

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 2nd July, 2020

Special Sitting

*(Convened via Kenya Gazette Notice
No. 4303 dated 26th June, 2020)*

The House met at 10.17 a.m.

[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]

PRAYERS

Hon. Speaker: Good morning, Hon. Members.

Hon. Members: Good morning.

Hon. Speaker: Can I also see the Members in the extended Chamber?

(Camera on the extended Chamber)

Hon. Speaker: Good morning Hon. Members!

Hon. Members: Good morning.

Hon. Speaker: Thank you. So, I will call upon the clerk that we start on the Order Paper.

PETITION
MACHAKOS CREATIVE INDUSTRY

Hon. Speaker Hon. Members, under this Order we have one business. Hon. Members allow me to access the petitions. So, Hon. Members, this is Petition No. 1 of 2020 before this Hon. House. It is a petition by the Machakos Creative Industry; this is the industry of young people. Allow me, Hon. Members to remove this mask.

(The Speaker removed her face mask)

It is a petition by young people in the County who are involved in arts, the ones who promote tourism, I am informed. The Assembly received a petition through the office of the Clerk pursuant to Article 37 of the Constitution of Kenya, Section 15(1), of the County Governments Act and the Standing Order 194 of the County Assembly of Machakos Standing orders from the Machakos Creative Industry.

The petition was received on the 30th of March, this year that was a time when we were a few days after closure of business particularly because of the COVID-19 and so Hon. Members, the petitioners have raised concerns on the following which they term as their grievances that there has been a delay on payment of their dues by the department of Tourism and Culture.

The Petitioners claim that they offered services to the County Government of Machakos, Department of Tourism and Culture on a contractual basis and that they have not been paid for the services that they gave for eight months and others for over two years.

They claim that they participated in listed events parties:

- a. Artfest which was held on 5th and 6th of July, 2019 and for that the County has not paid them Ksh. 418,500.
- b. Filmfest which was held on 14th of December 2019 and for that the County owes them Ksh. 1,200,000.

The also further claim that the Department of Tourism and Culture has not been treating them with respect and has been hard on them especially when they go to claim the payments and they feel offended and they referred to the sovereignty of the people under Article 1 of the Constitution of Kenya, 2010.

Hon. Members, the petitioners are praying that the Assembly considers their petition and gives them the following relief:

1. That, there be an engagement with the Department of Tourism and Culture with a view to ensuring that the due amounts are paid to Machakos Creative Artists.
2. That the House investigates the matter on the leadership of the Department and then they make the necessary recommendations.

So, Hon. Members, Standing Order 200 of this House, provides that the Speaker may allow comments, observations or clarifications in relation to a petition that is presented to the House and that such total time should not exceed thirty minutes.

Further, Hon. Members, Standing Order 201(1) of the Standing Order of the House, provides that every petition presented or reported pursuant to this part shall stand committed to the relevant sectoral Committee.

So, Hon. Members, even as I commit to the relevant committee this Petition, do we have any Member who has anything to say on this Petition in this sitting? Do we have any Member who wishes to make a comment on the Petition in the extended sitting of the House? I can see Hon. Member Dominic Ndambuki. Hon. Dominic Ndambuki.

Hon. Ndambuki: Thank you, Madam Speaker. I wish to comment on the Petition that has been presented to this House. As a young person in this country, it is disheartening to see young talent not being appreciated and recognized. Madam Speaker, it is my prayer that as the legislative arm of this County Government that we support this young talent and ensure that they get what is rightful for them. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndambuki. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker. First of all, I would like to applaud what Hon. Ndambuki has said, that we need to ensure that the youth of this Country are treated with courtesy and they are also given utmost support so that they can be able to continue enhancing their skills and enhancing their artistry.

So, I would recommend that the committee does look into these issues and also on the other side of the coin for positivity, it will be important to try and also get to the root cause as to why these funds have not yet been paid, sometimes as you have seen previously we blame the department and actually end up finding that the delay is not in the department maybe they have already approved the payments and the payments are being withheld elsewhere.

So, even as we investigate we need to look at it positively so that we can be able to ascertain the root cause of the delay and ensure that we get to the bottom of it and get it resolved once and for all. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku. Hon. Ndawa. I will come to you Hon. Mutinda. You are not disadvantaged I can see you very well.

Hon. Ndawa: Thank you, Madam Speaker. I want to air my voice on the matter before the House. Madam Speaker, for one to give service to the County, there must be an engagement contract and as you are aware, a contract has what we call essentials. We have the essentials of a contract. Essential number one is offer and acceptance, somebody says I want this work done and somebody says I am ready to do it.

Madam Speaker, there was also a consideration which is the exchange of the service which is going to be given to the County and the other essential is the capacity. Did the people or the parties concerned have the capacity to enter into this contract? Madam Speaker, I believe the County has the capacity to enter into that contract and these young people also because they are over 18, they also have the capacity.

So, Madam Speaker, the last essential is the intention to have a binding agreement between the two parties and I believe that is there. So, Madam Speaker, if one party fails to do what it is supposed to do to the other party that is what we call a breach of contract. So, the issue of County giving jobs to these young people and not paying them, that is something which is not going to be tolerated by this House and I will request because these are the young people who are going to be there when we are not there, we cannot live forever.

Unless we take care of these young people, the County will not have a future so I will request that the committee that is going to be given the job by this House to ensure that these people are paid and I will request, in future, let the contracts which are being entered into by the County and the other parties be liquidated so that it is clear that if one party fails to do to honor its obligation, it is forced to pay what they had agreed. Liquidated is to say one if one party fails it will do A-B-C-D to the other party.

So, as a legislative Arm of the Government, we are very much discouraging the issue of jobs being given and the County failing to honor. So, Madam Speaker, I strongly support the petition and make a humble request to the executive to make the payments so that we can have these young people move to the next level. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndawa and also for that exposition of the law on contract. Hon. Mutinda.

Hon. Mutinda: Thank you, Madam Speaker. First, I want to say that it is the high time the County sees to it that our youth are taken care of. Most budgets are having the funds to try and inject money to the public and more so to the youth especially at this COVID-19 time and I think it is important that our youth are taken care of and it is the high time our sectoral committees and these Hon. House see to it that, the monies we have passed in the budget do the work which it was intended to do.

It should operate like a performance contract of some nature because if you are given money to go and buy something, then you should have something or the money but you cannot have

something and it has not been paid and the money is also not there. We as a County Government should not be seen to be showing a bad example to our citizen that we are giving some work to people and we are not paying. Then what a Government?

So, I am saying the youth must be paid and it is the high time that not even the youth or the Petition that has been brought but any other jobs given out from this County Executive or from this County Government, we should ensure that that money goes to the suppliers or the providers of the service. We cannot go on that way any longer because we will be setting bad precedence where people serve and offer services timely but as they offer the services timely, it becomes very difficult to reciprocate in paying timely.

