

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Tuesday, 7th June, 2016**

The House met at 2.31 p.m.

*[The Temporary Deputy Speaker (Hon. R. Mutuku) in the Chair]***PRAYERS****Hon. Temporary Deputy Speaker:** Good afternoon members**PAPERS LAID****KITANGANI MARKET LAND DISPUTE PETITION REPORT**

Hon. Ngunzi: Thank you Mr. Speaker. I beg to lay the following paper on the floor of the house today, 7th June, 2016: the report of petition on land dispute by residents of Kitangani market in Masinga Central ward.

*(Hon. Ngunzi laid the paper on the Table)***MACHAKOS COUNTY POULTRY STAKEHOLDERS ASSOCIATION**

Hon. Muli: Thank you Mr. Speaker. I beg to lay the following paper on the floor of the house today 7th June, 2016: the report of the Agriculture and Cooperative Development committee on the petition by Machakos County poultry stakeholders association. Thank you, Mr. Speaker.

*(Hon. Muli laid the paper on the Table)***Hon. Temporary Deputy Speaker:** Thank you, paper laid. Proceed.**NOTICES OF MOTIONS****KITANGANI MARKET LAND DISPUTE PETITION REPORT**

Hon. Ngunzi: Thank you Mr. Speaker. I wish to give notice of the following motion: that this Hon. House discusses and approves the report of petition of land dispute by residents of Kitangani market in Masinga central ward.

Hon. Temporary Deputy Speaker: Thank you. Hon. Joseph Muli

MACHAKOS COUNTY POULTRY STAKEHOLDERS ASSOCIATION

Hon. Muli: Thank you Mr. Speaker. I wish to give a notice of the following motion: that this Hon. House discusses and approves the Agriculture and Cooperative Development committee report on the petition by Machakos County Poultry Stakeholders Association. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you.

STATEMENTS

Hon. Muthuka: Thank you Mr. Speaker. Pursuant to Standing Order 41 (2), I wish to seek a statement on the following:-

COST OF MACHAKOS PEOPLE'S PARK CONSTRUCTION

The County has spent a substantial amount of money in the construction of Machakos People's Park with the total cost of the project being shared by several departments. I would like to be provided with information on the total cost of the project to date; the amount of money spent the following financial years, 2013/2014, 2014/2015 and if any amount was spent during the 2015/2016 financial year, the departments that were involved and the amount contributed by each department.

SIGNPOSTS WITH PORTRAITS OF GOVERNOR

The County Assembly approved a motion that sign posts for county projects should not carry the portrait of the Governor. Early this year, several signposts with the portrait of the Governor were erected across the county contrary to the resolution of this Hon. House. The signposts have been put in places where the project were non-existent, thus misleading the public. I would like to know why the resolution of the Assembly has not been implemented.

NDALANI SAND HARVESTING BAN

The County Assembly approved a motion banning sand harvesting in Ndalani ward and a communication to the effect was made to the Executive on the resolution. I would like to know what has been the problem for not enforcing the ban.

MSWEB CHEQUES TO FOUR GROUPS IN NDALANI WARD

The MSWEB issued cheques of Kshs. 100,000 to four groups in Ndalani ward. The cheques were issued without funds in the account. The cheques were returned to the MSWEB

office and since then, they have not been issued again. I would like to know when the money from the cheques will be issued to the beneficiaries and I have attached the copies of the four cheques, each bearing Kshs. 25,000 of the various groups.

TARMACKING OF ROADS

The Governor has launched several road projects for tarmacking since the completion of the Makutano-Kithimani road that is the fastest constructed road in Africa, in June 2014, such as the road Matuu to Ekalakala which passes through some parts of Ndalani, Komarock-Kenol road which is under World Bank. The Governor has on several occasions during his county tours promised wananchi that the roads in their areas will be tarmacked. One such road is the road from Muli Farm in Ndithini ward through Muthesya ward through Ndalani, connecting the Main Garissa road.

In addition, the Governor during his address to this Hon. House in February, 2015, listed several roads to be tarmacked during that financial year. I would like to get a comprehensive programme on tarmacking of the roads the Governor launched. The Muli Farm-Muthesya ward-Kwa Ndolo-Ndalani road and the roads listed in the Governor's speech and also some advertisements during the same year that he was to tarmac 17 to 19 roads.

FRUIT PROCESSING FACTORY IN MASII TOWN

The department of Trade, Planning and Industrialization planned to construct a fruit processing factory at Masii Town in Mwala Sub-County and money was allocated in the financial year 2015/2016. I would like to know the progress of the project, whether land was identified for the factory and what the future plan for this project is. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you.

