

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Thursday, 19th October, 2023

The Assembly met at the County Assembly Chambers at 2:30 p.m.

The Speaker, (Mr. Lenamarle Stephen), in the Chair

PRAYER

STATEMENTS

The Speaker, (Mr. Lenamarle Stephen): It is notified **THAT**, pursuant to Standing Order No. 45 (1) (c) the Speaker has approved the following tentative request for statements for Thursday 19th October, 2023:

1. Statement No. 0022/2023, requested by Hon. Asha Mohamed to the Chairperson, Committee on Lands, Physical Planning, Housing and Urban Development regarding infrastructural development activities in Nasur village by County Government of Baringo.

Member, Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Lealmusia Ali): Thank you Hon. Speaker Sir. I have been asked by one of the Hon. Members that the submitted statement is insufficient, so I honourably ask this House to give us time until the 2nd November, 2023, thank you Mr. Speaker Sir.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lealmusia, do you have the statement with there?

Member, Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Lealmusia Ali): Yes, Sir, I do have.

The Speaker, (Mr. Lenamarle Stephen): And how did you confirm that it is insufficient?

Member, Committee on Lands, Physical Planning, Housing and Urban Development, (Hon. Lealmusia Ali): A concerned Member of this House as gone through and has requested that we request for deferment. However, Mr. Speaker Sir let read what I have.

The Honourable Speaker Sir, the Hon. Asha Mohamed requested for a statement from the Chairperson, sectoral Committee on Lands, Physical Planning, Housing and Urban Development regarding an infrastructural activity in Nasurr village by Baringo County.

Hon. Speaker Sir, the Committee conveyed the request for statement the Executive Committee Member in charge of Physical Planning, Housing and Urban Development. Hon. Speaker, on behalf of the Committee I wish to report the communication received regarding the above request.

Hon. Speaker Sir, I beg to lay this response from the Executive Committee Member:

I acknowledge receiving the letter dated 6th September, 2023 vied reference SBU/CA/CK/LPPUD/VOL. 5/023 seeking for statement on infrastructural development activities in Nasur village by County Government of Baringo:

- A) Provision on clarity on the exact geographical location of Nasur village and its administrative affiliation confirming whether it falls within Samburu County or Baringo County by providing the maps and beacon certificates of Nasur village.

The response is: Nasur village falls within Nasur Sub-Location, Amayia Location of Samburu County. In contest, the village forms part of Longewan B grou ranch/community, land that was adjudicated under Suguta Marmar B registration section with the boundary between the two Counties being river Amayia.

1. Despite the foregoing, there is need for physical field verification by the County surveyors. The verification would entail methodological survey process, interviews and also acquisition of existing secondary data such as official administrative boundary maps from Survey of Kenya, topographical maps, District and Provinces Acts and Registry Index Maps for purposes of preparing a detailed surveyed report on the location of the said village.
2. In undertaking this exercise, there would be need for multi-sectorial approach as the issues of boundary transcend beyond the Department and involves myriad players such as State Department for Internal Security, National Administration, Independent Electoral and Boundaries Commission, Office of the Governors, Political leadership, Director Surveys and other affected County Government.
3. There would need for security arrangement and a joint work plan to undertake the exercise.
4. Its upon completion of the field and survey report that a map superimposed with boundary maps showing location of Nasur village can be provided. Once this is done, there is no need for a beacon certificate, as beacon certificate are utilized in Land Administration/Cadaster. However, in places where there is no distinct natural or human

made features once boundary is established its recommended that beacons be erected for ease of reference.

- B) The question was; confirmation to the House if the Department of Lands and Physical Planning as well as the Office of the Governor is aware of the infrastructural developments going on in Nasur village by County Government of Baringo?
- C) The question was; provision of of any information available concerning the authorization and approval for Baringo County to engage in development activities within Nasur village. The response is that, there is no information authorization or approval from County Government of Samburu on development activities in Nasur village.
- D) The question was; provision of any established agreements, official documents or communication between Samburu County and Baringo County pertaining to the development projects in Nasur village, the response is that, within the Department of Lands, Physical Planning there is no established agreement, official document or communication between Samburu County and Baringo County pertaining development projects in Nasur village.

