

SAMBURU COUNTY ASSEMBLY



THE HANSARD

Tuesday July 21st, 2015

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

(Temporary Speaker (hon. Shadrack Lesoipa) in the chair)

PRAYERS

MCA Elbarta ward, (hon. Romano Leakono): Thank you hon. Speaker Sir, I would like to contribute to this motion by congratulating the hon. Chair for coming up with the report at such a time. We know that he has been busy trying to spearhead the demarcation between Elbarta and Lesokon group ranches in Baragoi. I was told that this department is not solving but creating a lot of conflict in this county. It is unfortunate that our hon. Member for Ndoto, at times I feel that he, misuses his efforts because his office is not non-partisan as it is supposed to be. It is like it belongs to the Chair, the Governor or a few fellows in the county with their own interests. The lands department has to be informed that if we don't have the capacity to do the right demarcation of boundaries in the county, then we should seek the national assistance. We also have a land's board in this county. I wonder why they are not involved where group ranches have disputes for example in the case of Elbarta and Lesokon group ranches. I wonder why it is being run like it is somebody's chore. I think the right machinery should be used because the department has so far become ineffective and it's not solving the conflict within the county and even with our neighbours. That shows the incompetence of the department. I am very disappointed and I request this house that I will come up with a statement in the course of the week so as we have a direction because this is very sensitive departments and such conflicts can turn-out to be civil wars and we don't want to shed blood of our people of the same county by the same people purporting to be serving them. It is by God's grace that there is no fight between the Elbarta group ranch members and Lesokon (**Interruption**)

Temporary Speaker, (hon. Shadrack Lesoipa): Hon. Member, you should contribute on the statement before this house.

MCA Elbarta ward, (hon. Romano Leakono): That is exactly what I am saying hon. Speaker Sir and that is just an example but this department should take its work seriously. You can see that all of us here are not satisfied. I am going to raise a statement or a motion to that effect, thank you.

Chair, Lands Committee, (hon. Raisy Letura): Thank you Mr. Speaker, I do not want to go personal to hon. Leakono but let me first clear that this department is not for the chair, for the Governor or any other person but serves the people of this county. As hon. Leitore has put it, it is true that there are errors in the report about Lodung'okwe being in conflict with Noongek. The two are close and maybe that is where the error emanated. We will do that correction. On the issue of disputes, I urge the hon. Members that they formalize the disputes among the ranch members. Am certain that the department has a competent team, I want to agree with hon. Leakono that we don't have a complaints team. We know that, as a county that is coming up, we have been trying to put structures into place especially the personnel and we recently employed a very young and competent CO in the department. Am sure we have surveyors and physical planners and we know that the current CEC for Lands has been doing a commendable job. We

know that she came from Health department which has been one of the best and now that she is in Lands, am very sure that she is going to bring a transformational change in this ministry. On the issue of planning of Lodung'okwe town as hon. Leitore put it, picking has been done and I am worried that we are putting up a private ranch if we go by hon. Lelenkeju's statement. If that is true, I wonder whether we are misdirecting our resources. We need to see whether that is true or not and I am sure that we have personnel and machineries to discover that. I want to assure the hon. Member for Wamba West that if at all the private areas belong to the community; we will do justice to the people of Lodung'okwe and planning of the town. It is a process and we have started with the picking, planning will follow and finally beaconing. I want to assure the members that the ministry has robust plans to undertake in this particular financial year and I want to assure hon. Leitore that in the next few weeks or months, he will see the process rolling on for the other towns. We are not belittling your small towns. When we say small, we just mean the size and not anything else. We mean well for Ngaroni, Ngutuk Elmuget and the other towns in your area. After doing the beaconing, your people will get the value for the land which will develop because of other financial sources that could come along with it. Thank you.

Temporary Speaker, (hon. Shadrack Lesoipa): What is it hon. Leitore.

Majority Whip, (hon. Benjamin Leitore): Hon. Speaker, I appreciate the answer given by the chair but I had a specific question. I appreciate that the picking of the said town has been done by the department but when is the planning and the beaconing of this town going to take place? There are a lot of upcoming institutions like primary schools, dispensaries and others. So, we need to have a clear map for beaconing or planning in order to give room for development of this town. The second question is on group ranches as said by the Chair for Physical Planning. We understand that the acquisition of the said title deeds is costly. I wish to know if there are plans within the department that the communities are assisted to acquire the title deeds, thank you.