MISS TOURISM MACHAKOS COUNTY SELECTION CRITERIA

Hon. Kyuli: Mr. Speaker, pursuant to Standing Order 41 (2), I wish to seek a statement on the following: This County held a beauty pageant contest in the month of May 2016 and the winner for Machakos County was one Miss Karen Murimi. While the county is not tribal, the contest should be a reflection of the culture of Kambas, which can be well communicated or dealt with by a native Kamba girl. I would like to know the criteria used to crown that said lady who is of Kikuyu origin as a Miss Machakos County. Thank you, Mr. Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you. Hon. Members, on the statement sought by Hon. Muthuka, the first statement concerning the cost of People's Park for the financial year

2013/2014, 2014/2015 and 2015/2016, I hereby commit it to the committee of Culture and Tourism.

Concerning the approved motion of removal of sign posts for county projects bearing portraits of the Governor, I commit it to the committee of Implementation. Concerning ban of sand harvesting in Ndalani, the same goes to committee of Implementation. Concerning Machakos County Social Welfare Empowerment Board cheques that were issued without funds, I commit it to the committee of Youth, Women and Sports.

Concerning the tarmacking of roads, I commit it to Transport committee. Concerning construction of approved fruit processing factory, I commit it to Trade, Economic Planning and Industrialization committee. Hon. Members, the other statement sought by Hon. Kyalo Kyuli, I commit it to Culture and Tourism committee. The relevant chairs should take up the statements and file a response in this House the soonest possible; in not more than two weeks.

MOTIONS

KITANGANI MARKET LAND DISPUTE PETITION REPORT

Hon. Ngunzi: Mr. Speaker, Sir, aware that the committee of Environment, Land, Energy and Natural Resources is mandated by the Second Schedule of Machakos County Assembly Standing Orders to deal with all matters related to land survey, mapping, boundaries and fencing; aware that last year residents of Kitangani market petitioned the County Assembly to intervene on alleged grabbing of land and erection of a building in a plot reserved for a road; aware that on 19th to 20th February, 2016, the committee visited the site under conflict and held a meeting with the residents of Kitangani Market; recognizing the Fourth Schedule of the Constitution of Kenya, 2010 mandates County Governments to perform functions of Land surveying, mapping and boundaries; aware that planning regulates use and development of land in public interest and that it influences land value; aware that some underlying factors such as population pressure, agricultural commercialization and urbanization have contributed to the increasing number of land conflicts, Mr. Speaker, Sir, I wish to move the motion that this Hon. House discusses and approves the report of petition on land dispute by residents of Kitangani Market in Masinga Central ward. Thank you Mr. Speaker, Sir. I now call upon Hon. Peter Nzoka to second the motion.

Hon. Nzoka: I second the motion, bearing in mind that the people of Kitangani have a very big problem of movement. When they are moving from the market, there is no way to access the back side, so we need this Assembly to come up with a solution so that those people can have peace. Thank you.

Hon. Temporary Deputy Speaker: Hon. Members, before us we have two petitions and I will allow the chairman of Land, Energy and Environment committee to proceed with the report then we hear the chairman of Agriculture later.

Hon. Ngunzi: Mr. Speaker, I wish to table my report on the conflict in Kitangani. Mr. Speaker, land has aesthetic, cultural and traditional values and is a vital factor of production in the economy. The absence of the national land use policy has led to the proliferation of informal settlement, inadequate infrastructure services, congestion, environmental degradation, unplanned urban centers, pressure on agricultural land and land use conflicts.

Mr. Speaker, land use conflict occurs when incompatible uses are located in proximity to each other. Where there is an insufficient separation distance between these uses, complaints can lead to restrictions on practices, loss of efficiency and profitability for the intended operation.

Mandate of the Committee

Mr. Speaker, Sir, this committee is mandated to deal with all matters related to the 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, land survey and mapping; boundaries and fencing; electricity and gas reticulation; energy regulation; water management systems in built up areas and water sanitation services.

Committee Membership

1. Hon. Edrick Mutua Ngunzi - Chairman
2. Hon. John Sila - V/ Chairperson
3. Hon. Nzoka P. Munywoki
4. Hon. Wilson M. Kasimu
5. Hon. (Ms.) Jacqueline Nziva
6. Hon. (Ms.) Magdalene Ndawa
7. Hon. (Ms.) Margaret Ndalana
8. Hon. Dominic Maitha
9. Hon. (Ms.) Jacinta Luka
10. Hon. Alexander Kathinzi
11. Hon. (Ms.) Alice Nzioka
12. Hon. Raphael Mutuku
13. Hon. Stephen Muthuka

Background Information

Mr. Speaker, last year, residents of Kitangani market, Masinga Central Ward, petitioned Machakos County Assembly to intervene on alleged grabbing of land and erection of a building in a plot reserved for a road that crosses through the market by Mr. Moses Musumbi Kikului.

