

REPUBLIC OF KENYA
UASIN GISHU COUNTY ASSEMBLY
THE HANSARD

Tuesday, 4th September, 2018

The House Met at 3:16 PM

[Mr Speaker (Hon. David Kiplagat) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

CONGRATULATORY MESSAGE TO ASSEMBLY ON GOOD PERFORMANCE IN CASA SPORTS

Mr. Speaker: Clerk, Honourable Members, first I want to take this chance to first welcome all of you to this session after a long recess. I hope you were able to interact with your constituents and also you were able to participate in the various activities that we were involved in. From the sports fraternity, I want to really congratulate all those staff and Members who participated in sports. We emerged victorious and the effort goes to each one of us including the players, including the spectators and including the cheerers. We... at least from the bottom of my heart I know we really tried and we shall do from the leadership what we had purposed to do so. With those, congratulations.

NOMINATION OF CHIEF OFFICERS

We have other communications from the Chair. first we have a communication from the county government of Uasin Gishu, that is, Office of the Governor to the Honourable Speaker of County Assembly of Uasin Gishu and subject is nomination of Chief Officers. I want to bring to the attention of the House that the Governor pursuant to the County Governments Act 45(1) (a) (b), he has forwarded two nominees to be considered for the following positions. One is Ruth Jemutai Rop ID No; 25281555 the position of the Chief Officer Lands and Housing, Two Millicent Adhiambo Okonjo ID NO: 6412394 Chief Officer Economic Planning. I have therefore committed the two names to the Committee of Lands and Housing to be able to consider the nominee that is Ruth Jemutai Rop for purposes of vetting and presenting a Report to this House for purposes of approval. Secondly, I have committed the name of the nominee for Chief Officer Economic Planning that is Millicent Adhiambo Okonjo to the Committee on Finance and Economic Planning that is to do the vetting and to be able to write a report on the same candidate and present to this Honourable House for purposes of approval. The Committee should note that pursuant to Public Appointments Act - the relevant sections - is that they need to complete this task on or before expiry of 21 sitting sessions from today.

VETTING OF ALCOHOL DRINKS CONTROL BOARD MEMBERS

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The other communication I wanted to make from the Chair is from the County Government of Uasin Gishu to the Clerk County Assembly of Uasin Gishu for purposes of the nominees for Alcohol Drinks Control Board from the County Secretary. It says: 'Pursuant to Section 4(3) of the Uasin Gishu County Alcohol Drinks and Control Act 2014, the County Public Service Board has competitively sourced and recommended the following persons for appointment to Uasin Gishu Alcohol Drinks and Control Board. one is Josephine Tarus ID NO: 14724360 the category is from the civil society; two is Carolyne J Chesang ID NO: 13205800, Public Health Professional; three, Josephine O. Odhiambo ID NO: 22048760, the category is from the youth. We had said for Carolyne she is from the category of public health professional, for Odhiambo is representing the youth and then we have the fourth nominee who is Philip C Rono ID NO: 10760971 and representing the category of religious group. Then we have lastly or the fifth nominee who is Elijah K.C Matelong ID NO: 6874880 and the category is Education.

I hereby submit the names and their respective testimonials attached for vetting for the County Assembly before appointment of successful candidates. So I have today committed the same to the Committee of Health for purposes of vetting and presentation of the report to this House for purposes of approval and also they should take note of the Public Appointment Act so that we are within the Law.

COUNTY TREASURY CIRCULAR NO 2/2018

Another communication I wanted to make is from the County government of Uasin Gishu, that is, the County Treasury. It is the County Treasury circular NO 2/2018 to all accounting officers, Chief Officers, the Clerk Uasin Gishu County Assembly, Secretary Uasin Gishu County Assembly Board and firm managers of all county entities and it is the guideline for preparation of the 2019/2020 and the 2021/2022 medium term budget. So it is a long report and I am committing the same to the Committee on Budget for purposes of consideration.