We will be doing it wrongly and we will not go far with that. So, Madam Speaker, I request that the committee you will allocate the duty mostly to ensure that it brings the report to this House then we see to it that these people are paid. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mutinda. Hon. Maitha.

Hon. Maitha: Thank you, Madam Speaker. I want to support that Petition and if at all that contract was given to these young people, it is very disheartening for a Government like this one to have neglected on paying the youth. Madam Speaker, I propose that if at all it will be found that they were not paid, those people should be paid with interest. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Maitha. Hon. Members, the Petition is committed to the Committee on Culture and Tourism and the report to this House should be filed within 30 days. You appreciate Members that it is very difficult times especially economically for everybody but more so for the youth who do not have any other means of income unlike us who may be having land and cows here and there.

So, let us expedite the processing of the Petition and let us have the report within 30 days from the Committee on Culture and Tourism. Mr. Clerk, proceed.

MOTIONS

REPORT ON REGIONAL AND INTEGRATED STRATEGIC URBAN DEVELOPMENT PLAN FOR MACHAKOS COUNTY AND ITS SELECTED 16 URBAN CENTRES

Hon. Speaker: Hon. Members, just to remind you that on Monday, 29th of June, 2020, this Motion was introduced before this House and the Motion was read and I proposed the question just as a way of owning the Motion by this House. At the same time, I am informed that the Paper was circulated to the Members and it is expected that you have gone through it and I am looking around and I am not seeing the mover, Hon. Robert Kisini. Is he here?

Hon. Members: He is outside.

Hon. Speaker: Arrangements would have been made for him to be here especially when he is presenting a Paper and I can see some empty seats that have not been occupied. Hon. Kisini, please come to the Chamber.

Hon. Kisini: I am coming right away; I was in the other Chamber.

Hon. Speaker: Yes, I can see you are in the other Chamber---

(Laughter)

Come to this other Chamber. Hon. Members, let arrangements be made so that any Member who has a Paper is facilitated to be inside the Chamber especially because of the main HANSARD. Welcome, Hon. Kisini, it is just you are coming from the Chamber that is on the ground floor.....this one is on the first floor.

(Laughter)

So, I had indicated that Hon. Kisini had read this Motion on 29th June, 2020 and I had proposed the question just to give guidance to the Hon. Member and both Houses is that we are not going to read through the report, Hon. Kisini because Members had been given the Paper and it is expected that they read and because you have a special interest in the creation of Urban Centres of Municipalities, I expect that you drew interest and you read.

I will just ask the mover, Hon. Kisini just to very briefly highlight what the Paper is about, what the Motion is about and then go to the recommendations so that then now we can propose and debate.

(Applause)

Hon. Kisini: Thank you, Madam Speaker, for that guidance. I hope as guided by Madam Speaker, Members you went through this report and you have the knowledge with you to interrogate and to participate. The purpose of the report before I go to the observations and recommendations was upgrading of the 16 market centers or Towns to Urban status so that after they become recognized as urban status, they can now be promoted to Municipalities and they can now be able to get funds from the World Bank.

Hon. Speaker: Hon. Kisini, sorry, before you move out from that point, can you read out for the House those 16 Urban Centres? I believe they are somewhere in the report. It is important we just capture the salient points. Which are these 16 urban centers?

Hon. Kisini: Thank you, Madam Speaker. It is good I read them and it is on page 5. Pursuant to this provision the Department Urban Development prepared a regional and integrated strategic urban development plan for Machakos County and selected 16 urban centres. The plan contains the following:

1. Machakos Integrated Special Urban Development Plan 2015-2035
2. The regional land use for the entire Machakos County.
3. Tala Town proposed structure plan
4. Matuu Town proposed structure plan
5. Kangundo Town proposed structure plan
6. Kathiani Centre proposed structure plan
7. Mitaboni Centre proposed structure plan
8. Katangi Centre proposed structure plan
9. Mbiuni Centre proposed structure plan
10. Kola Centre proposed structure plan
11. Ekalakala Centre proposed structure plan
12. Masii Centre proposed structure plan
13. Kithyoko Centre proposed structure plan
14. Kivaa Centre proposed structure plan
15. Wamunyu Centre proposed structure plan
16. Masinga Centre proposed structure plan

17. Mwala Centre proposed structure plan
18. Yathui Centre proposed structure plan

Madam Speaker, you might wonder why it is 18; for Machakos it was in the original plan and Tala Town was also in the original proposed structure plan. It was just additional which were left out and that is why you can see them there. So, the number I have read is 18 but in actual sense the ones we are upgrading are 16.

Hon. Speaker: Thank you, Hon. Kisini. Further guidance, if you can also take us through the general cross-cutting land issues on page 16; we said we need to capture the salient points of this report. Page 16, cross-cutting issues.

Hon. Kisini: Page 16---

Hon. Speaker: Sorry on page 23. The cross-cutting issues are among the 16 Centres. Thank you, for that correction Hon. Museku.

Hon. Kisini: Thank you, Madam Speaker. General cross-cutting land issues observed in the 16 urban centers. The following cross-cutting land issues were observed in all the 16 selected urban areas:

1. No clearly defined land use zones;
2. Urban decay characterized by the dominance of old, ugly buildings typology in the urban setup;
3. No defined urban growth limits;
4. Unsustainable water source to serve the water demand for the urban centers and their growing neighborhoods;
5. Lack of designated waste collection points or dumpsites;
6. Inadequate non-motorized transport infrastructure and facilities;
7. Missing or inadequate storm water drainage infrastructure;
8. Insufficient green spaces and recreational facilities;
9. Encroachment on service lanes and access routes;
10. Poor surface condition of the access routes and service lanes;
11. Urban sprawl characterized by haphazard developments;
12. Linear development and settlements along main transport corridors;
13. Bottlenecks at road junctions in the urban centers;

Hon. Speaker, in the event, that there is no planning intervention of the aforementioned emerging land use issues, some of the development possibilities would include:

1. Haphazard growth with a negative social and economic impact in that the centers lack adequate infrastructure and community facilities;
2. Continued water shortage and drought in Machakos County;
3. Continued poor quality housing with slum dwellings mush-rooming in the urban centers and linear developments along the main transport corridors;
4. Incessant solid waste generation will be beyond the Machakos County's capacity to properly manage and dispose;
5. Continued land boundary disputes;
6. Multiplicity of land use challenges as a result of contained incompatibility of land uses overtime;

7. Over-exploitation of natural resources such as sand, ballast, soil, building stones, land, forests and minerals;
8. Demand for infrastructure and utility services (water and electricity) will surpass supply; there will be inadequate access to housing because the demand for housing will exceed the supply of the same;
9. Increase in poverty levels and low-quality life and recurrent high cost of living;
10. Continued *ad hoc* development in the towns, urban centers, rural centers and market centers resulting to decayed neighborhoods;
11. Depletion of aesthetic value and continued urban decay in the urban centers; xvii that is massive loss of lives and property in case of natural calamity or human-caused disaster such as fires among others.

