



SAMBURU COUNTY GOVERNMENT
COUNTY ASSEMBLY OF SAMBURU
SECOND ASSEMBLY – (FIFTH SESSION)

ORDER PAPER

WEDNESDAY, MARCH 10TH, 2021 AT 2.30 P.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. *Notices of Motion
7. *Statements
8. ***Motion- Conferment Of Town Status To Wamba**

(Hon. Lekwale Lucas)

THAT; AWARE THAT, Section 10 of the Urban Areas and Cities Act, 2011 (Revised) lays down criteria and eligibility for conferment of a town status to a market center; **FURTHER AWARE THAT**, conferment of a town status will ease management of a town through a committee and create employment for the youth; **CONCERNED THAT**, Wamba has met the following criteria; a) a population of at least two thousand residents according to the final gazetted results of the latest population census carried out by an institution authorized under any written law, preceding the grant; b) demonstrable economic, functional and financial viability; c) the existence of an integrated development plan in accordance with this Act; d) the capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule; and e) sufficient space for expansion. **NOW THEREFORE**, This House urges the County Executive Member for Lands, Physical Planning, Housing and Urban Development that, upon this motion, consider Wamba for the conferment of town status, and recommend the County Governor to constitute an ad hoc committee to consider this recommendation and advise as appropriate.

9. ***Motion- Report of the Committee on Public Works and Transport**

(Hon. Letura Raisy)

THAT, This house debates and approves the Report of the Committee on Public Works and Transport on the Information on Implementation of infrastructural projects in Samburu County as required by the senate standing committee on Roads and Transport.

10. ***Motion- Report of the Committee on Education and Vocational Training**

(Hon. Lesoipa Shadrack)

THAT, This house debates and approve the Report of the Committee on Education and Vocational Training on site visit to various ECD Centers across the County.

11. *** Motion- Report of the Committee on Agriculture, Fisheries and Livestock Development**

(Hon. Lanyasunya Adamson)

THAT, This house debates and approves the Report of the Committee on Agriculture, Fisheries and Livestock Development on Nomotio Livestock improvement center Bill, 2020.

12. ***The Samburu County Nomotio Livestock Improvement Centre Bill, 2020**

(Samburu County Bills No.4)

Second Reading

(Chairperson, Agriculture, Livestock and Fisheries Development)

13. ***The Samburu County Nomotio Livestock Improvement Centre Bill, 2020**

(Samburu County Bills No.4)

Committee Of The Whole

14. ***The Samburu County Nomotio Livestock Improvement Centre Bill, 2020**

(Samburu County Bills No.4)

Third Reading

(Chairperson, Agriculture, Livestock and Fisheries Development)

***Denotes Orders of the Day**

APPENDIX

1. NOTICES OF MOTION

a) **REGISTRATION OF UNREGISTERED LAND IN SAMBURU EAST AND CONVERSION OF GROUP RANCHES TO COMMUNITY LAND***(Hon. Lentukunye Chris)*

THAT, AWARE THAT; Land is an important resource as it anchors most human development activities. Moreover, land is used not only as an economic resource but also as a socio - cultural tool. Land in the County is either owned as registered community land (group ranches), unregistered community land (held in trust by County Government), public and private land as leasehold or freehold. **CONCERNED THAT;** Land in the County is categorized as per the Article 61 of Kenya's Constitution, Land Act, 2012 and Community Land Act, 2016. The first category of land that constitutes bulk of the land parcels is the community land. The community land is further categorized as registered community land and unregistered community. The registered community land constitutes what is referred to us as Group Ranches. Presently, the County has forty-three (43) group ranches and an approximately 26,551 registered members with the majority being found in Samburu West and East and with the least being in Samburu North. **DEEPLY CONCERNED THAT** the County Government under the Act is to hold in trust on behalf of a community unregistered community land and any monies payable as compensation for compulsory acquisition of any such unregistered community land. Any such monies shall be deposited in a special interest earning account by the County Government and shall be released to the community upon registration of the community land. A County Government is prohibited from selling, disposing, transferring, and converting for private purposes or in any other way disposing of any unregistered community land that it is holding in trust on behalf of a community. **COGNIZANT OF THE FACT THAT; giving** effect to Article 63 of the Constitution of Kenya, 2010 (the Constitution) provides for a classification of land known as community land. To this end, the Constitution provides that community land shall vest in and be held by communities, providing for, first, the recognition, protection and registration of community land rights. Second, the management and administration of community land. Third, the role of county governments in relation to unregistered community land and related matters. **NOW THEREFORE,** This house urges; That registration of unregistered community land in Samburu East and Samburu North be fast tracked for the benefit of the communities living therein. That conversion of Group Ranches to Community Land is taken into account in accordance with Community Land Act, 2016.

