

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 11th March, 2020

The House met at 3.45 p.m.

[The Deputy Speaker (Hon. Museku) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR
STUDENTS FROM MUVUTI BOYS HIGH SCHOOL

Hon. Deputy Speaker: Good afternoon, Hon. Members. Before we start off the afternoon session, today we have visitors at our gallery. We have who have come to be with us this afternoon accompanied by their teachers; good afternoon Muvuti, how are you doing. Yes, it is a great pleasure for us to be hosting you today; welcome to the County Assembly of Machakos and this is where the County Assembly sits and this where the Hon. Members who have been elected from the various wards in the county come to do their representation and air their views concerning the things or the issues being raised by their electorates.

So, I am pleased to have you here today and I hope that the interaction with us today is going to help you a lot in your studies and in better understanding how the two arms of the government, that is the County Assembly how it functions and we also have the executive which is the other arm of the government how it also functions through the questions which could be questioned here and answers which will be coming from here you will be able to get understanding on how the Assembly functions.

As you might already be seeing we have two sides of the House, we have what we call the majority side and we have what we call the minority side. The majority side of the house is composed of the members who come from the political party with the most seats in the house. The minority side of the house is composed of the political parties which form the minority seats of the House. But this time round we actually have a minority side which is also the government side because the government comes from that side. So, we have a very composite dynamic County Assembly.

You will also have noticed that if you look at it find there are several, you will hear of Leader of the Majority, Leader of the Minority, the Majority Whip, the Minority Whip you will hear of the chair of chairs who happens to be me and the Deputy Speaker sitting in on behalf of the Hon. Speaker who is chairing another meeting; she could not be in today so I will be chairing the afternoon sitting.

So, welcome to today's afternoon sitting; your Hon. Member, Hon. Caleb Mule, unfortunately, is in the same meeting where the Speaker is and therefore he might not be able to be here with you today but you are well represented by all these members here. They are going to

acknowledge you during their deliberations; feel welcome and *Karibuni sana. Ahsanteni sana.* Hon. Members, let us applaud the team.

(Applause)

Thank you very much.

PAPERS LAID

REPORT ON THE CLOSED-CIRCUIT TELEVISION (CCTV) PROGRAMME

Hon. Deputy Speaker: Hon. Members, under this Order, we have one business to be transacted by the Hon. Francis Kalumu, chairperson Labour, Public Service and ICT committee. Hon. Francis.

Hon. Kalumu: Thank you, Mr. Speaker. I applaud our visitors today. Hon. Speaker, pursuant to Standing Order 190(5), I wish to lay the following Paper on the Table of the Assembly today Wednesday, 11th March 2020; the report of Labour, Public Service and ICT Committee on the closed-circuit television (CCTV) programme in Machakos County. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you very much, Hon. Francis.

NOTICE OF MOTION

REPORT ON THE CLOSED-CIRCUIT TELEVISION (CCTV) PROGRAMME

Hon. Deputy Speaker: Hon. Members, under this Order, we have one business again to be transacted by the Hon. Francis Kalumu, Chairperson, Labour, Public Service and ICT. Hon. Francis.

Hon. Kalumu: Thank you, Mr. Speaker.

Hon. Speaker, that aware that Article 185(3) of the Constitution of Kenya 2010, provides that a County Assembly while respecting the principle of separation of powers may exercise oversight over the County Executive Committee and any other County Executive organs;

Recognizing that the Labour, Public Service and ICT committee is established pursuant to Standing Order 190 and the second schedule of the Standing Orders define its mandate as follows; all matters relating to Labour, trade union relations, manpower or human resource planning; information, communication, and technology;

Appreciating that the Labour, Public Service and ICT committee while undertaking its oversight role engaged the Chief Officer, Information Communication and Technology on the CCTV program in Machakos with an objective of ascertaining its current status and also establish the viability of the project;

Further appreciating that the committee conducted fact-finding missions on select installed CCTVs within the County;

Hon. Speaker, I wish to give notice of the motion that this Hon. House discusses and approves the Labour, Public Service and ICT Committee on the closed circuit television (CCTV) program in Machakos County.

Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Francis.

MOTION
REPORT ON POLLUTION RIVER ATHI

Hon. Deputy Speaker: Hon. Members, under this Order, we have one business a motion to be moved by Hon. Robert Kisini, Chairperson, Environment, Lands and Natural Resources Committee. Hon. Kisini.

Hon. Kisini:

Hon. Speaker, that aware that Article 42 of the constitution of Kenya provides that every person has a right to a clean and healthy environment, which includes the right to have the environment protected for the benefit of present and future generations through legislative and other measures;

Further, Hon. Speaker, that aware that Article 69(1), (a), (e) and (g) of the Constitution provides that the State must ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources; and protect genetic resources, biological diversity; eliminate processes and activities that are likely to endanger the environment.

Hon. Speaker, cognizant that energy is the life and pulse of any society and the well-being of people and economy depend on safe, secure, sustainable and affordable energy;

Hon. Speaker, I wish to move the motion that this Hon. House discusses and approves the Report of the Joint Committees on Environment, Lands, Energy and Natural Resources and Devolution and Intergovernmental Relations on river Athi pollution.

Thank you, Mr. Speaker. I want to---

Hon. Deputy Speaker: Maybe there is a correction. I am looking at the Motion the Hon. Member has read and the Motion which is on the Paper and I think the Motion he should be moving is the one on that paper there and not the main one because this one seems to have a mix-up. One, it is talking of study tour to Malaysia and the one you are reading now is on Energy, natural resources and devolution and inter-governmental relations on river Athi pollution. Maybe you re-read the Motion from the Paper you are holding.

Hon. Kisini: I beg your apology, Mr. Speaker, for the mix-up.

Hon. Speaker, that aware that the Constitution of Kenya 2010 Article 43(1)(d) stipulates that every person has the right to clean and safe water in adequate quantities; Further aware that Section 11 of part 11 of the Fourth Schedule of the Kenyan Constitution provides that a water and sanitation service is a function of the County Governments;

Hon. Speaker, acknowledging that Environmental and Water pollution is a major global concern and water pollution has been a perpetual problem in the world since the onset of civilization;

Further aware that water resources in Kenya are increasingly becoming polluted from both point and non-point sources due to agriculture, urbanization, and industry which contribute to organic, inorganic and aesthetic pollution of water and as a result

pollution of the river Athi is on the rise and has negatively impacted the downstream communities for whom the river is a lifeline;

Hon. Speaker, I wish to move the motion that this Hon. House discusses and approves the Report of the Joint Committees on Environment, Lands, Energy and Natural Resources and Devolution and Intergovernmental Relations on river Athi pollution.