Hon. Speaker: I think Hon. Kisini the Roman letter XVII should be 12; can you correct that.

Hon. Kisini:

12. Massive loss of lives and property in case of natural calamity or human-caused disaster such as fires among others.

OBSERVATIONS AND RECOMMENDATIONS

Hon. Speaker, after committee's deliberations on the strategic integrated regional and urban development plan, the committee makes the following observations:

1. That urbanization is inevitable and therefore the County Government has to plan for it;
2. That this is the first strategic integrated regional and urban development plan to be prepared by the department of Land, Housing and Urban Development;
3. That the development in the urban areas in Machakos has been haphazard and affected by lack of approved urban plans;
4. Uncontrolled development has led to encroachment to road reserves, wayleaves and riparian land which poses danger to infrastructure and even human life;
5. That urban planning is crucial for achieving sustainable development;
6. That if the proposed interventions are not implemented, then urban growth will be hampered.

Further, based on the plan presented by the Ministry of Land, Housing and Urban Development Department the committee makes the following recommendations:

1. The County Government of Machakos should prioritize the implementation of the strategic integrated regional and urban development plan by aligning it with the Second Machakos County Integrated Development Plan;
2. That going forward the Department of finance and revenue should provide for funds to actualize these plans in future County budgets;
3. The County Executive should enforce the existing zoning policies and regulations in order to allow sustainable development in Machakos County;
4. That this Hon. House approves the strategic integrated regional and urban development plan for the selected 16 urban centres.

8.0 CONCLUSION AND ACKNOWLEDGEMENT

Hon. Speaker, the Assembly committee on Environment, Lands, Energy and Natural Resources is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings. I wish to express my appreciation to the Honorable Members of the Committee who sacrificed their time to participate in the consideration of the plans and in preparation of this report especially during this difficult moment of dealing with Covid -19 pandemic.

Hon. Speaker, it is therefore my privilege, on behalf of the Environment, Lands, Energy and Natural Resources Committee to table this report on the regional and integrated strategic urban development plan for Machakos county and its selected 16 urban centres for deliberations and approval by this Hon. House. Thank you Hon. Speaker.

Hon. Speaker: Thank you Hon. Kisini. You can sit here Hon. Kisini. The first sit here. Hon. Members, I remind you that on 29th of June, 2020 I proposed the question and I will just take it from there and indicate that the motion is now open for debate. Hon. Ndawa. Serjent-at-Arms you will go to the extended chamber and get the list of Members who wish to contribute.

Hon. Ndawa: Thank you, Madam Speaker. Madam Speaker, I will start by congratulating the chairperson and the entire committee for a job well done. Madam Speaker, I had a privilege to be invited to that committee when they were compiling the report and this committee worked under very difficult times because of this issue of Covid-19 but they managed to have the report ready so I want to thank the Chair and the committee for being dedicated to serve the Machakos residents.

Madam Speaker, as you are aware a Statement was sought in this House last year about creation of new municipalities. Madam Speaker, after deliberations, the Speaker, directed that the County Secretary files a report in the House within 14 days. I believe the report was filed. Madam Speaker, we have been pushing to inquire where we are on that issue of municipalities that is Matuu, Mwala, Kathiani and Masinga. Madam Speaker, one of the reasons we are getting from the County Secretary is that they have not been able to move because we have not passed the spatial plans of these 16 urban towns.

So, Madam Speaker, I would request this Hon. House to unlock or to undo this knot which has been tied to prevent...or which has been in an embargo to acquiring these four new municipalities. So, Madam Speaker, I am very sure if this report is agreed upon by the House and we approve it, I am very sure now the County Secretary together with her team they will be able to move to the next point or the next step.

Madam Speaker, I do not want to talk much on this issue because page 23 of the report has summarized everything that we want to talk about. Madam Speaker, as you have gone through the report the problem that is facing Matuu people is the same problem that is facing people of Masii and it is the same problem facing the people of Ekalakala, Masinga and Kathiani and these other towns.

So Madam Speaker, this is a crosscutting problem which is cross cutting the entire county so I am very sure once we are through with this and we approve it I am very sure we will have started a journey of solving this problem.

So, Madam Speaker, I strongly support the report and make a humble request to my colleagues to agree with the report so that we can be able to move ahead. Madam Speaker, the issue of storm water drainage, the issue of developing houses without following...this projects is supposed to be in this place, this one is supposed to be in this place, if we do not pass this it means now our developers will continue constructing roads and developing their plots without following the spatial plan and it will come a time when one will be required to remove a structure so that another project can occupy that space.

So to avoid that and to assist our people not to incur this expense, Madam Speaker, I kindly plead with the House to agree with the report and pass it. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndawa. Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. Hon. Speaker, I want to start by congratulating the Chair and the Hon. Members and the committee of environment for the good report and working tirelessly for them to bring this good report for the betterment of our county which is Machakos County. Madam Speaker, I can say that I am really humbled and I am happy for my people whom I represent seeing that according to the observations and recommendations that were given by the committee, Hon. Speaker, those are the challenges that I can say amongst the 16 centers they are facing the same problem.

So, Hon. Speaker, it is precisely showing us the problems that our people are facing and the way we can improve our structures and especially in those markets and then make our people work in a good environment. Madam Speaker, I know by doing this a lot will come to our people and even improvement in their businesses, Madam Speaker. So, Madam Speaker, I am really humbled and I want to say that I strongly stand and support this report and awaiting now for the county government which is the executive to do what is necessary for us to get these municipalities. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Betty. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker, for giving me this chance. First of all again great thanks to the Chair and his committee for working tirelessly and in very stringent and tight conditions to bring before the House the recommendations they have done in as far as our towns and urban centers are concerned. Madam Speaker, the issues which I have been able to pick especially those which are cutting across is that most of these urban centers are neglected.

Most of them do not have even the basic facilities and remember they have been growing and the population in these urban centers has grown tremendously yet they are still considered as small towns and not upgrade the required standards. Madam Speaker, when you look at unsustainable water source to serve the water demand for the urban centers, we are saying we are having urban centers which are growing and they do not have even the basics of water being provided to them.

You look at lack of designated waste collection and dump sites so you find that there is accumulation of waste and a lot of dirt in these towns which pose a great risk to the people who are living in these particular towns.

Madam Speaker, the lack of planning as one Hon. Member has said would lead to there being no provision for space for construction of public amenities which are required in a center which is growing. Things like hospitals, things like schools, things like playing grounds and police stations for security purposes. If we do not plan these towns and have them put in the correct way then we will find ourselves having towns which cannot even be able to accommodate the basics of what we can be able to call a modern town.