Mr. Speaker, Article 1 (2) of the Constitution provides that: 'the people may exercise their sovereign power either directly or through their democratically elected representatives.' It is in line with this that the committee on Environment and Lands took up the matter immediately and made several visits to the market to hear the grievances of the market residents.

Legal Framework on Land Matters

Mr. Speaker, Section 155 (1) of the Land Act provides for unlawful occupation of land and it indicates that: -

Any person who, without express or implied lawful authority or without any right or license, under customary or statutory land law:-

- a) occupies, or erects any building on any public land;
- b) Clears, digs, ploughs, cultivates, or grazes animals over, any public land or part of it; or
- c) Cuts or removes any timber or other produce on or from any public land or part of it; shall be taken to be in unlawful occupation of that land.

Mr. Speaker, Section 6 of Land Act, 2012 provides for the following:

- Every registration unit shall be divided into registration sections, which shall be identified by distinctive names, and may be further divided into blocks, which shall be given distinctive numbers or letters or combinations of numbers and letters.
- The parcels in each registration section or block shall be numbered consecutively, and the name of the registration section and the number and letter of the block, if any, and the number of the parcel shall together be a sufficient reference to any parcel.
- The office or authority responsible for land survey may, at any time, cause registration sections or blocks to be combined or divided, or cause their boundaries to be varied, and immediately inform the Registrar of the changes.

Committee Findings

Mr. Speaker, on 22nd February, 2016, the committee together with County Surveyor of Machakos, Mr. Simon Maina held a meeting with the residents of the market and also visited the site under investigation.

Mr. Speaker, the following were the findings:-

1. The allegation that Mr. Moses Musumbi has grabbed land reserved for a road was not true. This is supported by the fact that on checking the map which the surveyor provided, there was no indication of road at the point where the building currently stands. The contents of the map did not reflect the actual situation on the ground.
2. The map had no provision for the correct plot through which the road should pass.
3. Just adjacent the road, a plot that extends more than 100 feet to Kitangani Secondary School fence was observed and this is against the normal plot dimensions of either 100ft by 20 ft, 100 ft by 50 ft, 100 ft by 40 ft.
4. On the side of the market where the plot under conflict is situated, all the Individual plots that are there appear/feature in the map as one plot whose number is 1190 that is they have not been fragmented to specific lot numbers to read the names of the owners who currently claim to own them.
5. On the other side of the market, the plots have been fragmented to specific lot numbers as indicated in the surveyor's map.

Recommendations

1. There is need to do planning for the market so that pathways, road and individual plots could be harmonized. This is an activity that requires budgetary allocation and the Department for Lands should use the money allocated for market planning to give Kitangani market a priority.
2. The stakeholders of the market should agree among themselves and forward their contributions to the Planners. This will ensure proper public participation and prevent conflicts later.
3. No further construction works should proceed before the market is planned and surveyed. This is because proliferation of unplanned settlements will complicate the situation in the market.

Conclusion

Mr. Speaker, Sir, urban planning is a valuable force to achieve sustainable development. Planning helps make the most out of budgets by informing infrastructure and service investments. It distributes economic development within a given territory to reach social objectives and create a framework for collaboration between government, the private sector and the public at large.

Hon. Members, we have provided a map as you can see and the road that is closed is the road that has been shown. If you hold the map well, you will see plot 1190 and the road that is closed is that road that enters the building of Musumbi. That 1190 is shown as one parcel in the map and it is not sub divided; you can see that from the map. The part that crosses the road on the other side of 1190 is where plots have been fragmented to read individual owners and the road that moves all the way from there is a small market *sijui inaitwa nini---*

There is Kasua Ngove, that is the road that enters the market from Kasua Ngove side, and it is closed and the residents say that the road connects to the road that is shown across down there, the road continues; you can see a part that says the road continues. We assume the road could enter through either part but the road is closed and there is a lot of conflict in Kitangani Market.

Hon. Members, we should support that we open up that market; residents simply cannot enter that market from the Kasua Ngove side because it is closed. There are buildings and therefore anybody moving from the Kasua Ngove side of the market cannot enter the market. If you have to use it, you leave your car, you leave the *matatus* behind the market so there is need Members that we move with speed and approve the motion and approve that we spend quite some money. The surveyor indicated that they require close to Kshs. 1 million to plan the market perfectly so we require your approval, we move with speed. There is conflict and it could degenerate into a worse situation later. Members, I wish to call upon Hon. Nziva to second the report.