I want to call the chair of Devolution and Intergovernmental Relations Committee with whom we co-chair the report, Hon. Jeremiah Munguti, to second the motion.

Hon. Deputy Speaker: Hon. Jeremiah.

Hon. Munguti: Thank you, Mr. Speaker. I second the motion.

Hon. Deputy Speaker: Thank you very much, Hon. Kisini. You may read the report.

Hon. Kisini: Hon. Speaker, the Constitution of Kenya 2010 Article 43(1)(d) stipulates that every person has the right to clean and safe water in adequate quantities.

Further Hon. Speaker, the Fourth Schedule of the Constitution of Kenya mandates both the County governments and the National Government with the functions relating to water. The National Government is responsible for water protection, securing sufficient residual water, hydraulic engineering and the safety of dams whereas the County Governments are bestowed with the responsibility of storm water management systems in built-up areas and water and sanitation services.

Hon. Speaker, river Athi is approximately 591 Km long and is the second-longest river in Kenya after the Tana. The Athi Catchment Area (ACA) is 37,750 km² and is home to a population of approximately 9.79 million (Kenya National Census, 2009) with a high economic potential in terms of agriculture, industrial zones, and tourism.

Further, it is worth noting that pollution in relation to a water resource as defined in the Water Act No. 43 of 2016 means any direct or indirect alteration of the physical, thermal, chemical or biological properties of the water resource so as to make it:

- (a) Less fit for any beneficial purpose for which it is or is reasonably expected to be used;
- or
- (b) Harmful or potentially harmful to—
 - (i) The welfare, health or safety of human beings;
 - (ii) Any aquatic or non-aquatic life or property; or
 - (iii) The environment.

BACKGROUND

Hon. Speaker, a statement was sought by Hon. Angela Munyasya on pollution of river Athi and the Hon. Speaker referred the task to the Joint Committees of Environment, Lands, Energy and Natural Resources and Devolution and Intergovernmental Relations for detailed findings and reporting to this House.

The Joint committee in the company of all the MCAs managed to have site visits at river Athi EPZ area, Mavoko Water Company, Flower farms in Mlolongo and some places around KMC where river Athi passes through. The committee further sought some information from department of water on the matter at hand which was responded to and later they undertook report compilation exercise on the task given.

MANDATE OF THE COMMITTEE

Hon. Speaker, the Committee on Environment, Lands, Energy and Natural resources is a sectoral Committee established under Standing Order 190 as read together with the Second Schedule of the County Assembly of Machakos Standing Orders whose mandate is implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising; land survey and mapping; boundaries and fencing; electricity and gas reticulation; energy regulation; water management systems in built up areas and water sanitation services.

Further Hon. Speaker, the Committee on Devolution and Intergovernmental Relations established by Standing Order 189(3)(a),(b),(c),(d),(e) and (f) of the County Assembly of Machakos is mandated to:

- a) Liaise with institutions of the National government on matters of devolution.
- b) Liaise with institutions of the National government on non-devolved functions.
- c) Coordinate activities of the Assembly with the County Assemblies Forum.
- d) Coordinate activities of the Assembly with International bodies.
- e) Promote inter-county relations on matters of common interest.

COMMITTEE MEMBERSHIP

Hon. Speaker, the membership of the aforementioned committee is as follows:

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|-----|------------------------|--|
| 1. | Hon. Robert Kisini | -Chair, Environment Committee and Co-Chair |
| 2. | Hon. Jeremiah Munguti | -Chair, Devolution Committee and Co-Chair |
| 3. | Hon. Christine Koki | -Vice-Chair, Environment Committee |
| 4. | Hon. Johana Munyao | -Vice-Chair, Devolution Committee |
| 5. | Hon. Alex Kamitu | -Member |
| 6. | Hon. Brian Kisila | “ |
| 7. | Hon. Cosmas Kieti Muia | “ |
| 8. | Hon. George King’ori | “ |
| 9. | Hon. Hellen Ndeti | “ |
| 10. | Hon. Jacqueline Nziva | “ |
| 11. | Hon. Jane Nyawira | “ |
| 12. | Hon. Joseph Musau | “ |
| 13. | Hon. Mark Muendo | “ |
| 14. | Hon. Michael Mutiso | “ |
| 15. | Hon. Daniel Kiilu | “ |
| 16. | Hon. Benedette Mueni | “ |
| 17. | Hon. Justus Katumo | “ |
| 18. | Hon. Francis Ngunga | “ |
| 19. | Hon. Phoebe Koki | “ |

LEGAL FRAMEWORK

Hon. Speaker, Article 43(1)(d) of the Kenyan Constitution states that every person has the right to clean and safe water in adequate quantities; Article 56(e) of the Kenyan Constitution states that the State shall put in place affirmative action programmes designed to ensure that minorities and marginalized groups have reasonable access to water, health services and infrastructure.

Part I Section 2 of the fourth Schedule of the Kenyan Constitution provides that water resources management is a national government function whereas Part II Section 11 of the fourth Schedule of the Kenyan constitution provides that Water and Sanitation services will be handled by County Governments.

The Water Act No. 43 of 2016 is an Act of Parliament that provides for the regulation, management and development of water resources, water and sewerage services; and for other connected purposes.

Further Hon. Speaker, the Machakos County Water and Sanitation Act, 2014 establishes the Machakos County Water and Sanitation Board whose functions include;

- a) Provision and management of water and sanitation services;
- b) Development of county water and sanitation services infrastructure, including water works and public works;
- c) Ensuring adequate water supply system for domestic, industrial, livestock, wildlife and agricultural purposes;
- d) Developing and managing works for water conservation;
- e) Promotion of water harvesting and water recycling systems;
- f) Promotion of efficient water use and management for sustainable development;
- g) Identification, initiation and promotion of water conservation systems, strategies and programs;
- h) Development and management of public infrastructure for storm water control;
- i) Maintenance of database and dissemination of information on water and sanitation services; and
- j) Maintenance of collaboration and cooperation with other government agencies and other county governments in carrying out its functions.