DEPARTMENTAL WORK PLANS OF THE LANDS, HOUSING, PHYSICAL PLANNING AND URBAN DEVELOPMENT COMMITTEES

Another Communication I wanted to make is from the County government of Uasin Gishu. this should be from the County Secretary and it is the departmental work plans for 2018/2019 Financial Year. This should be for the department of Lands and Housing and Physical Planning and Urban Development and I am committing the same to both joint committees of Lands, Housing, Physical planning and Urban Development for consideration.

PETITION ON THE PHYSICAL PLANNING OF KARANDILI TRADING CENTRE

Another communication is a petition from TK Ruto and Company advocates, Commissioner for oaths and notaries public. It is about the physical planning of the Karandili Shopping Centre. I hereby read the petition. Reference is physical planning Karandili shopping centre.

'We refer to the above subject matter and we instructions from the residents of Karandili Shopping Centre to address you which we hereby do here under. That the residents of Karandili

Shopping Centre have raised concern on how physical planning was conducted. It is apparent that the planners did not follow the earlier physical plan map which was used for divisions in early 1984 but instead came up with their own method of sub-dividing the centre thus creating untold suffering to the residents and severing their properties which have been fully developed. Majority of the residents have been deprived of their plots and others being sub-divided into two positions causing great sufferings that despite numerous issues being raised to the physical planners, their grievances seem to have headed nowhere. Our firm instructions are that you do proceed and investigate the matter and do not approve the same when it comes before the House for debate and approvals.

Our further instruction is that the same should be subjected to proper planning and survey to be done in a proper manner bringing the affected members on board.

By copy of this letter relevant authorities are also notified of the same.’

Signed by the lawyer for the TK Ruto and Company Advocates and copied to physical planning survey office, Chief Executive Ministry of Lands- Uasin Gishu County, County Commissioner and the Chairman of the Karandili Shopping Centre. So this petition I hereby commit to the joint committees of Lands Housing, Physical Planning and Urban Development to consider this matter and also in the process of considering they make sure they include the area MCA so that they can listen to and a report be tabled in this House within 30 days.

REPORT ON COUNTY UTILITIES

Another communication from the Chair is from the Uasin Gishu County government, that is, from the County Secretary about request for information and this is from the department of Lands, Housing, Physical planning and Urban development; it has submitted attached comprehensive report. it is a report on County public utilities. So I hereby commit the same to the joint committees of Lands and Housing, Physical Planning and Urban Development for consideration and presentation of a report on the same to this Honourable House.

Another communication is from the Uasin Gishu County government Office of the County Treasury. This is the work plan for the department of Lands, Housing, Physical Planning and Urban development and I hereby commit the same to the joined committees of Lands, Housing, Physical Planning and Urban Development for purposes of consideration by that committee.

CITY RESILIENCE PROGRAMME

The other communication is from the County government of Uasin Gishu, Office of the County Secretary and the topic is about city resilience programme. I am committing the same to the joint Committees of Lands and Physical Planning for joint consideration and a report to be tabled on the same.

ANNUAL DEVELOPMENT PLAN 2019/2020

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We have also in receipt, in this Honourable House, from the County government of Uasin Gishu, the County Treasury, Office of the County Executive Finance and Economic Planning, the Annual Development Plan for the year 2019/2020 and I am committing the same to the Committee on Budget and Appropriation for purposes of consideration and tabling the same to this House in consideration also with the budgeting side.

THE PROPOSED FINANCE BILL FOR THE FINANCIAL YEAR 2018/2019

Lastly it is from the County government of Uasin Gishu, the County Treasury, Office of the County Executive Finance and Economic Planning. The subject is the proposed finance Bill for the Financial Year 2018/2019 and I am committing the same to the Committee on Finance and Economic Planning for consideration and a report presented on the same for purposes of execution of the finance Bill. Thank you very much.

Mr. Speaker: Clerk, deputy Majority Leader.

PAPERS LAID

Hon. Sang, K: Thank you, Mr. Speaker. I wish to table the following Paper which is the Annual progress report 2017/2018.

Mr. Speaker: Thank you very much, the deputy majority leader for that annual report. we hope it will be given to all Members and a day will be set for purposes of a debate for the same.

(Hon Julius Sang laid the report on the Table)

Clerk! The Deputy Chief Whip.