So, Madam Speaker, it is my feeling that if these towns are upgraded with ultimately the aim of promoting them to become municipalities, we will be able to get external funding, Madam Speaker, for us to be able to inject these funds into these facilities, towns.

We saw Madam Speaker, for example, in the last two years and going into the current year, the Kenya Urban Support Program (KUSP) which has been sponsored by the World Bank has gone a great deal in the creation of the three municipalities Machakos, Tala, Kangundo and Mavoko and the kind of development which have come in those areas as a result of that external funding has really being able to transform those towns into what I can say approaching world-class standards with pavements parking areas, drainage being done and a lot of capital being pumped in there because they had already being upgraded to those status before.

So Madam Speaker, in conclusion and as the report suggests I would personally recommend that the following be done; Tala be upgraded to primary urban center, Matuu to primary urban center, Kangundo to secondary urban center, Kathiani to secondary urban center, Mitaboni to tertiary urban center, Katangi to secondary urban center, Mbiuni to tertiary urban center, Kola to tertiary urban center, Ekalakala market to tertiary urban center, Masii to secondary urban center, Kithyokoto secondary urban center, Kivaa to secondary urban center, Wamunyu to secondary urban center, Masinga to a secondary urban center, Mwala to a secondary urban center and Yathui to a secondary urban center as recommended by the report. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Museku. Hon. Musau.

Hon. Musau: Thank you, Madam Speaker, for the chance. Madam Speaker, may I first and foremost say thank you, to our chairman on environment committee for the serious job he engaged us to do. Madam Speaker, it was very interactive and it is through the work of this great committee that Madam Speaker, Mbiuni ward the one I represent is enroute to becoming a municipality Madam Speaker.

Madam Speaker, benchmarking with other wards which have benefitted through this municipality issue, one gets a picture of the good things that are likely to happen Madam Speaker. Is therefore my happiness that the people of Mbiuni among the other 15 wards will be great beneficiaries of the development that come with this fund, Madam Speaker.

Madam Speaker, as our Deputy Speaker has put it, if you go to our urban centers Madam Speaker, like Mbiuni you will get the dumpsite located at the center of the market. Probably due to lack of funds to secure another piece of land for the same dumpsite Madam Speaker and this poses a great danger to the inhabitants of this market.

It is my wish and my belief that if we get a municipality and funds availed then Madam Speaker, the people of Mbiuni will be put out of danger by relocating or by having the collection bins we are having in other municipalities. Madam Speaker, in full support of this report Madam Speaker, I do request my dear colleagues that we approve it immediately that we may benefit just like the other wards are benefitting, Madam Speaker. Thank you, Madam Speaker, and the House.

Hon. Speaker: Thank you, Hon. Musau. Hon. Kieti.

Hon. Kieti: Thank you, Madam Speaker, for giving me this chance. Madam Speaker, I stand to support the report by the environment committee. Madam Speaker, I want first to thank the Chairman and congratulate him with the other committee members and staff for the good report that they have presented to this Hon. House.

Madam, Speaker, the issue about municipalities we have seen the benefits that the three municipalities Machakos, Mavoko and Tala/Kangundo and we have seen how they have benefitted from the funding from the World Bank after the funding that came to those three municipalities and it is my wish that other towns within Machakos County also become beneficiaries of such funding and it is in this that I support that we pass this motion that those 16 towns be upgraded to the status that the committee recommended so that we may see proper planning of those towns because we have seen in many of the towns which we have, buildings are just erected any how without and spatial planning and that has led to storms during rainy season.

Madam Speaker, I want to bring to attention that in the past before one of the towns that I normally visit Tala, before the drainage was done by the World Bank, that town used to experience a lot storm during rainy season but this time round though we had a lot of rain much was not witnessed apart from few blockage that affected the drainage area otherwise the other towns have

also...we have seen towns becoming very clean and it is my wish that other towns also become clean as we have seen in the tree municipalities that we have at the moment.

At the same time, proper planning will discourage land grabbing because when our towns are well planned and with land in place then we will find that people will not see idle land because they will get to know that there is a plan for the land that seems to be idle. At the same time, we have seen increase in urbanization; people are moving from the rural to urban areas and these has called for more utilities within the towns and it is with this the I request that we upgrade those towns so that such amenities that are required by people living within those towns like modern toilets, hospitals, proper roads and such kind of things are provided so that the people living in those towns enjoy maximum value for the kind of life they are living in those areas.

Otherwise, at the same time, during the construction in these towns, we have seen creation of jobs and our people have benefitted a lot, Madam Speaker, and it is in this respect that I request the Hon. House to support and pass this report so that the funding can be done to benefit our people. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Members, we will hold a bit we have our Members who are in the extended chamber. Can we have the members in the extended chamber? Hon. Dominic.

Hon. Ndambuki: Thank you, Hon. Speaker. I stand to support the report that was presented by Hon. Robert Kisini about towns that we proposed to be upgraded to urban status. Madam Speaker, I represent an area where one of the towns has been earmarked for upgrading to urban status. Madam Speaker, as I support this report I wish to draw the House to attention of some of the benefits that we are going to accrue by upgrading these towns.

One, Hon. Speaker, as we seek to get external funding from interested donors, by upgrading these towns to urban status we will also attract investors who will come and bring new monies to these areas and by so doing we will be growing the economy of these areas. Madam Speaker, by growing the economy, we are raising value for the properties of our people and these people Madam Speaker, will be able to use their property as collateral as they seek some financial instruments to also grow their businesses, Madam Speaker.

As we talk about upgrading of these towns to urban status, Madam Speaker, it is also be good to be cognizant of the fact that there has been some negative publicity about the entire process and it will be good that we educate our people and try to dilute the notion that people are going to lose land and by upgrading these towns to urban status that they will not be able to do some of the things that they have been doing.

For example, that they will be required to pay higher rates of taxes and if we dilute this notion, Madam Speaker, our people will have good reception of this process and this noble idea. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Dominic Ndambuki. Hon. Alice Nzioka?

Hon. (Ms.) Nzioka: Asante, Bi. Spika, kwa kunipa nafasi. Nimesimama kuunga mkono kwamba tuna miji hiyo ambayo imeongezwa. Bi Spika, kunafada kwa ile miji ambayo imewekwa chini ya usaidizi wa benki ya dunia na kutengwa kama ni town ikitengenezwa ama mji ukitengenezwa. Bi. Spika kumbuka kwamba kodi ambayo inakusanywa katika kaunti yetu, inaendelea kupanda juu.