Section 51 of the Machakos County Water and Sanitation Act, 2014 provides that the Board shall in collaboration with the relevant bodies in the national and county government

- a) set up a cost-effective pollution monitoring program;
- b) Enforce regulations through polluter-pay principle, and other legal and administrative actions set out under this Act, the Environmental Management and Coordination Act and any other law;
- c) Ensure untreated effluent water is not released in to water resources;
- d) Treat effluent water and re-use or recycle it for irrigation and other purposes in the County; and,
- e) Put in place any other lawful measure to control of pollution.

Hon. Speaker, considering that, on Management of Water Resources, Section 11 of the Water Act No. 43 of 2016 establishes and vests the management of water resources on the Water Resources Authority whose functions is to:-

- (a) Formulate and enforce standards, procedures and Regulations for the management and use of water resources and flood mitigation;
- (b) Regulate the management and use of water resources;
- (c) Enforce Regulations made under this Act;
- (d) Receive water permit applications for water abstraction, water use and recharge and determine, issue, vary water permits; and enforce the conditions of those permits;
- (e) Collect water permit fees and water use charges;
- (f) Determine and set permit and water use fees;

- (g) Provide information and advice to the Cabinet Secretary for formulation of policy on national water resource management, water storage and flood control strategies;
- (h) Coordinate with other regional, national and international bodies for the better regulation of the management and use of water resources; and
- (i) Advise the Cabinet Secretary generally on the management and use of water resources.

Hon. Speaker, Kenya is divided into five Drainage basins based on the hydrological boundaries, which are the major catchment areas namely:

- i) Lake Victoria Drainage Basin
- ii) Rift Valley Drainage Basin
- iii) River Athi Drainage Basin
- iv) Tana River Drainage Basin
- v) Ewaso Nyiro North Drainage Basin

Section 25 of the Water Act No. 43 of 2016 establishes basin water resources committees for each respective basin area. Section 26 (b) of the same Act states that the committees shall consist of a representative of each county government whose area falls within the basin appointed by the appointing authority after approval by the County Assembly.

Further, Hon. Speaker, the Environmental Management and Coordination Act (EMCA), 1999, is the legal framework on environmental management and conservation. EMCA establishes among others the National Environment Management Authority (NEMA) as the principal instrument of government charged with the implementation of all policies relating to the environment, and to exercise general supervision and coordination over all matters relating to the environment.

NEMA is empowered to develop Regulations, prescribe measures and standards and, issue Guidelines for the management and conservation of natural resources and the environment.

a) Legal Notice No. 121 of 2006 - Regulations Environmental Management and Coordination (Water Quality) Regulations, 2006

These are regulations that apply to matters relating to water used for domestic, industrial, agricultural, and recreational purposes; water used for fisheries and wildlife purposes, and water used for any other purposes. Objective of the regulations is to prohibit discharge of effluent into the environment contrary to the established standards.

b) L.N 121/2006 Regulations- Environmental Management and Coordination (Waste Management) Regulations, 2006

These are Regulations that apply to matters relating to the treatment, specification, transportation and licensing of the handling and disposal of; Solid, Industrial, Hazardous, Biomedical waste, pesticides, toxic and radioactive substances. Objective of the regulations is to ensure proper handling and disposal, and to prohibit unlawful discharge of Waste material into the environment centrally to established standards.

Pollution of the River Athi

Environmental and Water pollution is a major global concern. Water pollution has been a perpetual problem in the world since the onset of civilization. Kenya too has not been an exemption regarding water pollution particularly in rivers.

Sources of water pollution are categorized as point and non-point sources. Water pollution during the dry season is categorized as point sources through which the polluting substance is emitted directly into the waterway.

The non-point sources, occurring during rainy season, are runoffs and percolation from the catchment area which wash away fertilizers, pesticides, industrial and urban discharges and other polluting substances in to the river.

Water resources in Kenya are increasingly becoming polluted from both point and non-point sources due to agriculture, urbanization, and industry which contribute to organic, inorganic and aesthetic pollution of water.

Pollution of the river Athi is on the rise and has negatively impacted the downstream communities for whom the river is a lifeline.

In a story featuring in the daily Nation dated 16th August, 2019 titled river Athi's corridor teems with deadly pollutants, an expose is given on how the polluted river has formed a long disease corridor as it snakes its way into the Indian Ocean. The story indicates that several reports have been released by stakeholders and Government agencies on how the pollution is associated with an explosion of diseases including cancer, skin diseases and other waterborne ailments.

In the investigative part of the story, visits to several health facilities, firmed up by laboratory test findings, confirmed the prevalence of these conditions. The poison and bacteria found in the water, vegetables, fish and other animals causes various ailments, including anaemia, kidney, liver and other body organs and even the immune system.

Role of the County Government

The Kenyan Constitution recognizes that access to safe and sufficient water is a basic human right. Under the economic and social rights in the Bill of Rights, Article 43 of the Kenyan Constitution provides that every person has the right to reasonable standards of sanitation as well as to clean and safe water in adequate quantities.

Section 11 of the part 11 of the fourth Schedule of the Kenyan Constitution provides that water and sanitation service is a function of the County Governments. The Machakos County Integrated Development plan identifies river Athi as a County water source under threat of pollution from agricultural chemicals, urban and industrial wastes from the Nairobi city and adjacent towns.

Under Section 77 of the Water Act No 43 of 2016 provides that water companies, also known as Water Service Providers (WSPs) are within the functions of the County Government.

REPORT FROM CHIEF OFFICER- DEPARTMENT OF WATER

Hon. Speaker, the committee was informed that; His Excellency the Governor Dr. Alfred Mutua has taken an initiative of ensuring that river Athi is not polluted any more. He gave an ultimatum to all industries, factories and all those causing Pollution to the river. Through this order, the Department of Environment and Natural Resources has taken the following measures.

1. Working closely with the other relevant Departments like the Department of Urban Development to ensure that all developments that are coming up have put in place mitigation measures with an aim of ensuring that all the liquid and solid waste are well managed.
2. The County Government is also putting in place waste management infrastructure to minimize the accumulation of garbage heaps that has been draining into the river during rainy seasons.

