and we will appreciate. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Eric Bett): Thank you. Honourable Members before I give you the chance, remember I have given a chance on the issue raised by Hon. Edna Tonui and I want you to stick to this. If you have an urgent statement, you know the procedures. You draft one, it goes through the Table Office, House Business Committee, and then you can table the report. I only allow for remarks on this particular statement so that I can give direction before we adjourn. Hon. Eric Bii!

Hon. Eric Bii (Member for Kaplelartet Ward): Thank you very much Hon. Speaker. Based on your standing order number one, you have given us direction that we react shortly on this issue raised by Hon. Edna Tonui. I am a member and chair of the Health Committee and looking at this statement, we have been having issues especially when we are developing a health centre that is going to be a sub county hospital in Sosiot. We are lacking space and land to utilize the resources we have. Of course Mr. Speaker, the Majority Leader has set aside funds to Sosiot health centre but when you look at the land space, initially it was a big land but now the space is even smaller than one acre. So we need the Lands Committee to look into this matter and bring on board to ensure that any land which has been grabbed should be returned to the department because we want to expand Sosiot to be a sub county hospital.

When you do not put policies in place to ensure that we get our land back, we shall not develop Sisiot hospital. So I want to say this on record; that we have heard that the land was grabbed—that is the allegation from the public. We have heard that the honourable member from Belgut has been looking into this matter especially when it comes to the Police Station in Sisiot, so I believe that the devolution has taken place. And the land and physical planning is our mandate as the County Government. So we are on the right track to look into this so that we return all the land that has been grabbed to the County for us to utilize it and maximise our mandates and also to ensure that justice is done to our people in this County. So the statement is good and with your directions ensures that it comes within a maximum of three weeks. Thank you!

The Deputy Speaker (Hon. Eric Bett): Thank you Hon. Members. I will give the last comment to Hon. Fancy Korir before I make my direction on this matter.

Hon. Fancy Korir (Nominated Member Representing Women): Thank you Mr. Speaker, Sir, for giving me this chance. I will second the statement given by Hon. Edina that we need a report on lands within Kericho County so that we may use it to our good. Another thing is that I just want to echo what Hon. Peter has said that we are not safe in Kericho County. Our people have been maimed and killed and the security is very much aware of the people who are doing this. Give us direction so that we may do something and our people will be safe.

Another thing is I would want to be on record again about the gender mainstreaming funding. We have not gotten anything for the gender mainstreaming and we have seen in Kericho County again our women are not safe and we would really want to do something. Even in Hon. Rogony's place there was a woman who was chopped off by her husband, the ears are not there and the woman is suffering. We would really want to do something. We want to visit the women and also the men because mental health is real. So we would really want to do something as the women of Kericho County so that the gender based violence will not be seen again. Thank you.

The Deputy Speaker (Hon. Eric Bett): Thank you Hon. Members for that. So the statement that has been raised by Hon. Edina Tanui concerning the issue of public lands which is Sisiot facilities which has been put in the statement. And the Chair Lands, having also reacted and requested for time is hereby granted the time and counted the days that he has requested since we are proceeding on recess is that as soon as we are back from recess, this statement should be responded to. So once we look at the calendar, the first sitting as we resume should be ready with this particular Report on this statement. I am aware that we will be on recess for about one month which is sufficient for you to have done that particular report. I am also aware that the fact that you have pending statements which you have done some ground work which need to be facilitated to be able to give full report. We will ensure that you will be given the support you require so that the committee shall be able to execute its mandate at the timeline given by this honourable House.

Secondly on the issue that has been raised by Hon. Peter Kemoi and echoed by Hon. Fancy Korir on the issue of security which has been witnessed in the County of Kericho, since this is an emotive issue that has been ongoing, looking also at roles and the constitution of Kenya which deals on the duty of National and County Government and the issue of security is squarely a National Government function. Nevertheless, this office will be able to regulate on records office to ensure that the issues of insecurities within the county are all addressed. So we will have a discussion after this with the legal team to find ways on how we can be able to raise this concern to ensure that these matters affecting our County at large are all addressed. So if we will be able to know the way forward we will have to write to the different agencies in the County to help us, so that it will be discussed after this session with the legal team to ensure that we do something which is within our mandate as an Assembly as has been provided by the Constitution of Kenya basing on the Standing Orders. So, thank you Hon. Members!

ADJOURNMENT

The Deputy Speaker (Hon. Eric Bett): There being no other Business, this Assembly stands adjourned until today at 2.30 P.m.

[The House rose at 10:45 a.m.]