Bi. Spika, tuangalie mji kama Mlolongo; ukitembea utapata wamejenga viegezo vingi vya magari na gari likisimama linalipa ushuru. Pia, mji unaletwa katika kiwango ambacho ni cha mji. Mji ukipanda unapanda na vitu zote. Kwa hivyo Bi. Spika, ni kuongeza ushuru, kupandisha maisha juu, na tukiwa na miji mingi hata tunauliza miji ambayo imebaki kama sehemu ya Ikalaasa na kwingine, ipandishwe pia ifikie katika hicho kiwango.

Sisi kama Kaunti, kupanda kwa Kaunti yetu na watu wetu pia kufaidika ni wakati maisha yanapanda kwa watu wetu ambao wako Machakos. Miji yetu ikipanda, kila kitu na maisha yetu yanaendelea. Sehemu kama Mlolongo utapata kulikuwa na shida sana wakati watu wanavuka barabara; mara kuna ahali, mtu amaekufa, lakini kumewekwa kivukio, watu wanavuka salama na hakuna ajali tena.

Kulikuwa na shida ya kuegeza magari, viegezo vimewekwa na maisha yanaendelea vizuri. Naunga mkono hio miji 16 iwekwe hili ipandishe kaunti yetu kibiashara. Asante.

Hon. Speaker: Thank you, Hon. Alice. Hon. Annastaciah.

Hon. (Ms.) Mutuku: Thank you, Hon. Speaker, for giving me this opportunity. I support the report and I want to appreciate the Committee, they have done a good job. Through the report, I am very happy I have seen that Mwala Sub-County is considered and also Masii, Mbiuni and Mwala. I am also requesting if the program can be extended up to Kibauni ward because Kibauni is not far from Yathui which is in Wamunyu Ward.

So, Hon. Speaker, extending the program is another way of creating wealth. So, I am requesting the County Government to consider Ikalaasa Market to be one of the urban centres and as you know Kibauni is one of the marginalized wards. But I am not complaining---

Hon. Speaker: You should complain; how will you be assisted.

Hon. (Ms.) Mutuku: I am not complaining as such, Hon. Speaker.

Hon. Speaker: Okay, proceed.

Hon. (Ms.) Mutuku: So far so good, the county is doing well in terms of development; we have a big dam there although it is incomplete but as Hon. Member representing Kibauni, I would like to request the program to be extended so that my people can be considered as well and feel that they are part of Machakos County.

Although, I understand the ratio is not enough, that is the challenge we have but we are under Mwala Sub-County. So, Hon. Speaker, I have a humble request through the committee and the Executive through His Excellency the Governor to consider Kibauni Ward.

Hon. Speaker: There is some information from Hon. Ndawa; what is it.

Hon. Ndawa: Thank you, Madam Speaker. I want to inform my dear sister Hon. Annastaciah that Kibauni is not neglected and not forgotten. This is phase one; once we pass phase two, Kibauni will be there. So she should not worry.

(Applause)

Hon. Speaker: Thank you, Hon. Ndawa.

Hon. (Ms.) Mutuku: Thank you, Hon. Speaker. I stand to be informed by Hon. Ndawa and I am happy to hear that.

Hon. Speaker: Thank you, Hon. Annastaciah. We still have Hon. Cosmus Masesi in the extended chamber. The other Member who had requested to speak was Hon. Stephen Mwanthi but he is now here and we will take him from here. So, Hon. Cosmus Masesi.

Hon. Masesi: Thank you, Madam Speaker. I appreciate the report by Environment Committee led by the able Chairman, Hon. Kisini. Coming up with more urban centres will give us quality roads and good houses will be built within. Again, transport system stands to be developed higher and often we will be able and in a position to receive regular funding by both the county and national governments.

Madam Speaker, again I believe we will have a better public transport system which will grow the economy and residents will be saving more in terms of the money which could be used to cater for mechanical repairs.

Madam Speaker, urban centres will also lead to mix of cultures which will help in making and meeting new people thus growing our areas. Again I want to believe we will have hospitals and clinics coming up where access to health care will be very fast and where we are today, we need more hospitals and clinics within ourselves to cater for the pandemic.

Lastly, I want to believe, more urban centres will create a good number of jobs which will be a solution to our youth and people not able to access towns and cities due to the lockdown going forward. Thank you.

Hon. Speaker: Thank you, Hon. Masesi, Hon. Kamitu.

Hon. Kamitu: Thank you very much, Madam Speaker. I want to be brief and I want to give a pen picture of Tala before it was promoted to an urban centre. Madam Speaker, if the approval of the regional and integrated strategic plan for the 16 centers is passed, it is a promotion to the urban centres in Machakos County and it is involving a lot of urbanization; people moving from local to urban areas. And as I said, I want to give an example of Tala ward where I represent.

Before, Tala ward used to be very muddy, we had no street lights, Tala town had a lot of problems during the rainy season but as I am speaking, I have seen the benefits of this other 16 centres and if other urban centres will be promoted to that level and it will be of benefit. I have seen a lot of benefits and I stand here as a beneficiary MCA because if you now go to Tala town, there are street lights, we have no problem in regard to drainage, no problem with sewerage, the town is no longer muddy because it is tarmacked and we have cabroworks along the streets. This is a living example---

Hon. Speaker: Point of order from Hon. Ndawa.

PROCEDURAL MOTION EXTENSION OF SITING TIME

Hon. Ndawa: Thank you Madam Speaker. I am rising on Sanding Order 27, to request for extension of time.

Hon. Speaker, that aware that Standing Order 27(2) provides that the Speaker shall interrupt business at 12.30 p.m. for the morning sitting;

Aware that, Standing Order 27(3) provide the House may resolve to extend its sitting time;

Aware that Standing Order 27(4) requires motion to extend sitting time to be moved at least 30 minutes before the time appropriated for adjournment.

Hon. Speaker, I wish to move the motion that this House resolves to extend its sitting time until the business at hand is concluded.

I call upon Hon. Nziva to second my motion.

Hon. Speaker: Hon. Nziva

Hon. (Ms.) Nziva: Thank you, Madam Speaker and Hon. Members present. I second the motion that we extend time because the business at hand is very crucial. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Nziva. Hon. Members do we have who would object to the extension of time? So, can I just take it upon myself to say that time is extended.

(The House resumed business as per the Order Paper)

Just for the purposes of orderliness; can we finish on this motion because I do not think any Member is objecting and I also think the benefits are all there and we know them. So why don't we finish this, go to the next business; we break for lunch and come back and finish. I will have one more Member contribute from here and one more from the extended House.

(Loud consultations)

Yes, Hon. Minority Leader, please finalize.

Hon. Kamitu: Madam Speaker, with the experience of getting instructions, I stand guided and I say thank you, because of time, it is like what you have said.

Hon. Speaker: It is good at least you are speaking from experience; the importance of having this motion passing.

Hon. Kamitu: Thank you, Madam Speaker.

Hon. Speaker: Hon. Nziva.