Hon. (Ms.) Nziva: Mr. Speaker, I think the report was seconded but I wanted to be in support of the report because without planning, most of our markets will be doomed to fail. As

you know, most of our markets are congested and if they are not planned, I do not know whether we can do anything about them. I am one of those Members who went to Kitangani market and it is really congested, so I urge Members to approve this report so that maybe we can move with speed. Thank you, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Hon. Members, before us there is a report on petition that was presented by the people of Kitangani and before we proceed with debate, those are the comments. I wish to refer Members to Standing Order 201 which talks of whenever a report on a petition is tabled before the House, there is no debate. But the Speaker in exceptional circumstances may invite comments, observations within only 20 minutes. Guided by that, I will allow comments for only 20 minutes. Hon. Sammy Nduva.

Hon. Nduva: Mr. Temporary Speaker, I will support the motion. Having an idea of Kitangani Market, I was once there because this motion had been given to the Planning and Trade committee and it was later realized that it was a mandate of the Lands and Environment committee.

Mr. Temporary Speaker, we need to approve that Kitangani people need an access to the market, so having an idea of what is happening in Kitangani, we need to support and approve that the market should be planned so that the residents and the people of Kitangani can be able to access the market knowing very well Mr. Temporary Speaker, most of our towns are not planned but the people of Kitangani urgently need access to the road. So Mr. Speaker, I stand to support the report and that planning of the town needs to be done as soon as possible. Thank you, Mr. Temporary Speaker.

Hon. Temporary Deputy Speaker: Hon. Thomas Kasoa.

Minority Leader (Hon. Kasoa): Mr. Temporary Speaker, a while ago I have just received a call from the Member of the County Assembly for Masinga because he is engaged in County affairs also in the town and he is making an humble request to the House if we can defer the debate maybe to another day because he wants to give some green light because the Kitangani Shopping Centre is a Centre within his ward, so he is just making an appeal to the Hon. Members if at all they can allow to defer the report to another day. Thank you, Mr. Temporary Speaker.

Hon. Muli: *(On a point of information)* Mr. Speaker, I would like to inform the Leader of the Minority that if there was crucial information which was supposed to be given, it was supposed to be given to the committee because the Chairman with his committee members went to the ground, collected the information of what is going on very well and he has already tabled the report on this floor of the House. Therefore, Mr. Temporary Speaker, I believe the Leader of Minority is out of order. Thank you, Mr. Speaker.

(Applause)

Hon. Temporary Deputy Speaker: I think the point of information is very clear and the Leader of Minority is well informed. Hon. Peter Nzoka.

Hon. Nzoka: Thank you, Mr. Speaker, Sir. I am one of the members of the committee of Environment and we went there and I think I know what the area MCA wants to say. Before, there was a road which was crossing that market up to the other side and you can see how it has ended through grabbing and having some buildings. You go and you reach the end and on the other side opposite of the main road, the road is still continuing.

It is clear that people are being robbed of their rights and if you take the aerial view which was done earlier, it is showing that road crossing to the other road but this man who grabbed here, there is something which went on when we were councilors by then and it was brought in a way that the road ends there and the other area is left vacant without any sub division inside. That is why you see the owner of that area who sold it can sell to you here and here with no entrance to the market, so there is a lot of gimmick there.

What I can say is that if you take the aerial view, it is showing the road coming all the way from the tarmac road going to Masinga, crossing the other one which is there, I do not know what they are called but I think *Mheshimiwa* here knows the road. It is obvious that it is cut; it is done like this carpet where it is ending and the building is there while the other side the road is continuing so we cannot have something like that so I need a plan to be done quickly so that the road can be opened. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Oliver Munyaka

Hon. Nzeki: I just want to talk about recommendations. It is saying that the construction should be stopped until the planned survey of the market is done. Mr. Speaker, Sir, I am not one of the Members of that committee but they have done a very good job because if a place is not planned and we want our market to be planned, why can't we because we are still doing our budgets? We need to put some amount of money to the planning committee and I know that market will be planned and surveyed, otherwise, it will be a dormant market and there will be no business in that market. Mr. Speaker, Sir, the committee did a very good job and I do not see why the Minority Leader should say the motion be deferred. It should go on until we complete it. Thank you Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: We can have Hon. Alex Kamitu, Hon. Alphonse Wambua then Hon. David Manyolo then we have the last person Hon. Peter Nzioki.

Hon. Kamitu: I stand here to support what the committee for Environment and Lands did and in fact one of the things within the report, the committee was also accompanied by an expert. When I talk about experts, these are Government employees; a surveyor who was

engaged in this. They went and they came up with a report and so Mr. Speaker, Sir, I would like to bring to the attention of this House that when we are dealing with reports of experts, we should not waste time. The committee did a good job, there is an expert, an employee that is a surveyor, who is trained and in that regard, in the recommendation and in the conclusion it is well noted that the surveyor also brought his input as an expert.