3. The Department of Environment is also working closely with the relevant Government agencies like NEMA and WARMA to ensure that there no structures that are encroaching the river.
4. It has also been the core function of the Department to carry out inspections on all premises and ensure that no effluent or any contaminant matter is released into the river.

MEETING WITH THE RESIDENTS OF RIVER ATHI AND EPZ OFFICIALS

Hon. Speaker, Article 196(1)(b) of the Constitution of Kenya, 2010 stipulates that, a County Assembly shall facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

The Committees met the residents of river Athi on the agenda of river Athi pollution at different occasion in 2019 and were able to gather the following information:-

1. The committee was informed that Export Processing Zone Authority (EPZA) manages the wastewater treatment plant which was constructed in the early 90s and cannot cope with the current loads due to increase in industries and residential developments along Mombasa Road and Mavoko Sub-County.
2. Representatives from EPZ informed the members that River Athi, is a growing industrial town and this industrial growth has not been matched with the development or expansion of infrastructure to deal with the increased waste volumes from the industries
3. Further the committee was informed that there are many illegal connections to the main sewer which is compromising performance of the facility.
4. EPZ representatives said that River Athi town and its environs is characterized by poor waste management since all polluted waste runoff from these poorly managed slums drains into the river.
5. Treatment process at the existing facility is not adequate and untreated wastewater routinely finds its way into the surface water resources.
6. Some of residents consulted during the study visit indicated that foul smell is experienced everyday between 3.00 am and 6.00 am.
7. The main cause of water pollution in Athi River is industrial pollution, poor waste management and waste water by MAVWASCO.
8. Cement factories within the County are located in River Athi area and are also great pollutants of River Athi.
9. River Athi town is characterized by poorly maintained sewage systems leading to pollution of Athi and the problem was directed to management of MAVWASCO.

MEETING WITH MAVOKO WATER COMPANY OFFICIALS

Hon. Speaker, the Committees also had an opportunity to hear from the above officials and they gathered the following information:

1. The committee was informed that the company was undertaking some sewer upgrades within Athi River town. This is because the town has grown and the existing sewer line which were laid in late 60s and 70s are overstressed by the developments
2. Further the committee was informed that the company is doing some routine preventive maintenance of the sewer lines within Mavoko Sub-county.

3. The company is also raising the manuals to be above the ground so that storm water drainage is not getting into the sewer system.
4. The company officials requested assistance from both the National government and county government to upgrade the existing sewer system and install a new sewer system with new treatment plant which will be able to cover commercial, industrial and domestic sewers.
5. Hon. Speaker, Water and sewer is a devolved function and the trunk sewer/infrastructure was constructed by the government of Kenya via a World Bank loan.

COMMITTEE OBSERVATIONS

Hon. Speaker,

1. The committee observed that River Athi town and its environs is a host to several industrial establishments and is characterized by poor waste management.
2. Further the committee observed that the water resources and environment around and along the Athi Catchment area has been degraded by human activities such as industrial development, farming, informal settlements, deforestation, solid waste disposal and wetland and riparian encroachment.
3. It was observed that there is rapid industrial growth which has been characterized by growth of slums. A large percentage of waste from the slums and the increased industrial activity end up in the river.
4. It is worth noting that the committee observed a lot of raw sewer emanating from industries surrounding river Athi and draining their waste directly in the river.
5. There is poor waste management from unplanned settlements and higher population growth rates without a corresponding improvement in the appropriate infrastructure.
6. The committee noticed that river Athi waters have changed its colour to green posing a great risk to many farmers doing irrigation along the river.
7. The committee visited a flower farm by the name Harvest where they discovered that the pesticides they use to spray to the flowers are harmful and they drain their waste in the river causing the river water change its colour.
8. The Machakos County Water and Sanitation Act, 2014 is yet to fully come into effect as the CEC-Member responsible for matters relating to water is yet to issue a Gazette notice for its commencement as required.
9. In the informal settlement the committee observed that most slum dwellers do not have toilets thus contributing to River Athi pollution.
10. The committee observed a new sewer line being constructed and on enquiry, there was no clear explanation on ownership of the project and also it was not clear where it will drain its sewer waste.

COMMITTEE RECOMMENDATIONS

Hon. Speaker,

1. That river Athi is a huge natural water resource which can result to great loss of economy if left unattended bearing in mind that it serves several counties and therefore all government agencies concerned should ensure measures are taken to maintain it. This is specifically because Article 6(2) provides for coordination and

consultation between the national government and county governments as relates to the performance of their functions.

2. The committee recommends upgrading of the sewer system infrastructure as well as expansion of the same to the newly developed areas within the town.
3. The county government needs to fast track the identification of a suitable sanitary landfill and also put in place solid waste management infrastructure that will minimize accumulation of uncollected heaps of garbage.
4. There is need for Mapping out of the water bodies by the relevant government agencies including WARMA, NEMA, and the county government.
5. There is need for civic education and sensitization to public on the dangers posed by polluting water bodies in line with the national value and principle of governance relating to inclusivity and participation of the people as stipulated in Article 10(2)(a) and (b) of the Constitution.
6. The County government of Machakos should take punitive action against those companies along the river that is EPZ, KAPA Sewer line and Harvest Flower Company who drain their raw sewer in to it thus causing pollution.
7. The people farming near the river should be barred from doing so since they irrigate using the river water which may pose a great danger to the consumers.
8. Companies around the facility should be compelled to undertake corporate social responsibility in line with ensuring river Athi is clean by planting of trees along the river.
9. The county government of Machakos should set a day for cleaning of the river at least once a year and the whole Machakos County Assembly be invited to take part in the exercise so as to lead by example.
10. It is imperative that periodic monitoring of river water quality and effluent discharges into the river is done by the relevant government agencies.
11. The county government of Machakos should ensure that all laws stated in the legal framework above on water pollution are implemented in the shortest time possible.
12. There is need of a sewer system to cover Syokimau, Katani, Mulolongo, Sabaki and Kinanie because the areas are growing very rapidly and also there is dire need for construction of a waste water treatment plant.
13. The County Government of Machakos needs to budget for sewer pipes of minimum 12” diameter in Mavoko in every financial year.
14. Hon. Speaker, it is the taxpayers’ money which was used to service the loan for construction of Mavoko sewer infrastructure hence the asset should be transferred from EPZA which is a government parastatal to county government of Machakos which has the mandate as per the CoK 2010. This will sort the wrangles which exist in Mavoko Sub-County on who has the mandate of sewer provision.