Chair, Lands Committee, (hon. Raisy Letura): Thank you Mr. Speaker, once again and I want to state clearly that picking has started and I want to assure the hon. Member that before you go to planning, there is a process that is followed. Picking has started and it follows that it was put on the dailies for 6 weeks so that anybody with a title deed for Lodung'okwe can claim ownership. I think that is what hon. Lelenkeju wanted to say. I am not very sure of the dates but in the next few months during this year budget, the town will be planned and beaconed. So, in the next few weeks, you will see it in the papers for any person claiming it or otherwise and the process will follow. It should be put in notice in the dailies so that the ownership is ascertained. I understand it is very difficult for any group ranch to raise such an amount of money. Because I can imagine if it is 31, 000 acres times Shs. 500, then it is a lot of money. The department is undertaking plans to see that we get waiver for the title deeds. We may not get 100% waiver, but I know some of the group ranches will get waiver through the national plan which was launched

by the president and in the National Land's Commission's act, it says that any land should be titled in 10 years' time. I think it was since 2010 so; we are remaining with only a few years. That is why the ministry wants to move fast to see that we acquire the title deeds. There are plans to approach the national government on the waiver. Those are some of the few things that the department is undertaking to see that Samburu county residents and especially the ranches benefit on the title deeds, thank you.

Temporary Speaker, (hon. Shadrack Lesoipa): Thank you hon. Chair, for the purpose of this house's records and as reported by the hon. Member for Wamba West, some part of this report is misleading where it says that Noongek is part of Wamba west group ranch. The Chair for Planning will have to do a report that is correct and table a clear report on Thursday next week.

Chair, Lands Committee, (hon. Raisy Letura): Thank you Mr. Speaker, we will do that.

MCA Ndooto ward, (hon. Raisy Letura): Once again, I stand to respond to a request to a statement by the hon. Member for Suguta Marmar ward. On 14th July, he sought for a statement from the Chair, Committee on Physical Planning, Housing and Urban Development pertaining the implementation of group ranches and adjudications areas beaconing within Suguta Marmar ward. The committee conveyed the request for the statement to the CEC in charge of Physical Planning, Housing and Urban Development. On behalf of the committee, I wish to report the communication from the said CEC that:

1. The department in mitigating the hostilities intends to hold several high profile consultative meetings involving stakeholders and leaders of the two communities.
2. In consultation with the National Survey Office through the Director of Survey and Chief Land Registrar, the department is intending to carry out a boundary confirmation exercise in the border areas and plant beacons should need arise. This will be done in close collaboration with other mandated government organs e.g. IEBC and other concerned state agencies.
3. The adjudication process for Suguta B, Marmar adjudication section, which included a total of 34 posts including: Longewan B, Lolmolog B, Loosuk B, Tinga B and Malaso B and other individual plots has been completed by the department of Land Adjudication and Settlement. The respective title deeds are currently with the Land Registrar, Isiolo, pending collection of registration fee of Shs. 500 per acre. The office was shifted from Nyahururu to Isiolo. The registration fee should be paid by the respective group ranch members to allow for collection of their documents. However, the department is committed to exploring the possibility of allocating funds and paying the fee on behalf of the ranches to cushion them from financial burden and ensure they get documents within the shortest time possible.

4. The department will also allocate resources for beaconing of all or either of the 3 group ranches of Tinga A, Malaso A and Loosuk A in the current financial year subject to availability of funds. I beg to lay this response from the CEC.

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 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 of 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 from which themselves living bigger population without land and if the department is informed then what are the plans 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 say that there are any ambiguity, because they probably get it from different perspectives Mr. Speaker, so Mr. Speaker depending on the dimensions that you have looked at the response, maybe that is where the ambiguity comes from, having said that, I continue on the same, I think the land issue 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 Samburu's 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 issue 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 has 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...

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 it's 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 for 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 to 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 on the fact that our communities have been claiming on the original border whereby it was done by very old age sets, I do not know whether it is the Ltarigrig, famously known as “Ltirre 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

Clerk: 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

Clerk: 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

Clerk: 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.