Mr. Speaker, Sir, I am just here trying to enlighten and tell my Members, when there is a report of an expert, we should not even stand to waste a lot of time. We should let our Katangani people develop their area, their market as a priority and we move ahead. Mr. Speaker, Sir, even as you said, this is a report which should be finished within 20 minutes and the 20 minutes are over. Through your guidance, Mr. Speaker, Sir, I would kindly request we finish up with the issue, the 20 minutes are over and the recommendations and conclusions are there; an expert report. Thank you Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Yes Hon. Alphonse Wambua.

Hon. A. Wambua: Mr. Speaker, on this issue of the Kitangani Market, I remember last time when I was a councilor in this House, this issue came to this House and Mr. Speaker, we discussed exhaustively concerning this matter and because that time I was the Chairperson of Planning, I took my committee to that area.....

(Applause)

...and Mr. Chair, what we found there by that time was a dispute and we brought a report in this House and it was approved. I stand to support this report and urge this House because this report was discussed and the committee went there and brought the report, this House should not waste time. We have to approve this report to give that market the space to grow. Mr. Speaker, I rest my case by supporting the report. Thank you.

Hon. Temporary Deputy Speaker: Hon. David Manyolo.

Hon. Manyolo: Mr. Speaker, Sir, I first want to applaud the committee for the good work they have done. Mr. Speaker, they had ample time to go through and also visit the site. It is a shame for the Hon. Minority Leader, to say that we have to postpone the motion. Mr. Speaker, Sir, the time the committee was meeting at Kitangani, the said Hon. Member could have visited them and then give them the recommendations he needed. The committee had ample time to sit at Kitangani, so I do not know whether the Hon. Member was out of imagination or he needed ample time for a corruption of the paper.

Mr. Speaker, Sir, the report is so clear that one Moses Musembi has not grabbed land. It is also within the committee's findings and the recommendations of the committee are very clear that it is not only Kitangani that is not properly planned. Even if you go to Machakos at

Eastleigh, you find that you cannot access some of the houses with your vehicle. If a fire breaks out, it is too hard, Mr. Speaker, Sir, to visit these sites.

I also congratulate the committee for their findings. We have to have proper planning of our markets; proper planning of everything within Machakos County to avoid such problems in the future. Mr. Speaker, Sir, I do seek we support the document and it is good because I can read the mood of the House that they support of the document, it is the high time Mr. Speaker, Sir, without wasting time, you put the question. Thank you.

Hon. Temporary Deputy Speaker: We can have the last person, Hon. Peter Nzioki.

Hon. Nzioki: Mr. Speaker, you are aware that most of our markets are not well planned and Mr. Speaker, this has been done by some people going round and selling public land. The people of Kitangani have raised their cry and it is this House which can save them from the torment they are facing from this land grabber. Mr. Speaker, it will only be wise and prudent for this House to pass this motion so that the people of Kitangani get the rightful judgment. Mr. Speaker, I support the report. Thank you.

Hon. Temporary Deputy Speaker: I can give only one minute to Hon. Isaac Muinde.

Hon. Muinde: Mr. Speaker, thank you for giving me this opportunity. I want to contribute and Mr. Speaker I have an exception to recommendation number 3 on page 5 that reads: ‘no further construction works should proceed before the market is planned and surveyed. This is because proliferation of unplanned settlement will complicate the situation in the market.’

Mr. Speaker, when you look at all the markets, actually we can put blame on the former civic authorities for not having taken time to plan the markets, if we accept that recommendation, chances are the Executive will drag their feet before Kitangani Market is planned. Any further development elsewhere, that is not even touching this road, will have effectively been stopped; it may take time. Innocent investors who have genuine plots and would want to develop in Kitangani may be barred from developing there because I believe this recommendation is not specific to the plot by Mr. Kikului; it is about further development in Kitangani.

Assuming or knowing how our Government works, and that it takes like 10 years before this planning is made, what do we do to those innocent investors having plots and would want to develop? Mr. Speaker, I would wish to support this report but with amendment that recommendation number 3 is struck out but we urge the Executive to ensure the planning of Kitangani Market is done with speed so that we do not hurt innocent investors. Thank you.

(Applause)

Hon. Temporary Deputy Speaker: We can hear the Chairman for one minute.

Hon. Ngunzi: Mr. Speaker, I want to especially thank the Members for their contributions and I want to differ with the Hon. Member for Ekalakala; we sat with the surveyor and the residents of Kitangani and came up with the recommendations and with oneness, agreed that we stop any further development in the market so that we do not again go after planning, to pull down buildings.

Mr. Speaker, I am asking that we be allowed some budget; we will move with speed and we will push the Executive to do what is needed at Kitangani the soonest and Mr. Speaker, not Kitangani Market alone; our markets all over the County, since the taking over of the markets by the County Government from the County Councils. Mr. Speaker, we have seen unplanned buildings come up in markets. If we do not move with speed, those investors that we would want to let go so that they put up buildings the way they feel, we will even face bigger losses when we pull down the buildings; later it is fine.