b) TITLING OF WAMBA AND OTHER TOWNS IN SAMBURU EAST

(Hon. Lekwale Lucas)

THAT AWARE THAT Land titling is a form of land reform in which private individuals and families are given formal property rights for land which they have previously occupied informally or used on the basis of customary land tenure; **ALSO AWARE THAT** providing formal titles increases security of land tenure supports development of markets in land and allows better access to credit by using land titles as collaterals;

FURTHER AWARE THAT land is one of the devolved functions of the County Government as provided for under part 2 of the Fourth Schedule of the Constitution of Kenya 2010;

CONCERNED THAT over fifty years after independence and in this current dispensation of the new Constitution, still the majority of residents of this County do not have ownership documents for their pieces of land;

FURTHER CONCERNED THAT Land is a fixed asset and one of the most emotive issues in the Kenyan public discourse and there have been unending land wrangles over the years in Samburu; **WORRIED THAT** if this critical land issue is not solved there will be more severe conflicts and the county land value continues to be with low value compared with other parts of the County; **THIS ASSEMBLY THEREFORE** urges the County Executive Committee Member for Lands, Physical Planning, Works and Urban Development to ensure that the people of Wamba, Archers and other towns in Samburu East secure title deeds for their land thus enhancing peaceful and economically empowered communities.

2. STATEMENTS PURSUANT TO STANDING ORDER 42(2)

- a) Statement from the Chairperson of the Sectoral Committee On Environment and Water regarding the unused garbage truck lying in Wamba without a driver, sought by Hon. Lekwale Lucas;and
- b) Statement from the Chair Budget and Appropriation Committee regarding the implementation status of the development projects for FYs 2016/2017, 217/2018, 2018/2019, 2019/2020, Sought by Hon. Leshipayo Koris.

3. MOTIONS

a) CONFERMENT OF TOWN STATUS TO WAMBA

THAT; AWARE THAT, Section 10 of the Urban Areas and Cities Act, 2011 (Revised) lays down criteria and eligibility for conferment of a town status to a market center; **FURTHER AWARE THAT**, conferment of a town status will ease management of a town through a committee and create employment for the youth; **CONCERNED THAT**, Wamba has met the following criteria; a) a population of at least two thousand residents according to the final gazetted results of the latest population census carried out by an institution authorized under any written law, preceding the grant; b) demonstrable economic, functional and financial viability; c) the existence of an integrated development plan in accordance with this Act; d) the capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule; and e) sufficient space for expansion. **NOW THEREFORE**, This House urges the County Executive Member for Lands, Physical Planning, Housing and Urban Development that, upon this motion, consider Wamba for the conferment of town status, and recommend the County Governor to constitute an ad hoc committee to consider this recommendation and advise as appropriate.

(Hon. Lekwale Lucas)

b) **THAT**, This house debates and approves the Report of the Committee on Public Works and Transport on the Information on Implementation of infrastructural projects in Samburu County as required by the senate standing committee on Roads and Transport.

(Hon. Letura Raisy)

c) **THAT**, This house debates and approve the Report of the Committee on Education and Vocational Training on site visit to various ECD Centers across the County.

(Hon. Lesoipa Shadrack)

d) **THAT**, This house debates and approves the Report of the Committee on Agriculture, Fisheries and Livestock Development on Nomotio Livestock improvement center Bill, 2020.

(Hon. Lanyasunya Adamson)

e) **THAT**, The Samburu County Nomotio Livestock Improvement Centre Bill, 2020 (Samburu County Bills No.4) be now read a Second Time.

f) **THAT**, The Samburu County Nomotio Livestock Improvement Centre Bill, 2020 (Samburu County Bills No.4) be now read a Third Time.

...END

MOTION

Hon. Speaker, I beg to give notice of the following motion;

THAT, AWARE THAT; Land is an important resource as it anchors most human development activities. Moreover, land is used not only as an economic resource but also as a socio - cultural tool. Land in the County is either owned as registered community land (group ranches), unregistered community land (held in trust by County Government), public and private land as leasehold or freehold.

CONCERNED THAT; Land in the County is categorized as per the Article 61 of Kenya's Constitution, Land Act, 2012 and Community Land Act, 2016. The first category of land that constitutes bulk of the land parcels is the community land. The community land is further categorized as registered community land and unregistered community. The registered community land constitutes what is referred to us as Group Ranches. Presently, the County has forty-three (43) group ranches and an approximately 26,551 registered members with the majority being found in Samburu West and East and with the least being in Samburu North.

DEEPLY CONCERNED THAT the County Government under the Act is to hold in trust on behalf of a community unregistered community land and any monies payable as compensation for compulsory acquisition of any such unregistered community land. Any such monies shall be deposited in a special interest earning account by the County Government and shall be released to the community upon registration of the community land. A County Government is prohibited from selling, disposing, transferring, and converting for private purposes or in any other way disposing of any unregistered community land that it is holding in trust on behalf of a community.