Thank you Hon. Speaker Sir.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker. I am not raising as a Minority Leader because the issue at hand concerns my Ward, so I am speaking on behalf of Suguta Marmar Ward as their representative.

Mr. Speaker, the Statement response that has been brought to this House, I did not believe that all officers who have been entrusted to take care of the activities within our County can go and google because the response that I see Mr. Speaker is like it has been googled somebody has not researched and he has not seen the seriousness of this Statement.

Mr. Speaker, according to what we requested the issue at hand is if Samburu County wants to solve this issue of conflict between Baringo and Samburu, this is the time Mr. Speaker, I urge this House and my colleagues with your guidance that this statement should be taken back to the

sender and Mr. Speaker I need you to give a warning that this statement was not just a mere statement that I am requesting, but I know what I am referring to and I know what I requested.

I purposely visited Nasur village through my means and saw what is happening within our County and Nasur village which is within my Ward, and Mr. Speaker I need the Committee to be serious on this issue because this issue is not resting in Samburu County, it will go up to the National Government if need be because, the request that these people are trying to respond to I feel ashamed as an elected leader of the same County. I also feel ashamed that the same people who are responding to this Statement are people who are born in this County and are people living in that County. Our people are dying because of this land; the only solution is to know where our boundary is. During the election time everybody and every Governor appointed in this County said that people of Samburu must live in Lkerei Lesunyai and now this is the Statement that will cure these diseases.

I need this Statement to go back to the Lands Department, if they need security I have NPR in the County who are ready to take them to the ground, visit those areas and ascertain if I am saying something that is not real. I have everything, the evidence and the pictures but it is not me to come and provide them and if they fail I will bring them to this House. I feel ashamed if the County Government of Samburu is not feeling what I am feeling as an elected leader of Suguta Marmar Ward, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Lenolkulal Esther): Asante Mheshimiwa Spika. Tukiwa katika bunge hili tunafahamu mambo ya ardhi, Mheshimiwa Asha aliuleta Statement wakati mwingine na tukaongea mambo ya ardhi; tunapoulizwa hapa sisi tunaenda kwa Executive pale kutafuta hiyo response na kwa kweli tunapitia hali mgumu sana kama kamati ya ardhi kwa kuwa tunajua kuwa tuko na shida katika hiyo belt yote na sio Nasur tu pekee.

Tunapongea hapa Siambu karibu iende hata sio Nasur ambayo ni mbali. Tuko na shida sana katika mambo ya ardhi. Tunaogopa kwenda huko. Ikiwa sahih tunashindwa kwenda kwenye mto tutawezaje kwenda Nasur? Hatusemi hatuendi lakini kuna shida. Ukosefu wa usalama umeleta hii shida yote kwani kungekuwa kumejengwa katika sehemu zote. Ninapotoka mimi tukona

shule, hospitali na barabara limejengwa katika group ranch yetu ambayo limejenengwa na Kaunti ya Baringo.

Mambo haya yapo juu ya Kamati na inafaa hata tuombe msaada kutoka National Government. Kwa sasa Wapokot wameishi katika haya group ranches yote kutoka 2002 hadi sasa na nikama hawa watu wamekuwa wenyeji huko. Katika group ranch ya Lpurukwai tuko na title deed lakini halina msaada kwetu, hao ndio wanaoishi huko. Wakati mwingine swala ya ardhi linafaa litatuliwe pamoja kwa kuwa kuna shida sana. Tunasema haya group ranches ni zetu lakini haitufaidishi sisi kwa kweli na nikama tumeshindwa kwa kuwa jambo hili limekaa kwa miaka, nikama miaka ishirini wapokot wakiishi pale.

Sijui shida hili litatuliwa vipi lakini tunamuomba mungu kwa kuwa tunahitaji watu wote wakiwemo Gavana na National Government ili tujaribu nakuona mambo haya. Sisi kama kamati pekee hatutaweza mambo ya ardhi hii. Watu watahama Pura kabisa na itakuja kuwa ni wale tu ndio wataishi. Sijui tutaongelea wapi maneno ya ardhi hii kwasababu nikama belt mzima limechukuliwa. Tunaishi kwetu kama masquatter kwa kuwa hata sahii ukiwa na shamba lako halikusaidii kwa chochote.