Mr. Speaker, we need to and I am asking the budget committee, whose Chairman is not here, that we be allocated some funds for planning of our markets. We need to plan; we do not need to sit and let our people put up buildings that will later be pulled down. Let us start by planning so that we save our people the agony that may befall them in future. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Members, I will now proceed to put the question.

(Question put and agreed to)

I direct that the committee on Implementation to take up the matter and as requested by the chairman, Lands, Energy and Environment that you engage the Chairman on Budget so that during this budget preparation period, a substantive amount of money is set aside for that work. Next order.

MACHAKOS COUNTY POULTRY STAKEHOLDERS' PETITION

Hon. Muli: Mr. Speaker, aware THAT the Agriculture and Co-operative Development committee under Standing Order 190 is mandated to deal with all matters relating to agriculture including crops and animal husbandry, livestock sale yards, County abattoirs, plant and animal disease control, irrigation, fisheries, co-operative societies and veterinary services; aware THAT the committee received a petition from the Machakos County Poultry Stakeholders Association requesting the County Government to come up with plans to stimulate poultry industry in the County as proposed in the Machakos County Integrated Development plan; further aware THAT the Machakos County Government proposed to invest in poultry by establishing poultry slaughter houses in major towns of Mwala, Machakos, Matuu, Athi River and Tala; recognizing that the committee met the petitioners and discussed on how best to promote the poultry industry; aware THAT poultry farming has emerged to be a great economic activity and has

continued to eradicate poverty in the country, Mr. Speaker, Sir, I wish to move the motion that this House discusses and approves the Agriculture and Co-operative Development committee report on the Machakos County Poultry Stakeholders Association. Thank you Mr. Speaker, Sir. I call upon Hon. Gideon Kavuu to second the motion.

Hon. Kavuu: Mr. Speaker, I am one of the members who met the petitioners at Mwala and Mr. Speaker, I would now urge this House to discuss and approve the Agriculture and Cooperative Development committee report on the Machakos County Poultry Stakeholders Association.

Hon. Temporary Deputy Speaker: We can proceed and hear the report.

Hon. Muli: Mr. Speaker, Sir, the Agriculture and Co-operative Development committee submits its report on the Machakos County Poultry Stakeholders Association petition that was committed to this committee pursuant to Standing Order 201 (1) and (2).

Mr. Speaker, Sir, poultry farming in Kenya is playing an important role in the total economy and fulfilling the nutrition demand in Kenya. Reports show that some people have become millionaires by practicing commercial poultry farming in Kenya. Most of the farmers of Kenya raise either egg laying or broiler chicken. Poultry farming in Kenya is mostly practiced in small scale mostly for domestic consumption. Poultry farming is the raising of domesticated birds such as chickens, turkeys, ducks and geese for the purpose of farming meat or eggs for food. In the advent of frequent food shortages and fluctuating prices, some farmers have embraced the commercial poultry farming methods.

The committee met the petitioners in Mwala Sub-County and discussed the petition in detail. The meeting was a success and many stakeholders in the poultry industry attended.

Mandate of the Committee

Mr. Speaker, Sir, the committee of Agriculture and Co-operative development was established pursuant to the second schedule of the Standing Orders with specific mandate on all matters related to agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control, irrigation, fisheries, cooperative societies and veterinary services(excluding regulation of the profession).

Committee Composition

Mr. Speaker Sir, the committee has thirteen honorable members as follows: -

- | | | |
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| 1. Hon. Joseph Muli Musyoka | - | Chairman |
| 2. Hon. Phillip Ndolo | - | Vice Chairperson |
| 3. Hon. Isaac Muinde | - | Member |
| 4. Hon. Gideon Kavuu | - | Member |
| 5. Hon. Kyalo Kyuli | - | Member |
| 6. Hon. Charles Mutisya | - | Member |

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| 7. Hon. Wilson Mutiso Kasimu | - | Member |
| 8. Hon. Geoffrey Munyao | - | Member |
| 9. Hon. Joshua Mwonga | - | Member |
| 10. Hon. (Ms.) Ruth Ndumi | - | Member |
| 11. Hon. Festus Ndeto | - | Member |
| 12. Hon. (Ms.) Benedette Mueni | - | Member |
| 13. Hon. John Sila | - | Member |

Machakos County Poultry Stakeholders Association Petition

Mr. Speaker, Sir, the Machakos County Poultry Stakeholders Association represents approximately 300,000 small holder farmers and 7500 commercially oriented poultry farmers. The petitioners call on to the Machakos County Assembly to develop legal frameworks that are aimed at increasing funding and stimulating the poultry sub sector within the 2016/17 financial year.