COGNIZANT OF THE FACT THAT; giving effect to Article 63 of the Constitution of Kenya, 2010 (the Constitution) provides for a classification of land known as community land. To this end, the Constitution provides that community land shall vest in and be held by communities, providing for, first, the recognition, protection and registration of community land rights. Second, the management and administration of community land. Third, the role of county governments in relation to unregistered community land and related matters. **NOW THEREFORE,** This house urges; That registration of unregistered community land in Samburu East and Samburu North be fast tracked for the benefit of the communities living therein. That conversion of Group Ranches to Community Land is taken into account in accordance with Community Land Act, 2016.

Thank you Hon. Speaker. _____

Hon. Chris Lentukunye, MCA
Member for Wamba North Ward
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu
March 10, 2021

MOTION

Hon. Speaker, I beg to give notice of the following motion;

THAT AWARE THAT Land titling is a form of land reform in which private individuals and families are given formal property rights for land which they have previously occupied informally or used on the basis of customary land tenure; **ALSO AWARE THAT** providing formal titles increases security of land tenure supports development of markets in land and allows better access to credit by using land titles as collaterals;

FURTHER AWARE THAT land is one of the devolved functions of the County Government as provided for under part 2 of the Fourth Schedule of the Constitution of Kenya 2010;

CONCERNED THAT over fifty years after independence and in this current dispensation of the new Constitution, still the majority of residents of this County do not have ownership documents for their pieces of land;

FURTHER CONCERNED THAT Land is a fixed asset and one of the most emotive issues in the Kenyan public discourse and there have been unending land wrangles over the years in Samburu; **WORRIED THAT** if this critical land issue is not solved there will be more severe conflicts and the county land value continues to be with low value compared with other parts of the County; **THIS ASSEMBLY THEREFORE** urges the County Executive Committee Member for Lands, Physical Planning, Works and Urban Development to ensure that the people of Wamba, Archers and other towns in Samburu East secure title deeds for their land thus enhancing peaceful and economically empowered communities.

Thank you Hon. Speaker.

Hon. Lekwale Lucas, MCA
Member for Wamba East Ward
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu

March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT; AWARE THAT, Section 10 of the Urban Areas and Cities Act, 2011 (Revised) lays down criteria and eligibility for conferment of a town status to a market center;

FURTHER AWARE THAT, conferment of a town status will ease management of a town through a committee and create employment for the youth;

CONCERNED THAT, Wamba has met the following criteria;

- a) a population of at least two thousand residents according to the final gazetted results of the latest population census carried out by an institution authorized under any written law, preceding the grant;
- b) demonstrable economic, functional and financial viability;
- c) the existence of an integrated development plan in accordance with this Act;
- d) the capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule; and
- e) sufficient space for expansion.

NOW THEREFORE, This House urges the County Executive Member for Lands, Physical Planning, Housing and Urban Development that, upon this motion, consider Wamba for the conferment of town status, and recommend the County Governor to constitute an ad hoc committee to consider this recommendation and advise as appropriate.

Thank you Hon. Speaker.

Hon. Lucas Lekwale, MCA
Member for Wamba East Ward
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu

March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT, This house debates and approves the Report of the Committee on Public Works and Transport on the Information on Implementation of infrastructural projects in Samburu County as required by the senate standing committee on Roads and Transport.

Thank you Hon. Speaker.

Hon. Raisy Letura, MCA
Chair, Roads and Public Works
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu
March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT, This house debates and approve the Report of the Committee on Education and Vocational Training on site visit to various ECD Centers across the County.

Thank you Hon. Speaker.

Hon. Shadrack Lesoipa, MCA
Chair, Education and Vocational Training
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu

March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT, This house debates and approves the Report of the Committee on Agriculture, Fisheries and Livestock Development on Nomotio Livestock improvement center Bill, 2020.

Thank you Hon. Speaker.

Hon. Lanyasunya Adamson, MCA
Chair, Agriculture
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu
March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT, The Samburu County Nomotio Livestock Improvement Centre Bill, 2020 (Samburu County Bills No.4) be now read a Second Time.

Thank you Hon. Speaker.

Hon. Adamson Lanyasunya, MCA
Chair, Agriculture
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu

March 10, 2021

MOTION

Hon. Speaker, I beg to move the following motion;

THAT, The Samburu County Nomotio Livestock Improvement Centre Bill, 2020 (Samburu County Bills No.4) be now read a Third Time.

Thank you Hon. Speaker.

Hon. Adamson Lanyasunya, MCA
Chair, Agriculture
March 10, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu

March 10, 2021