Mambo ya ardhi ni uchungu kabisa kwa kila mtu. Ardhi linatuletea shida katika upande wa magharibi. Mheshimiwa ameongea kwa uchungu lakini tunamuomba mungu tupate suluhu. Ardhi ya wasamburu iko hatarini kabisa, asante Mheshimiwa Spika.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lealmusia when are you bringing a comprehensive report because I do not want us to discuss a report that is very shallow, so when are you bringing a comprehensive Statement?

MCA Ndoto Ward, (Hon. Lealmusia Ali): Thank you Mr. Speaker. Probably on the 2nd of November at 2:30 pm.

The Speaker, (Mr. Lenamarle Stephen): Okay. Hon. Leleruk are you okay with that? I can see you have...

MCA Suguta Marmar Ward, (Hon. Leleruk James): Mr. Speaker I will be ready to wait but as you give your ruling I think as a Hon. House and as a Committee, do some extra mile please if

you want to save Samburu County, what hurts me most is that some people...I am trying to say I want peace in my Ward and some people try to say there is no peace; as elected people and people who know what we want this is the right time now the Samburu to seat down and call Baringo County and even the National Government to act on this issue because we have evidence.

Those lands we call group ranches have title deeds, me included I have no title deed but I am supposed to live there. As a County this is the area that we need to focus on. I am urging every Member of this House that this is a collective issue and I just brought so that the Committee takes this issue to the Governor. This is not something that we take for granted and just ask something that we want.

If we want to solve the problem in Samburu County, then this is the issue at hand. If we wish to live a legacy in this House, then this is the best we can do peacefully; it is not a matter of taking armored vehicles to go and Nasur. We have many issues on how to arrive there. I am ready to take you to Nasur if you want to go to there, it is not an issue for someone to say that it is an issue of insecurity and that we do not have County Surveyors, everything is known. Nobody in the last ten years somebody has been built by Baringo County; we had previous leaders and it is our time as elected leaders to do things that we were appointed to do. I am ready to wait until the 2nd of November and if the Committee is not ready we can form an *Ad Hoc* Committee of the Whole House if need be. This is the place that we need to invest most. We will take this report even to the media houses so that the Samburu people will know the truth and the leaders who pretend to love Samburu County, this the right time, thank you Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Leleruk let us give the Committee time and let us not assume that you will not bring a more comprehensive report. The Statement that has been brought by the Committee is not satisfactory, the Lands Committee to seek more information from the Department and furnish this House with a comprehensive report on the 2nd November 2023 at 2:30 pm. I hope that is okay with you Hon. Lealmusia.

MCA Ndoto Ward, (Hon. Lealmusia Ali): Yes Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Okay and thank you. Pursuant to Standing Order number 45/1/c, the Speaker has approved the following tentative request for Statements for Thursday 19th October 2023; Statement number 023/2023 requested by Hon. Silapia Lenamatiyo to the Chairperson on the Committee on Health, Medical Services and Sanitation regarding to the status of the Health Task Force Committee.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. Before I read my request for the Statement on Health I would like to remind you on the Statement I requested on the Education Department concerning the feeding program; it is really becoming a culture that each and every day we refer Statements, where are we heading to. Mr. Speaker the other day you ruled that the response for that Statement be brought on the 17th on Tuesday at 2:30 pm, but it has never been brought.

I take this opportunity to thank you and the entire management of the Assembly for facilitating the Education Committee to go around the County to bring a comprehensive report, but what we are seeing here is even the Committee is not serious. On that day you ruled that the Committee to go around the County, bring a comprehensive report and table it to this House on the 17th at 2:30 pm that was on last Tuesday but we have never received any report.

The Speaker, (Mr. Lenamarle Stephen): Hon. Silapia I just want to inform you. Just take your seat; concerning the same, I have confirmed that they have a report and they will table in this house on 3rd November 2023 at 2:30pm. So, you continue with the statement now.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you, Mr. Speaker. But let that ruling be a ruling.