Mr. Speaker, Sir, the committee observed that the petitioners had an excellent organizational structure and cooperative members. The committee noted that the petitioners were very much involved in poultry farming and if supported, they would accomplish a lot. The petitioners called on the County Assembly to look into the following areas: -

Poultry feeds and feeds quality

It was established that feeds take up to 60 to 70 per cent of the poultry cost of production and that it is essential to ensure that the cost of feeds is reasonable and at the same time advocating for good quality feeds. The petitioners informed the committee that cheap imports from Uganda had flooded the market thus affecting the quality of poultry products available in the market. It was noted that some consumers in the poultry market had refrained from poultry products as a result of speculation that they were not healthy.

Marketing and value addition

It was noted that poultry markets in the County are unstructured making it difficult for farmers to get sufficient volumes to sell their products economically. The committee observed that recently, there has been an outcry over the standard of the poultry products available in the market. The *kienyeji* poultry has a big demand and efforts to increase its profitability should be enhanced. The *kienyeji* poultry should be marketed as a brand as a way of adding its value.

Diseases and pest control

Diseases and pests present a great challenge to the poultry industry and if not controlled, huge losses will be incurred. The committee established that Newcastle disease is rampant in the County and brokers take advantage of its onset to fleece the farmers. Some farmers get discouraged completely after incurring huge losses since the disease outbreak may sweep a whole poultry investment contributing to impulse selling at throwaway prices.

It was noted that there was limited awareness among farmers on the importance of poultry vaccines and that there was little, if any, input from the government.

Committee's Recommendations

Mr. Speaker, Sir, the committee makes the following recommendations:

On feeds and feeds quality

- a) The County government should allocate funds to undertake campaigns aimed at encouraging farmers to produce soya beans, sunflower and white sorghum since they comprise 99 per cent of the poultry feeds.
- b) The County Assembly should lobby the national government to restrict illegal importation of cheap poultry products from neighboring countries that are negatively affecting the industry.
- c) The County Assembly to develop and review county poultry feed standards and guidelines.
- d) The County government should undertake a regular surveillance on the poultry feeds sold by stockists and agro-vets.
- e) The County to assist the Poultry Farmers' Association in establishing a milling facility that will formulate feeds using the locally available materials.

On marketing and value addition

- a) The County Assembly should sensitize local farmers to undertake poultry production in order to meet the increasing demand of poultry and poultry products.
- b) The County to undertake poultry market research and share opportunities available in the sub-sector for private sub-sector investments.
- c) The County government to hold annual poultry symposium in the County to share ideas, innovations and new trends in poultry production.
- d) The County government to construct poultry slaughter houses in major towns of the County and equip them with the latest technological equipment.

On diseases and pest control

The committee noted that it's important to control and manage diseases since they pose a great challenge to the poultry industry. The committee made the following recommendations: -

- a) The County government should allocate funds to the ministry of livestock to control and manage poultry diseases.
- b) The County government should create awareness of poultry vaccination procedures and its importance.
- c) The County government should enforce existing laws on poultry movement to minimize the spread of diseases from one region to another.
- d) The Committee generally recommends that in the 2016/2017 financial year, funds should be allocated for promoting the poultry industry in the County.

Acknowledgement

Mr. Speaker, Sir, the Agriculture and Co-operative Development committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the great support accorded to the committee to perform its mandates.

Mr. Speaker, Sir, it is my sincere privilege on behalf of the Agriculture and Co-operative Development committee to table this report and recommend it to this Hon. House for adoption. I call upon Hon. Gideon Kavuu to support the motion.

Hon. Temporary Deputy Speaker: I think already the motion has been supported; what you have tabled is a report; it is properly before the House. We can proceed with debate and before we proceed, under recommendation on feeds and feeds quality, maybe you can explain to the House when you are talking of 'the County Assembly should lobby the national government to restrict illegal importation of cheap poultry products from neighboring countries that are negatively affecting the industry,' are you talking of the County Assembly or the County Government?

Hon. Muli: I am talking about the County Government.

Hon. Temporary Deputy Speaker: Okay, with that we can have views and observations. Maybe we can hear Hon. Gideon Kavuu.

Hon. Kavuu: Mr. Speaker, as I said earlier, I am one of the members who met with the petitioners and Mr. Speaker, as the chairman read the report, Mr. Speaker, it is clear that I do not think that there is any need of wasting time. The report is clear Mr. Speaker; I would request if possible you can put the question so that we can approve the report. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Benedette Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker, Sir. At the start of this County, that was 2013, the Governor said that every home will be having 20 chickens so that we can make our people able to be doing something. The government I think can support that so that our women there down can be doing something and somebody will not sleep without food because you can have the chicken to go and sell or the eggs to eat. I support the report, thank you.