CONCLUSION AND ACKNOWLEDGEMENT

Hon. Speaker, water is a commodity that is consumed and acts as a carrier of other substances or properties such as organic and inorganic chemicals, heavy metals, disease vectors and energy. Whereas the quantity of water on earth remains constant, its quality changes both temporally and spatially and is highly influenced by human activities.

As such, a negative impact that may arise from the consumption of water may cause great strain on the economy of a county/country. Water pollution is one of the major problems facing river Athi which is caused by a variety of factors thus need to apply control measures to ensure conservation of the river.

Hon. Speaker, the Joint Committees on Environment, Lands, Energy and Natural Resources and Devolution and Intergovernmental Relations are grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the Joint committees' sittings and visitations. I wish to express my appreciation to the Hon. Members who sacrificed their time to participate in the activities of the Committees' and in preparation of this report.

Hon. Speaker, it is therefore my privilege, on behalf of the Environment, Lands, Energy and Natural Resources and Devolution and Intergovernmental Relations Committees to table this report and recommend it to this Hon. House for consideration and adoption. Confirmed by Hon. Robert Kisini, Chairperson Environment Committee and Hon. Jeremiah Munguti, chairperson Devolution Committee

(Applause)

Hon. Deputy Speaker: Thank you very much Hon. Robert Kisini for that report.

(Question proposed)

Hon. Members, you may debate on the motion. Hon. Moses Mitaa.

Hon. Mitaa: Thank you, Hon. Speaker, for granting me the opportunity. May I thank the joint committee for the job they have done, I also wish to thank them for inviting this Assembly; we joined them in both missions I think we visited there twice on the same issue. At the same time, I wish to congratulate and thank Muvuti secondary school if I got it right for coming to---

Hon. Deputy Speaker: Muvuti Boys High School.

Hon. Mitaa: Muvuti Boys High School. I thank them for creating time and coming to learn on matter concerning Assembly are run. What I can request from them is to put more efforts, I know they have been trying and they have been putting effort in education but I encourage them to add more effort so that soon they may see fruits what they wake up every day to go and do.

Hon. Speaker, on the report we were not happy on what we found on the ground; there is so much pollution in river Athi and what surprises me is that; it is our county which is polluting that river. We went beyond our county, we found that water from Kajiado is very clean and one of our obligations is to take care of our people.

So, technically that would make someone to show or prove that we are not doing what we are supposed to be doing. Hon. Speaker, I hope much has been done since the time we were there but one thing I can inform the House is that there is a sewer line we found running from being constructed from Kajiado and I frequently use that road. To my surprise now it has reached the main road, meaning whatever we tried to do that time was not effected and very soon they might be connecting it to the main sewer line.

Hon. Speaker, I take that as a slap on the face of this Assembly because we requested that proper documentation is done information is availed and if it is public awareness all that issue is

undertaken but it is like after we left, they took a few months break and they went back to the job, Hon. Speaker.

I would request this Hon. House, through the joint committee on environment and devolution, to create time and also meet our colleagues from Nairobi because again this river at Kyeleni Ward, if am not wrong, again it meets another river from Nairobi, maybe Mheshimiwa Kasyoki can inform this House, where more pollution is done. As you are aware Hon. Speaker, this water is going all the way to what will be launched soon at Thwake Dam.

I am actually at pains because I don't know what our people will be consuming both in Machakos, Kitui and Makueni or else the areas which will be served by Thwake Dam. So, my humble plea Hon. Speaker is to see how we can clean that river; let us make good use of that river. If it is issues to do with sewer lines, it is not good to direct human waste to the river. Things are not good; in the evenings that is when those people open those sewer lines and effluent which goes to the river and during the day you find it is dry but at night a lot is being poured in that river. So, Hon. Speaker I thank the committee and I beg that we make frequent follow up on the same issue. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Majority Leader.

Hon. Muendo: Thank you, Hon. Speaker, Let me also welcome the Muvuti Boys High School to this Chamber and their teachers, if they are there, and also it is very important to learn how the Assembly operates.

Having said that, Hon. Speaker, let me say this committee has done a good job and the several committees who came together to come up with this report. Hon. Speaker, it is true we visited Mavoko town to establish the pollution which is coming to River Athi. When you go through this report, definitely we have nobody else to blame rather than the county government of Machakos.

We went there physically and we found the sewer which is making the water look green and polluting the water is coming from the sewer which is supposed to be managed by Mavwasco, which is part of Machakos county government. Hon. Speaker, when you listen to what the residents say and what the EPZ and Mavwasco said, they are all blaming themselves in this committee. When you say that the pollution is caused by illegal connections, what are these illegal connections? If Mavwasco have been given authority to run these sewer lines, how can they tell us that they are illegal connections? What have they done?

This sewer, which mostly pollutes the river coming from EPZ sewer line, maybe because some time back I was in Mavoko Municipal, I can give a bit of history about this sewer line which is now emitting this effluent to the river. EPZ was constructed under the supervision of World Bank and funding from it too and EPZs were established as a zone where it is duty free and they don't pay tax or anything but they manufacture and export mostly clothes.

These products are for export but to me, when World Bank funded that sewer line all the way from EPZ to lagoons in Kinanie in my ward, the loan was paid by public. It was money from our taxes and up to day, Mr. Speaker, if you are not aware, the EPZ still runs and maintains and also collects the revenue on behalf of this county as EPZ.

So, when we say water is completely devolved and all these facilities are completely devolved but you can see now another entity collecting taxes and saying that they have a loan which they pay. Hon. Speaker, this is ignorance from the government of Machakos; you cannot allow somebody to make money and keep it and then you operate in the same government.

Hon. Speaker, the Machakos county government should take immediate action on pollution of River Athi and not anybody else. We went beyond the other side of Nairobi, the river through the National park is very clear and clean. When you come now to Mavoko, around Area 39 that is where you find direct raw sewer, coming from our own sewer, owned by the county government of Machakos; Hon. Speaker, we are not serious on this.