The Speaker, (Hon. Lenamarle Stephen): Let us not preempt. Let us not expect that it might not be a good ruling because they have moved around to have a good report.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you, Mr. Speaker. Pursuant to Standing Order number 45,2 c, I hereby request for a statement from the Chairperson from the Committee on Health, Medical Services and Sanitation in regard to the status of health tax force

committee. Hon. Speaker, His Excellency the Governor, immediately after being sworn in established three tax forces.

1. Samburu National Reserve taskforce.
2. Pending bills taskforce and
3. Health taskforce.

Task forces should not be confused with committees. A taskforce is a group of stake-holders coming together to address a complex, major issue in a short period of time. A taskforce provides diverse stakeholders opportunities to work together to make a unified recommendation and ultimately these recommendations are reported to those who have the power to enact changes.

In establishing a taskforce, a timeline should be set for the expected establishment and disbandment of the taskforce. Hon. Speaker, the department of health is one of the key sectors of the county and this house also enacted the Samburu County Health Services Act 2021 and the principal objective of this Act was to provide for the establishment and delineation of the community health units within the county for effective, efficient, sustainable delivery of community-based health services and establish necessary institutional and regulatory mechanisms to ensure functionality of community units in empowering stakeholders in health and for the connected purposes.

So, Hon. Speaker, in light of the above, the Chairperson for committee on health, medical services and sanitation should inquire into and report on

1. What were the terms of reference of the health taskforce?
2. Whether the taskforce had concluded its work and if not what was its lifespan?
3. Whether the taskforce has delivered its report to the appointing authority.
4. Status of the implementation of the committee Health Services Act 2021 in regard to budgetary allocation and how much was allocated to the community health volunteers in the last financial year 2022-2023. How many health volunteers have been employed by the County Government across the County? Kindly provide statistics in terms of health facilities and committees.

Thank you, Hon. Speaker. It has come to mind that since the swearing in of the Governor, he formed the three taskforces. Since that time, they have never come up with any report. The formation of the taskforces, especially the one I highlighted here, they were to follow up on the issues that are narrowing down the health sector. Since that day we have never seen or heard a report they came up with.

The formation of this taskforce was to identify the challenges and also to see the budget of the department. We have never seen any of those reports being tabled in this house. This house is another arm of the government that can help the department and the executive to implement their priorities and their projects. That is why I stand here to inquire and to tell the Chair of the committee on health to inquire into the lifespan of this taskforce and also whether they have done anything and the challenges they encountered when they formed.

I just request the committee to follow up on that with the department to check on the lifespan of the taskforce and whether they have finished their work and the budget allocated to them. Thank you, Hon. Speaker.

Specially Elected MCA, (Hon. Nakinyi Jane): Thank you, Hon. Speaker. I thank also Hon. Silapia for requesting this statement about health because we are not that active in the assembly. Maybe we are perfect in doing things, I do not know but we shall see after the report of this statement. Hon. Speaker, it is really true there was a taskforce for health and the committee has been meeting and talking about this taskforce among many other things pertaining health.

This is what every honorable member was complaining about – the reports. Among the reports we were expecting from the department was about the health taskforce and many other things. What I know is that the taskforce is there. It is true. It seems they are not active and we do not know the reason why. I cannot just assume and give a feedback about the taskforce. What I promise to the honorable house is that we will bring the report and table it on 8th November 2023 at 9:30am. It is part of our quarterly report but was not brought here. Hon. Silapia we will do that. Thank you, Hon. Speaker.

The Speaker, (Hon. Lenamarle Stephen): Hon. Silapia are you okay with that?

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Yes, Hon. Speaker, I agree with that. Thank you, Hon. Nakinyi. For that response and I am...Niko sawa na hiyo. Thank you.

The Speaker, (Hon. Lenamarle Stephen): So, this report should be furnished to the house on 8th November 2023 at 9:00am. I hope that is okay, Hon. Jane.

Specially Elected MCA, (Hon. Nakinyi Jane): It is okay, Hon. Speaker.

The Speaker, (Hon. Lenamarle Stephen): Honorable members, the time being 3:45pm and there being no other business and further pursuant to Standing Order number 27,3 this house is now adjourned until Tuesday 31st October 2023 at 2:30pm.