Hon. Temporary Deputy Speaker: Hon. Joseph Kalunde.

Hon. Kalunde: Mr. Speaker, Sir, I think the mover of the motion should have distinguished whether it is the County Government or the Central Government which is allowing cheap supply of chicken from the neighboring countries which is negative but in some of the remarks here the country which brings more chicks to this country for poultry farmers is Uganda and I think Uganda is bringing in quite a good product of chicken which is being sold in Kenya by many poultry farmers. Mr. Speaker, it is quite clear that this report is okay and I congratulate

the people who organized the report for the chicken farmers and I would request the members of the Assembly to pass it without delay. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Edrick Ngunzi.

Hon. Ngunzi: Mr. Speaker, I want to thank the committee for the nice work they have done with coming up with the report that is so nice, before the House. I want Mr. Speaker, to dwell on the issue of vaccination. I happen to be a poultry farmer and I know the biggest challenge that we as poultry farmers face is vaccination but most of the chicks that are hatched locally die before one month due to diseases that are controllable through vaccination.

For most farmers, if you get about 50 hatched chicks, almost all of that lot will die of diseases that we can control by vaccination and before that period of between one and three months, one day old to three month old chicks will all die if not vaccinated. The vaccines are cheap but the farmers have not been sensitized and the government is not giving any input to the farmers. I wish we could have extension officers in our local areas who move from home to home vaccinating the little chicks that farmers raise.

It is there in the report that the *kienyeji* chicken is in very high demand. We cannot even meet the demand for *kienyeji* chicken but the chicks are dying down in the villages. We spend money to do projects; why not invest a little money on vaccines for the poultry farmers who are spread almost everywhere in the county?

Mr. Speaker, I think we need to set aside some funds during this financial year towards vaccination of our chicks and poultry; not just our poultry, our animals. There is a role Mr. Chair, Agriculture and through the Speaker, that has been abandoned; that of helping the farmers in medication and in vaccination of controllable diseases. We have not for the last three budgets set any money aside for that noble exercise. I would request Mr. Chair and through the Speaker, you push the government to set aside funds in the agriculture sector to help our farmers vaccinate against controllable diseases. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Hon. Mary Ndinda.

Hon. (Ms.) Ndinda: Mr. Speaker, Sir, I first want to commend the chairman and the committee members of Agriculture and Cooperative Development committee and also say that I stand to second that this report is a wonderful report and to me, I term it as an income generating project which will empower our people in the County and we should take it seriously because I think this is the only easiest way of getting income for our local people or the people in the grassroots and I think something has been spoken by the previous Hon. Members but I say we should talk on the issue of training the farmers on how to take care of the poultry.

We have also spoken about getting the feeds, the issue of sunflower. We also have good farms where we can encourage them to plant more and also plant the soya beans and the maize. We can also provide machines which can be used by the farmers to crush and get local feeds in

their own homes other than buying those imported feeds you are saying are not good. I stand to second this motion. It is a good one and a wonderful one. Thank you.

Hon. Temporary Deputy Speaker: Lastly, I can hear Hon. Chairman, Finance.

Hon. Nzeki: I commend the chairman for agriculture for such a report. I would like this Hon. House to recommend this report be handed over to the Governor of Machakos County because chicks were his forefront when he was campaigning and he used to say that every home will be provided with chicks and if he happens to see this report through you Speaker, I know because we are going to pass the report right now, let it be handed over to our Excellency the Governor, Dr. Alfred Mutua and I know the money will be taken from his account and be given to the farmers. Mr. Speaker, Sir, I stand to commend the chairman for the good work he has brought to this house. Thank you, Mr. Speaker, Sir.

Hon. Temporary Deputy Speaker: Before I put the question, I will give one minute to Hon Peter Nzioki; one minute.

Hon. Nzioki: Mr. Speaker, if you may note, you have always given me one minute. Mr. Speaker, there is a very huge market which has not been ventured into in the poultry market and Mr. Speaker, poultry is one of the economic generating activity in our local market and particularly with our people back home. Mr. Speaker, I would urge the government to put more emphasis on the production of poultry so that we can empower people economically.

Mr. Speaker, while I finish there is one on page on recommendations, bullet six: 'the County Assembly should sensitize the local farmers to undertake poultry production.' Mr. Speaker, I think that is the work of the County Government and not the work of County Assembly. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Hon Members I will proceed to put the question.

(Question put and agreed to)

I direct that the office of the Clerk as per Standing Order 201 (3), communicates the decision of this House to the petitioners within 15 days.

ADJOURNMENT

Hon. Temporary Deputy Speaker: In the absence of any other business, the House adjourns until tomorrow at 10 a.m.

The House rose at 3.45 p.m.