We are now doing Thwake dam which the government is putting a lot of money Ksh. 533 billion is not little money by any language and I am telling you it is going to be a quest of money when Machakos county is emptying sewer to River Athi which feeds Thwake Dam then we now giving our people who stay in Makueni and they migrated from Machakos so most of them are our relatives. It is like giving them a bottle of diazinon; that is like killing them, Hon. Speaker. Therefore I have no one to blame on this sewer.

Let me say, this House gives budget to the Executive; what is wrong with the sewerage department saying we need to improve this sewer to this level so give us money. What is wrong with saying let us outsource garbage collection and also sewer management. There are companies which are doing better because it seems our officers are doing nothing on this matter. Hon. Speaker, when you look at the Water and Sanitation Act 2014, it is not working in Machakos.

You can the CEC saying the Machakos County Water and Sanitation Act 2014 is yet to come fully into effect as the CEC Member responsible for matter relating to water is yet to issue a gazette notice for the commencement as required. There is an Act and without this you cannot manage anything that is why you find the EPZ says they give they receipts, they get the money and go rest in the office. It has not happened; now the EPZ should be reprimanded because they get the money and they don't maintain the sewer. This House went on a site visit on that sewer and we followed from River Athi at Area 39 up to the EPZ.

That sewer line is blocked completely and they have put it direct into the storm drainage which belongs also to EPZ. When you pass there, you cannot differentiate which is the storm drainage and which is the sewer because they have already seen an easy way of draining it in to the storm drainage. Those people who know Athi River, before you cross to Makadara, that is the storm drainage which was constructed by EPZ to carry the storm water to the river but now it is being used like the sewer system.

Hon. Speaker, the issue of this sewer effluent is very serious; you can see now the water is turning green and it still raining. Nowadays, I don't eat *sukuma* because I imagine the *sukuma* which I see around being irrigated with that green water around River Athi goes to the market. Before I came here I was a director in Horticultural Crop Development Authority and we had banned all horticulture around river Athi, Kinanie and downstream. Even the French beans you cannot export them and that is why we came up with a code; if it is Kinanie area French beans are coded 02 so when you go to the airport they will be thrown away.

So, these will affect our people and they will die and this is a serious business this House should take and this government of Machakos should be reprimanded to make sure the sewer systems are maintained. Mr. Speaker, the new sewer which is coming up, this House went there, the one which was mentioned by Hon. Mitaa and we found construction of a sewer along the river which is not known by anyone. Up to date, nobody has come out; even the community does not know the owner of that sewer.

I know the owner, the same EPZ, they are doing it now to sell to Kajiado and that waste from Kajiado now will be connected to a small sewer line which is going down to the lagoons. Already, Hon. Mitaa said it, and I have been seeing it; when you are passing, now they have

approached the river and I found the excavator doing it so when we stopped it, it stopped for about two or three months but even today we do not know who is doing the sewer along the river.

First of all, you cannot construct the sewer along the riparian area because if we have any breakage, that sewer and you know EPZ is about chemicals, it will go to the river. So, as I finish, I am not blaming anybody; the blame sits squarely on Machakos County Government. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Helen.

Hon. (Ms.) Ndeti: Thank you, Mr. Speaker. I am a Member of this committee and I am very impressed with the kind of report we have brought to this House. Mine is short; I think what the county government needs to do because it might not have enough money to do the upgrade of this sewer line and as the Majority Leader has said, there are other many ways of looking for funding.

They can either approach the National government or go for Public Private Partnership with people who can do that upgrade so that at least the sewer line is properly taken care of. What I would recommend is that all the companies that are draining their effluent in to the river, we should impose proper serious penalties so that they stop this forthwith. Thank you.

Hon. Deputy Speaker: Hon. Thomas Mutinda.

Hon. Mutinda: Thank you, Mr. Speaker. Mine is to thank the committee for the good job done and I want to say that the issue of environmental degradation, that time when we were invited by the committee we attended, we went to River Athi and we saw the situation. Mr. Speaker, I think it is the high time the county government rises up and up scales the control over the environmental issues because these companies which are pouring their waste in the river are the ones which we licence.

They have the approval of the county government and I think there must be those controls which should be checked every time so that we don't have a situation where it is us when we go there we say let this stop and all that. We should have officers who are dealing with those issues day by day so that every time we know the water we are using is safe.

Downstream at Wamunyu, the same problem is there because we have people who are cultivating some of these cabbages and *sukuma* so the problem is now touching all the way; the cows and goats drink that water and you see the iron and steel which they take is the one we consume when we take meat and those cabbages.

So it eventually ends up with a problem in the health sector where we will require a lot of budget to support the health systems of our people and I think we have to be proactive and try to be preventive so that we are not affected by such. Otherwise, if people continue making money and we are suffering, then there will be a challenge.

The other thing is the Thwake dam which is now waiting and is said to be what will change our lives through irrigation, producing electricity and all that but now, if its only sewer which is there, what irrigation will be done, what fruits will we get there, what cabbages; it is a total mess.

So, I think there is need for the county government to involve other stakeholders and as my colleague has said to get this Public Private Partnership to get others who can help them sweep and clean the water because to clean and clear steel from wherever is a problem. So, I think the government should now be proactive and ensure that the system is cleaned and everything is working well. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Dominic.

Hon. Ndambuki: Thank you, Hon. Speaker. I want to start by congratulating the committee for the good work they have done on that report; and the report speaks about pollution. The report has come at the right time when as a country we have witnessed an upsurge in cases reported on cancer. Hon. Speaker contamination of water downstream from Mavoko area could be one cause of the cancer cases that we are witnessing in our county; we never know until some scientific research is done.

However, Mr. Speaker as legislators, we have a responsibility in ensuring that we protect the rights of our people and I am happy that this joint committee has done their role very well in protecting the rights of our people. Hon. Speaker, as we also talk about water pollution in river Athi, there has also been air pollution within the same area where factories release some gases in to the atmosphere at night which could cause lung cancers and other cancers that are airborne.

Hon. Speaker, how I wish that as a House we also look into the same issue and ensure that we also protect our people. Within the same area, we have got lots of dust that emanate from cement factories that are within the same area. Hon. Speaker, it is the high time that as a county we put stringent regulations on these factories so that they can limit if not total control of these harmful effluent that they release to the environment so that our people do not get diseases. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Angela.