NOTICE OF MOTION

SURVEY OF STATUS OF CSR IN INDUSTRIES

Hon. Tenai: Thank you Mr. Speaker Sir I wish to give the following notice of Motion:

Aware that Uasin Gishu is endowed with many manufacturing and service industries operating in its jurisdiction; **Further aware that** some of these industries include agro- processing, construction, plastic manufacturing, service centres and others; **Concerned that** that some of the industries that are operating in the County have not benefited the local community in any way; **Noting that** all industries operating in the County should embrace corporate social responsibility practices in order to enhance social and economic development in the County: This County Assembly urges the committee on public investment and public service management to undertake a survey of all industries in the County and the status of corporate social responsibility (CSR).Thank you, Mr. Speaker.

Mr. Speaker: Thank you very much, honourable Tenai.

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MOTION

SURVEY OF STATUS OF CSR IN INDUSTRIES

Mr. Speaker: Honourable Tenai!

Hon. Tenai: Thank you, Mr. Speaker Sir. I seek to move the following Motion:

Aware that Uasin Gishu is endowed with many manufacturing and service industries operating in its jurisdiction; **Further aware that** some of these industries include agro- processing, construction, plastic manufacturing, service centres and others; **Concerned that** that some of the industries that are operating in the County have not benefited the local community in any way; **Noting that** all industries operating in the County should embrace corporate social responsibility practices in order to enhance social and economic development in the County: This County Assembly urges the committee on public investment and public service management to undertake a survey of all industries in the County and the status of the corporate social responsibility (CSR).

Mr. Speaker Sir, I find this Motion relevant especially to the performance of this County. I am aware that Kenya Airways is one of the organizations which have actually exhibited very well in terms of corporate social responsibility; Safaricom is another one. We have had corporate social responsibility at Kenya Commercial Bank (KCB). I want to request this honourable House to find this Motion prudent because it will also give us some performance index, as when we are passing a budget in this County assembly, there are some organizations within this County that do in their mission or vision of their company, they do exercise the corporate social responsibility, they can at times even have in their plan to construct a classroom whereas the County government also has the same, same plan. So, Mr. Speaker Sir, if we take an audit of what these organizations are doing, it will also assist us in planning for the County government.

We know it is prudent that any organization that is within should actually empower the people who are residents of that particular area by way of creating this social responsibly. If we look at the Constitution 2010, it talks about the national values and principles of Governance. One of them is the national unity, the other one, Mr. Speaker Sir, just to mention a few, is democracy and participation of the people in it. We have the inclusiveness and the equality and some of these things that have been mentioned in the Constitution. I find it prudent that we should involve it under the CSR programme for this County.

I know very well that we have multinational companies here in Uasin Gishu and these Multinational companies do employ our people from the County. These are the people we feel their businesses to be secured when we know actually that apart from employment, they are also doing something to the community and that is actually why I find it good that the department of

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Public service management, which is more conversant with employment, will also be included in this department to find a research of the same and in the public investment committee, these are some of the investments that actually do get licenses from the County government. They do give us revenues; they do give us those employment opportunities and by so doing we have more information about what they are also doing apart from what they are providing in form of employment.

I want to request this honourable House to pass this Motion the way it is and I request the chairman for Public Service Management, honourable Pius Kigen to second the Motion.

Thank you, Mr. Speaker Sir.

[The Honourable Speaker, (Hon. David Kiplagat left the Chair)]

[The Deputy Speaker (Hon. Hosea Lamai) In the Chair]

Deputy Speaker: Honourable Member for Tembelio!

Hon. Kigen: Thank you, honourable Speaker. I stand to second this Motion. Indeed this Motion would not have come at a better time. considering that most of this organizations have received support and the cooperation from the local communities, it will only be fair that such institutions, such organizations do also reciprocate by even donating computers to the schools and institutions around, donating even classroom and even common facilities. Indeed the only way that such these organizations will actually mingle, harmonize and actually give the community opportunity to feel that they are part of that institution is by corporate social responsibility. these are requirements in the modern society, these are requirements in all the organizations all over the world - that the institutions look for a way to bring the harmony, bring understanding, bring engagement with the local community so that they will work as a family, that is, the institution will work with the community as a family by way of donating a class or primary school even at times building an hospital or a dispensary or even donating in kind. So I wish to strongly urge this House that as I second this Motion to support.