Hon. (Ms.) Nziva: Thank you again, Madam Speaker and Hon. Members present. I wish to applaud the Chairman for coming up with this report and also thank the office of the Clerk and the Speaker for allowing Members to deliberate on issues through the virtual meetings despite the pandemic that is here with us.

The Committee interrogated the report with the Chief Officer of Environment and Urban Development and you realize that 100 steps start with one. We have already started with the three Municipalities and the other are here with us so, I wish to thank Members and ask that we pass this urban planning because it helps achieve sustainable development.

We will also realize economic growth like we have seen with the other municipalities and I am very sure the environment will also be protected through mitigating climate change and with Matuu being a neighbouring ward of Ikombe, I am sure Ikombe will also benefit and other wards too and this county will see economic growth in all the towns. So, I support the report and ask Members to approve it so that we may go forward. Thank you, Madam Speaker.

Hon. Speaker: Hon. Stephen Mwanthi, very briefly.

Hon. Mwanthi: Thank you, Madam Speaker, I will do exactly what you have said. I applaud the committee for the work they did; they used to invite Members whose markets have been earmarked in the urban planning and we had a good conversation with them so we appreciate what they did.

Madam Speaker, I happen to have met one of the World Bank officials and he advised me that it is possible even for us to go further to the markets; they do finance the small markets not now

the urban centres but now we will still use the same process that they told me. In a market, they will require a population of 2,500 people which I believe we have so many of such markets and if we do that Madam Speaker and do it with speak, I tell you we, at the end of the day will benefit and the members of public who are trading from those market will also benefit from those services.

As I conclude, I do not know whether the criteria that was used to get the tertiary and secondary urban centres; I would request Ekalakala to be included in the secondary level. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Stephen Mwanthi. Members, who are seated in the extended sitting; there are two Members who wish to speak from outside and it is always good to give them priority because you Members are sitting comfortably here. There is supposed to be affirmative action in everything that we do. So, Hon. Mitaa Majority Whip.

Hon. Mitaa: Thank you, Hon. Speaker. I want to support the report by the Environment Committee and state that I am a witness of development associated with such programs. I host Kangundo town and it is part of Tala- Kangundo Municipality and the last financial year we have seen great transformation of the town.

However, Madam Speaker, we have had a challenge for the title deeds for the town and upon inquiry, I was informed that if we pass the report today, our people from Kangundo will be able to acquire title deeds which will enable them to access funds to develop their plots. So Hon. Speaker, mine is to request this Hon. House to pass the report and request the Executive through the department of Lands, to escalate the process and ensure these towns get the status so that our people can enjoy the properties they have.

My dream is to see one day, Kangundo at a higher level than it is today. So I would be happy to be part of the team which is involved in transforming the town and other towns within Machakos County.

I also wish to request that as my colleagues have requested, we have more towns benefiting from such programs so that across the county, we can have towns of higher status because I believe this is part of development and it will eventually change our county into a cosmopolitan. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Majority Whip; Hon. Kisila briefly.

Hon. Kisila: Thank you, Madam Speaker. I would like to support the motion and more so to the fact that Mwala, where I represent has been recommended for promotion to a secondary urban centre. As Muheshimiwa Mitaa has mentioned, the last time we went to Kangundo, we saw the benefits of this kind of promotion of towns and since we are seated here with the Chairman of Budget, I would like us to be very selfish and particularly allocate money to all these towns, including the smaller ones.

If you go to Mwala today, one of the oldest towns we have in our Sub-County, it is in a very pathetic condition. There is no drainage, there is no basic infrastructure even for informal sector, people with disabilities and we would like to see good development coming into these towns. Including cabroworks like the ones we saw in Kangundo.

So, I support and this is a motion which should have actually come earlier than today but Gods time is the best. Thank you, Madam Speaker. I support.

Hon. Speaker: Thank you, Hon. Kisila. I want to wind this debate, Hon. Members, please permit it. So the mover of the motion, please reply.

Hon. Kisini: Thank you, Madam Speaker for giving me time again to respond. I want to thank my fellow committee Members and those invitees from various centres who joined us. I also want to thank you Madam Speaker for considering and allowing this report to be presented to the House in this special sitting which was on Monday. I also want to congratulate the 16 towns which have been upgraded---

Hon. Speaker: We are going to vote Hon. Kisini.

Hon. Kisini: Those that were considered.

Hon. Speaker: That is better.

Hon. Kisini: I also want to congratulate them and say that the spatial planning, apart from the money, will make sure that they plan for the commercial plots, residential plots, industries and so forth. I also welcome that we have a similar doing so that we can see if we can upgrade the others so that Machakos, as a county, is seen to benefit from those funds of the World Bank.

I have seen it is really helping; apart from Tala, Kangundo, Mlolongo, I come from Hon. Moffat Maitha's ward, he is my MCA and my town Nguluni is also a town where you can go and benchmark. It has really changed the face of that town. So, Madam Speaker, it is good that we try to see to it that we capture as many as we can so that each and every town centre or market benefits. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kisini and thank you, Members.

(Question put and agreed to)

(Applause)

Hon. Members, let me commend you for this commendable job that you have done and I appreciate that this process started in this very House like Hon. Ndawa reminded you because it was of that Statement that was brought the now the Executive came up with this draft plan which you have now passed.

So, what you will do is that, I want to remind you that it is not just urban centres that are due for planning but the whole county is due for planning; even the so called arid areas because that is where we can unlock development in the county. So continue doing the good job; the next big job is to ensure implementation of the motion that you have just passed. Mr. Clerk, proceed.

REPORT OF FINANCIAL STATEMENTS OF THE COUNTY GOVERNMENT OF MACHAKOS FOR
THE FINANCIAL YEAR ENDED 30TH JUNE, 2019

Hon. Speaker: Thank you, Hon. Members. Under this motion, we have Hon. Steve Mwanthi. I call upon Hon. Stephen Mwanthi.

Hon. Mwanthi: Thank you, Madam Speaker. I would request Hon. Thomas to hold brief for me, Madam Speaker; I am unwell so that is why I had exchanged with him to be outside. I had arranged him to take brief for me. Thank you, Madam Speaker.

Hon. Speaker: Alright. We wish you quick recovery. Hon. Mutinda.

Hon. Mutinda: Thank you, Madam Speaker.

Hon. Speaker, that aware that section 166 of the Public Finance Management (PFM) Act requires every Accounting Officer of a County Government entity to prepare a report for each quarter of a financial year in respect of the entity and submit the report to County Treasury;

Aware that the County Treasury should consolidate the quarterly reports and submit them to the County Assembly not later than a month after the end of the quarter;

Further aware that the County Treasury submitted a consolidated Report and Financial Statements of the County Government of Machakos for the financial year ended 30th June, 2019 (FY 2018/2019) to the Assembly for consideration;

Noting that the County Assembly Standing Orders defines the mandate of the Finance and Revenue Collection Committee to include all matters relating to the management of county public finance and revenue collection;

Aware that the committee analyzed the report of submitted by the Department of Finance and Economic Planning and made recommendations;

Hon. Speaker, I wish to move the motion that this Hon. House discusses and approves the Report and Financial Statements of the County Government of Machakos for the financial year ended 30th June, 2019 (FY 2018/2019) as tabled by the Finance and Revenue Collection Committee.

