



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

ORDER PAPER

THURSDAY, MARCH 11TH, 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 - 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.

9. *Motion- 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.

10. *The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020

(Samburu County Bills No.3)

Second Reading

(Chairperson, Appointments)

11. * The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020

(Samburu County Bills No.3)

Committee Of The Whole

12. * The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020

(Samburu County Bills No.3)

Third Reading

(Chairperson, Appointments)

***Denotes Orders of the Day**

..... *Appendix*

APPENDIX

1. STATEMENTS PURSUANT TO STANDING ORDER 42(2)

- a) Statement from the Chairperson of the Sectoral Committee on Finance, Economic Planning and ICT regarding livestock Markets Public Utilities.

2. MOTIONS

- 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.

c) THAT, The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020 (Samburu County Bills No.3) be now read a Second Time.

d) THAT, The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020 (Samburu County Bills No.3) be now read a Third Time.

...END

MOTION

Hon. Speaker, I beg to move 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 11, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu
March 11, 2021

MOTION

Hon. Speaker, I beg to move 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 11, 2021

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

March 11, 2021

MOTION

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

THAT, The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020 (Samburu County Bills No.3)_be now read a Second Time.

Thank you Hon. Speaker.

Hon. Lemoosa Jonathan, MCA
Chair, Appointments
March 11, 2021

Hon. Lempere Solomon, MCA
The Speaker, County Assembly of Samburu
March 11, 2021

MOTION

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

THAT, The Samburu County Public Appointments (County Assemblies Approval) Bill, 2020 (Samburu County Bills No.3) be now read a Third Time.

Thank you Hon. Speaker.

Hon. Lemoosa Jonathan, MCA
Chair, Appointments
March 11, 2021

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

March 10, 2021