Hon. (Ms.) Munyasya: Thank you, Mr. Speaker. Mr. Speaker, I would like to start by commending the committee for a job well done. The report is elaborate and to the point and it states that this is not a matter that can be left without address. Mr. Speaker, we are legislators and we sit here day in day out making the laws but when these laws are not implemented Mr. Speaker, then they all go to waste. Water and air are the two most essential things that human beings need to have a healthy life. If we do not have healthy people then, Mr. Speaker, we have no business being a live as well because we are just here making the laws we come and talk and talk and then it is not implemented and that becomes a detriment to some people.

There are people who are dying every day out of this pollution. If fish that live in water cannot survive in those rivers, how do we expect human beings to survive after taking that water? It is killing us slowly. Diseases like cancer were never known; we never used to hear if cancer some days back but now cancer has become a disease for everybody and nobody knows why it is coming about but we have an answer to this.

So, Mr. Speaker, my suggestion is that this House should not rest until that matter is addressed. This House should never close its eyes or even go into any other businesses before we address that matter and ensure that what recommendations are given in this House are applied. So, Mr. Speaker, I really appreciate the members in this House because saw almost everybody went to those site visits. Everybody saw what is happening and everybody is either affected or even infected because we cannot be sure about what we eat and what it comes from.

So Mr. Speaker, we should not take this for granted. Action should be taken and if it is not taken then we should never rest until it is done. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Kieti.

Hon. Kieti: Thank you, Mr. Speaker, for giving me this chance. I want to take this opportunity to welcome our dear students from Muvuti which is my neighbor; Kiima Kimwe and Muvuti ward are my neighbors so feel welcome to our Assembly. Mr. Speaker, I want to say that on top of what Hon. Angela has said on top of the two things that we need that is water and air, we also need the soil because what we eat mostly comes from the soil and when the soil is polluted then it means that pollution ends up in our body systems and therefore at the moment when you listen or read the newspapers or any kind of scripts, you are likely to meet very new cases of diseases that are cropping up mainly because when you are talking about pollution of the environment, whether air, water or soil, some elements do not dissolve easily and those elements that do not dissolve and do not get finished during treatment---

Hon. Deputy Speaker: I think let us not have movement at the gallery please. The Hon. Member for your area has arrived and I want to give him time so that he can be able to address you. So let us not have movement there please. You may continue.

Hon. Kieti: Thank you, Mr. Speaker. I was saying not all elements get decomposed or get finished during treatment when they are being treated so such elements end up in our bodies and the accumulation are likely or in most cases are the ones that are giving us or the public these kinds of diseases that we are hearing about. Mr. Speaker, I was disturbed when I learned that even there are lorries that carry garbage from Nairobi and come and dump in our count. It is very pathetic and as we talk now we have that sewage line that is being constructed from Kajiado, a neighboring county to our county, and nobody is raising alarm and we have a government in place.

Mr. Speaker, I am only requesting the government to put up measures to ensure that garbage from our neighboring counties does not end up in our county because we as a county we also need clean environment, we as a county we also have a life to lead and when our environment is polluted then our life is endangered.

At the same time, I am surprised because nowadays we are dancing with death when you see pollution at your door step. Mr. Speaker, when we went to Athi River, what we saw was very pathetic because the engineer who was in charge of unblocking the sewer line was emptying the effluent in the tunnel and that was coming straight to the main river so Mr. Speaker, I am only requesting the government to put up measures to ensure that our people are not endangered with any kind of pollution. Thank you, Mr. Speaker.

Hon. Deputy Speaker. I think at this juncture I will first of all request Hon. Caleb Mule to address the House; he has got his students from Muvuti Boys High school who at the gallery and advise them of the engagement you had and it is good you say hello to them and also welcome them. Hon. Caleb.

Hon. Mule: Thank you, Mr. Speaker. Thank you Muvuti Boys for coming. I am sure you are learning and you have learned a lot. I was away on matters of Assembly importance I was in the Speakers boardroom doing some interviews for some vacancies but I am happy you came and thank you very much. I am sure you are learning a lot and you will be the future leaders. After this, maybe we can meet outside for some pocket money. Thank you.

(Laughter)

Hon. Deputy Speaker: Thank you very much, Hon. Caleb, for that kind gesture. Hon. Judas Ndawa.

Hon. Ndawa: Thank you, Mr. Speaker, sir. I want also to welcome the future leaders to this House of rules and procedure. Mr. Speaker, I want to say the report before the House is self-explanatory and I would wish to commend both chairpersons together with the committee members who spend a lot of hours compiling and to bring this report to this Hon. House.

Mr. Speaker, the matter before the House we are talking about environmental matters Mr. Speaker the matter before the House is what we call tort. Mr. Speaker, a simple definition of tort is a civil wrong. There is a difference between a crime and a tort and there are remedies that are available for in the constitution. Mr. Speaker, the law of Kenya is very clear it says that every Kenyan has a duty of care to his neighbor. Mr. Speaker, not following the English dictionary, when we talk of a neighbor, in law we talk of a person who can be affected directly or in directly by your deed.

So, Mr. Speaker, in this case I am saying that the companies which are polluting the environment need to be taken to court for what we call vicarious liability. Mr. Speaker, everybody is supposed to control the waste which comes from his or her premises. So, Mr. Speaker, I fail to understand if you have a government, that is Machakos County Government and we have another government that is Kenyan Government, Mr. Speaker, I fail to understand; if the police can hear that there is a certain gun in wrong hands, everybody will be mobilized to go and search for that gun to recover it so that it cannot kill somebody.

That particular gun can only kill one life or two yet here we are talking of an issue which can kill hundreds of people. Mr. Speaker, all the way from Athi River town to the furthest end that is where we call river Sabaki that is where river Athi gets to the Indian ocean. Mr. Speaker, I think before we think of what to do we must resolve in this House that the water in river Athi is not fit for human consumption.

(Applause)

I think that is something we should declare here and Mr. Speaker, there is something I am not getting here and I am not understanding; those people along the river Athi, their main source of domestic water is that river, I need to be guided by experts on if boiling the water will kill the chemical?