I call upon Hon. Moffat Maitha to second my motion.

Hon. Speaker: Thank you, Hon. Mutinda. Hon. Moffat Maitha.

Hon. Maitha: Thank you, Madam Speaker. I stand to second the motion, Madam Speaker.

Hon. Speaker: Thank you, Hon. Maitha. Hon. Mutinda you have just committed some offence. If somebody from public health was here, they would charge you with the offence. Continue to keep distance from each one of you. Now Hon. Mutinda if you were here we agreed that because the papers were circulated to the members, and they have read, they have gone through, you are going to do a very brief highlight and then you go to the recommendations so that then members can interrogate the Paper on debate. They are already aware of what you are going to read out.

Hon. Mutinda: Thank you, Madam Speaker. The report is about revenue or receipts of funds from the equitable share to the county and the own revenue, the donor funding and that total for the financial 2019/2019 and the resource envelop and how it was spent. So, basically there is the spending on the recurrent where there is the operation and maintenance and there is the spending on the development.

Hon. Members and Madam Speaker, I say there is also, according to the budget, the 70 per cent maximum which should not be spend on recurrent is observed and the 30 per cent minimum on the development which was also observed and basically we are going to give the analysis on how the various departments of the executive used their funds allocated to them by this County Assembly.

So, Madam Speaker, that is what we have and owing to the fact that the Hon. Members had gone through the report, I go straight to the observations and recommendations. Madam Speaker, the committee on finance and revenue collection did a very good job, although I am not here to blow our own trumpet and it came up with the following recommendations.

Hon. Speaker, the Committee made the following observations from the financial statement of 2018/2019:

1. That the local revenue collection of Ksh. 1,557,211,641 was an improvement of 43.3 percent as compared to the previous year of Ksh. 1,084,204,845.00. This amount was

also the highest revenue collection recorded since the County came into existence. Nevertheless, this was about 91 percent off the Department's target of collecting Ksh. 1,720,062,674.00.

The Committee appreciates the Department for the effort made to attain the highest revenue ever since devolution and urges it to come up with better strategies to even collect more. The Committee further urges the Department to develop a reward and recognition scheme for the officers who exceed their revenue targets.

2. The County was unable to spend about Ksh. 1.56 billion of receipts which was returned to the CRF. If this amount was spent on development projects, the expenditure of the vote would be Ksh. 3.2 billion which would be about 27.2 percent. In addition, the Committee observed that the Department would not spend this amount even after being allowed up to 15th July 2019 to pay for any payments which had been processed up to the Internet Banking (IB) level. The returned CRF issues affected mainly development projects and this has led to increase of pending bills.
3. The County borrowed Ksh. 10 million from commercial banks. The Committee observed that the County Executive did not seek any approval from the County Assembly as require under Section 142 of the PFM Act.
4. That the wage bill of Ksh. 5,590,257,676 which was an increase from Ksh. 4,951,102,229.00 was still above the 35 percent level provided by regulation 25 of the PFM Act. This represented an increase of 12.91 percent.
5. That development expenditure of Ksh. 1,647,920,425 was about 13.9 percent of the total expenditure for the year. This level of expenditure for development was below the 30 percent level provided in Section 107(2)(b) of the PFM Act. The Department explained that development was low due to delay in disbursement of funds since Ksh. 1.4 billion was returned to the Exchequer at the end of the financial year.
6. The Chief Officer, County Treasury having been receiving reports on revenue collection on daily basis and allowing County revenue to be unbanked in the CRF account for three months and 27 days was a failure and omission. In addition, there should have been a follow up on the two letters written to the bank.
7. The Bank holding County revenue from 20th December, 2018 to 17th April, 2019 up to the tune of Ksh. 426 million was an omission on the part of the Bank. This was caused by system upgrade in January, 2019. The Committee observed that no County Funds were lost since all revenue was later transferred to CRF as per the Bank statements. The Committee also noted that the Bank has adhered to instructions by County Treasury to transfer of funds to CRF account regularly.

5.0 COMMITTEE RECOMMENDATIONS

Hon. Speaker, the Committee recommends the following:

1. That the Department of Finance and Economic Planning should set realistic local revenue target to avoid ending up with a deficit budget at the end of the financial year. This will ensure that the County does not lose out on the fiscal effort parameter in the formula of sharing of national revenue and be penalized leading to a lower equitable share.
2. The situation of releasing funds by National Treasury very close to the end of FY is not new and thus the Department of Finance and Economic Planning should have foreseen this and planned adequately in advance to spent the funds once released. In the event that some funds are returned as CRF issues, the Department should ensure the CRF issues are re-voted to pay the projects they were earmarked for.

3. The Department of Finance and Economic Planning should adhere to the provisions of section 142 of the PFM Act and seek approval from the Assembly for any borrowing.
4. The Department of Finance and Economic Planning should adhere strictly to the provisions of the PFM Act that County Governments wages and benefits should not exceed 35 percent County Government's total revenue and the County Government's actual expenditure on development should be at least thirty percent.
5. The Department of Finance and Economic Planning should ensure that County Revenue from KCB and Cooperative bank was banked to the CRF account weekly without fail. The banks on their part should adhere strictly to instructions given by the County Treasury on weekly sweeping of County Revenue to CRF account.
6. The Department should put in place an automated cashless revenue management system where revenue was automatically transferred from pay bill accounts to local revenue collection account.
7. The Department of Finance and Economic Planning should embrace performance management and ensure revenue officers set revenue collection targets. The Department should develop an incentive scheme where revenue collection officers who meet and exceed set targets were recognized and rewarded while those who miss targets are sanctioned.

Hon. Speaker: Just a moment before you move to acknowledgement, Hon. Mutinda, recommendation No. 4 on the Department of Finance and Economic Planning should adhere strictly to the provisions of the PFM Act that County governments' wages and benefits should not exceed 35 percent. Is that the way the law says? Is 35 per cent for development or is it for recurrent?

(Hon. Mutinda spoke off record)

So you need to clarify on your recommendations here because the way it looks like is you are tying wages and benefits should not exceed 35 per cent so that we do not send the wrong information when you are communicating.

Hon. Mutinda: Thank you Madam Speaker. Actually, we can replace the benefits with emoluments; personal emoluments, which are tied there.

Hon. Speaker: Okay, go ahead we have captured that on the HANSARD so you go to acknowledgment.

Hon. Mutinda: Thank you, Madam Speaker.