That is something which we need to be told because most of the residents of Machakos are fetching that water, they put in jerricans, they take a little they boil and then they consume. So, Mr. Speaker, if we are not careful, we may find this nation losing so many lives because of negligence.

Mr. Speaker, I want to go ahead and talk about the tort that I introduced; that tort is also concerned about three things, defamation, trespass and negligence. Mr. Speaker, I am not going to talk defamation and I am not going to talk trespass but I am going to talk about negligence. Mr. Speaker, negligence can either be omission or commission; you are given a duty to do, you fail to do that duty that is what we call negligence.

Mr. Speaker, you are given a job to do you do it the wrong way, that is also negligence. Mr. Speaker, I want to say the in-charge of NEMA should also be cited for negligence because when he is sleeping on his job he is endangering the lives of residents of Machakos and that is something that is not acceptable at all and we are speaking this with a very loud voice. Mr. Speaker, there is another

department which is called public health and the officers are just around the town arresting hawkers who are selling chips and others are selling *mandazi* along the streets.

These hawkers, the activities they are doing are less harmful than what is happening on that side of Athi River. Mr. Speaker, we need to come up, we need to wake up, we need to stamp authority as an Assembly because the residents of Machakos elected us to this House to come and defend their issues and this is one of their issues. So, Mr. Speaker, just as I have said, as we conclude the matter, let us declare or let us resolve that the water in river Athi is not fit for human consumption.

Just as Majority Leader has said, if you go to Kithimani just at the stage, we have so many hawkers selling very beautiful tomatoes which are grown along that river Athi. Green maize is also sold there, *sukuma wiki* is also sold there, Mr. Speaker. I am interested and affected party in this matter and we must stamp authority. Thank you very much, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Jeremiah.

Hon. Munguti: Thank you, Mr. Speaker. First Mr. Speaker, I would like to congratulate the members who have given their submissions on this motion. I am a member of environment alongside devolution joint committee and as the chairman for devolution and intergovernmental Committee, Mr. Speaker, I would like to give my submission on this report.

First, I would like to say this, Mr. Speaker, it is a regulation in the World Health Organization that every human has a right to clean environment and Mr. Speaker, you will understand that in Machakos County, we have rivers which crisscross Machakos County and other counties and river Athi is among them. Mr. Speaker, I want to say that as we did our own investigations, we found that these emissions have been done through companies which are melting metals.

We also found that there is effluent poured to the river and Mr. Speaker, you will agree with me that this water from river Athi is being used by more than six counties in this nation including Kajiado, Machakos, Makueni, Kitui, Mombasa, Tana River and the like.

Mr. Speaker, my affirmation to this report is that we as the Assembly of Machakos must stamp authority and this must be denied to those who are doing this with the ...because these things they are doing actually they are messing our people. You will agree with me that Mr. Speaker, not even the waters which are being polluted but also we have so many things which are polluting our environment.

Take for instance, the quarries which are blowing stones for concrete and also building materials using the ballistics Mr. Speaker, we have gone through the queries and we have found that even to some extent walls of some buildings have cracked, also pregnant women had stillbirths because of these ballistics which are been blown to the quarries and therefore Mr. Speaker, this is the reason why I have come up with a Bill of environment concerning either be it water, be it waste so that we can come up with a regulation so that we can put punitive measures to those who are doing this kind of pollution in our area.

Also, Mr. Speaker, you will agree with me that this kind of pollution is affecting our people through the food we eat. Many Members have said that the kind of diseases that they are contracting come from our rivers. Take for instance, I come from Mwala sub-county where we use this river Athi water and many people are doing horticultural farming along the river. They are also doing commercial farming in terms of maize and selling green maize to the farmers around to the market and by so doing Mr. Speaker, you realize that we consume these food and at the end of the day we get this kind of dangerous diseases like cancer and other contagious diseases.

Mr. Speaker, my submission to this is that as Machakos County Assembly, we must give directions on this issue so that if anyone is found, either by omission or by commission, dumping waste material into can be arrested and given the punitive measures which are required so that we can actually make our environment clean. According to the bill of rights, everyone has a right to have a clean environment. Thank you, Mr. Speaker.

Hon. Deputy Speaker: May the mover of the motion respond please.

Hon. Kisini: Thank you, Mr. Speaker. I first want to take this opportunity I wanted to thank the students but I think they have gone with their ward member. Hon. Members, I want to stand here and thank you, first for the participation on that report and for your comments. I also want to specifically thank you for taking your time and coming to Athi River coming to pay a visit to that river for two days and for seeing the situation. It also gave me a plus when you all came there and I also sincerely want to thank you for that.

I want to thank the members of the committee of environment for co-operating and for coming up together and writing that report. I want to thank the committee of environment through my co-chair whom tirelessly came up with that report together. Then I do not want to forget the Hon. Angela for bringing the Statement to this House which made all the Hon. Members stand up urgently and quickly and went to rescue that situation.

(Applause)

Hon. Members, you have heard the report. You have seen the areas of concern. We went there to check about the pollution but while on that mission of pollution, we came up or we found another line which is coming up. We have touched it in our report but we have not elaborated maybe the Speaker will guide us on how we are also going to handle that one because that one we found it as we went we have mentioned in the report that we saw another sewer line and the Majority Leader said, we did not mention the owners and whatever maybe we will also pursue that line. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Robert Kisini. I know put the question.

(Question put and agreed to)

The only direction I am going to give on that issue of the second sewer which is being constructed, I will be requesting that the necessary department, we need to summon the Chief Officer who is in charge of environment to appear before the General Oversight Committee and be able to explain where this sewer is coming from, who has authorized the sewer to be constructed and why we are allowing EPZ to continue constructing sewers.

We are going to be getting sewers from Kajiado being brought into Machakos and the money being collected by EPZ; what are we saying? So we need to summon and I think this needs to be done in the next I am directing that the Chief Officer is summoned to come and appear before the committee in 14 days' time so that we can be able to get the details on this and stop it from proceeding any further.

ADJOURNMENT

Hon. Deputy Speaker: With that, Hon. Members, the House stands adjourned to Tuesday the 17th day of March, 2020 at 10.00 a.m. Thank you very much and let us enjoy our evening.

The House rose at 5.30 p.m.