ACKNOWLEDGEMENT

Hon. Speaker, the Finance and Revenue Collection committee is grateful to the Office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the Committee sittings.

I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the meetings of the Committee and in preparation of this report. Hon. Speaker, it is therefore my privilege, on behalf of the Finance and Revenue Collection Committee, to table the Report of the Financial Statement of the County Government of Machakos for the year ended 30th June, 2019 (FY 2018/2019) in this Hon. House for consideration and adoption. Thank you, Madam Speaker.

Hon. Speaker: Thank you for doing the good job, Hon. Mutinda.

(Question proposed)

Hon. Members the motion is now open for debate. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker. I would like to congratulate the Chairman and his entire committee for the report which they have been able to analyze and bring before this House on the status on the Financial Statements of the County Government of Machakos for the year ended 30th June, 2019. Madam Speaker when you look at the recommendations which have been made by that committee, they are very good and if the recommendations are adhered to, we would be able to steer the financial position of this county in the right direction.

Madam Speaker, key on the issues which have been highlighted is the issue which is talked about of slow disbursement of funds and the initiation that funds are being brought or being released towards the end of the financial year. Madam Speaker, as I have previously commented during the process of budget presentation, as a county government, our accounting system is an accrual basis accounting system and not a cash basis system.

What I mean by that Madam Speaker is that we do not have to wait for actual cash to come into our accounts for us to be able to effect development funds as long as the amounts are in the approved budget, then the County Government is assumed a going concern and therefore commitment of funds should not be moving in tandem with disbursement of funds. When I see an explanation that development was not done because funds were released late, it does not make sense at all.

Once you have a budget and it is an approved budget, then you can go ahead and issue LPOs and based on the budget and then it is the contractors who will be paid as they issue their certificates and those certificates will be paid as funds are available. Such that if the work is done and by the time the funds come toward the end of financial year, they will be coming to pay for work which is already done but not waiting and giving an excuse that we have to wait until disbursement of funds come from the treasury for us to be able to do development projects.

Madam Speaker, I do believe we said that and as I said again the budget committee, our recommendations is that since we have an approved budget, for example, for the current financial year 2020/2021, the executive needs to go ahead and come out with work plans immediately and commit those funds based on the budget which has been approved by the Hon. House. Contractors can be able to await payments based on the disbursement of funds, but when the works are already done.

The issue which the finance committee is raising is that we have noticed over and over again when it comes towards the end of June, the exchequer releases amounts up to the tune of Ksh. 1.2, sometimes Ksh. 1.8 and that money is put in the CRF and it is available as at the first of July of the following year but you find that when that money comes since it was not committed, it does not have LPOs in it, it does not have any commitments on it, then it is diverted to other uses which lead to pending bills.

So, Madam Speaker, our issue here is that we need to see the commitment of funds to projects being done in the course of the year and awaiting funds for it to be paid when the funds are there. This Hon. House, Madam Speaker, last year, sacrificed development funds to clear pending bills which were injured in periods when these Hon. Members were not here, bills going to 2013, 2014, 2015 and they sacrificed their development funds for those bills to be paid.

We do hope, Madam Speaker, that this does not recur again in the current year because we made provisions for all pending bills. It is our hope again and I want to reiterate this, that the funds which will be there as of 1st of July in the CRF, which are meant to be for the development projects

which were done in the financial year 2018/2019 or 2019/2020 should be used for payment for those specific projects and not diverted to any other uses.

Madam Speaker a closer analysis of the budget itself, you will find that out of a total budget of about Ksh. 14 billion, Ksh. 13 billion was disbursed and physically received based on what that report is saying but what went to development out of the Ksh. 13 billion was Ksh. 1.6 billion. So out of physical money which came into our CRF of Ksh. 13 billion, only Ksh. 1.6 billion was used for development. What are we saying is we are saying that approximately Ksh. 11.4 billion went to recurrent expenditure and other payments.

Madam Speaker, with such a ratio whereby we are only putting 14 per cent to development then it goes without saying that if this county does not put more money on the development, it will come to a point when we will not be able to sustain even the recurrent expenditure because without development, you cannot be able to get a source of funds for you to be able to even sustain your own salaries and other recurrent expenditure.

Out of that Ksh. 1.6 billion which was spent on development, almost Ksh. 1 billion was spent on the construction of buildings and major roads. Two sectors only took Ksh. 1 billion out of the Ksh. 1.6 billion, so all other issues of development like water, agriculture, health name it, only took Ksh. 600 million in a whole year.

I think it is important for us when we are analyzing this financial reports to look at them and see what they are telling us because as a Hon. House when those reports are presented before us they are telling us that look, first and foremost we are spending all our money on salaries and wages and recurrent expenditure and two the little money which comes here for development is being taken to specific sectors which might not even be beneficial to the entire county.

If we talk about major roads, those major roads have been constructed in three areas. So three wards or three areas out of 40 wards have benefited, for example, from the tarmac roads. Are we saying that we have spent 50 per cent of our development budget on three wards, what is will happen to the 37 wards which are remaining? So there is need for us to be looking at the documents and analyzing what they are telling us so that we can be able to ensure that there is equity in as far as development is concerned and disbursement of funds is concerned.

So, Madam Speaker, as I conclude, I would like to thank the committee again for the good job they have done and Hon. Thomas Mutinda for standing in for the chairman and reading the report brilliantly and hope that the lessons that we have learned from this report will guide us in ensuring that we make better financial decisions in the coming year and going forward. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku. I call upon the mover of the motion to reply.

Hon. Mutinda: Thank you, Madam Speaker, for this opportunity. I wish to take this time to that all Hon. Members for their contribution and also thank the Deputy Speaker for contributing and urge the House to approve this report. It is a good report and Madam Speaker, I would wish also to say that it is the high time that this House sees to it that much as we are paying salaries, we are paying salaries for work done.

Madam Speaker, if we do not check so much we might end up with a budget that is constitutional but the implementation becomes unconstitutional because when the budget takes care of the minimum 30 per cent and during actual implementation, you get 14 per cent, then the implementation becomes unconstitutional, Madam Speaker and I think it will then be meaning that the payment we pay for the services, then in Machakos it becomes very expensive to pay Ksh. 10 billion to deliver Ksh. 1 billion for services to our people.

So, the ratio should change so that we pay less and achieve more because here Madam Speaker, it is very crucial that we have value for money and value for money in terms of time. I call upon, through Madam Speaker, the sectoral committees to ensure quarterly reports are gotten and

ensure that the development we are expected to deliver to our people is achieved, Madam Speaker. So, with those few words, I want to say thank you and request Hon. Members to approve the committee report. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Mutinda.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: So at this point the sitting of the House stands adjourned, it is going to resume on the 2nd day of July, 2020 at 2.30 p.m. That is today in the afternoon.

The House rose at 12.39