The other day you saw our Senator Honourable Kamar was raising a concern in the national assembly, in the plenary that one of the investors, a Chinese with the construction company cannot even donate a desk to a school, let alone employment because employment even at times may depend on the companies requirement but even on employment, Honourable Speaker, we would even request that when there is good relationship and rapport, usually an institution that has come to your village should even employ two or three to build relationship with the community but this Motion is seeking the aspect of social corporate responsibility which is a matter of institutions, they have even sponsored ... I know of an institution which sponsored

some students until they finished their university and one of them today is a Doctor, courtesy of the corporate social responsibility of the NGO which came to my place.

So, Honourable Speaker, I think I would like to urge this House that we pass this Motion and allow the committees that have been tasked with this responsibility, and also the input of the other members because all of you members you can be friends of this committees and come up with inputs which can actually bring on board this aspect of corporate social responsibility for these institutions which come to our Counties and they are very welcomed. We want to give them a very good environment, a very humble environment so that they will work and even improve the social development of our areas and communities and our centres. So I strongly second and support this Motion and I would like to humbly urge the members to support.

As I finish, I would like to take this opportunity to congratulate our team for winning the inaugural CASA trophy 2018. I would like also to congratulate the management, the Speaker of this assembly, the Clerk and the leadership as a whole plus all the honourable members and staff for actually carrying our flag high and Uasin Gishu has proved is the County of Champions. Thank you so much.

Deputy Speaker: Thank you, honourable member for Tembelio. You have been able to pre-empt what you have to submit tomorrow during statement time. Nonetheless, you will still have your time tomorrow during statement time to brief the House on the just concluded CASA games.

Honourable members, a Motion has been moved and seconded and therefore I propose a question.

(Question proposed)

Deputy Speaker: Ensuing Debate!

Deputy Speaker: Honourable member for Langas!

Hon. Muya: Thank you very much, Mr. Speaker Sir. From the onset I want to take this opportunity to declare my stand that I support the Motion that before this place. Before I give my input, I want to take this earliest opportunity to congratulate Uasin Gishu County assembly team for exemplary performance in the just concluded CASA games, from the management, staff, we honourable members, from the bottom of my heart you can hear that even my voice is not yet back. I tell you that it is so sweet to win. Congrats, colleague, team manager, congrats for your leadership and all the leaders that took part anywhere to make sure that indeed we have shown the 47 Counties that indeed Uasin Gishu is a county of Champions.

I am just recalling the words of the commentators, ‘Woow Uasin Gishu County.’ They were even saying almost even whatever we did not win they were also saying that we had already taken it because in the major events we took the trophies. I am indeed happy and I want to say congrats, honourable members. I saw girls and boys. Why am I calling them so? It is because for sure they are very energetic. I remember seeing honourable Sambai my mummy. Woow. That is just an example. I didn’t expect her to be the way she was but she gave all the best and others. This shows that unity is power. if you are united in everything ... I was almost being worried what the auditors will say about our preparation to this games but going to Chebororwa, going for acclimatization, spending in Nairobi for the one week doing the games, was not in vain because we have something to show that there is value for the money spent. So Uasin Gishu Assembly team, congrats and may God bless you.

(Applause)

Mr. Speaker, there is a noble Motion before us that all of us who wish the best for the people of Uasin Gishu; this is a kind of Motion that we need to embrace and move with speed to make sure that it has been actualized.

Mr. Speaker, the issue of Corporate Social Responsibility is not an issue that we are starting today; it is an issue that has been there since time immemorial. For the companies that know what they are doing, they take back their profit to the *Wananchi* or to their customers for them to also enjoy what has been seen out of their cooperation. A good example is Safaricom Public Limited Company; okay nowadays many people have tried to go for other options but it remains the better option. But why are they outstanding than others? I remember one time they brought an exercise; the Diabetes Management and Information (DMI) section: It is something to do with clinic services and treatment and I remember on that single day, the number of people who came out from Langas Estate and its environs to be treated were so many. It really touched my heart that they were removing the cataracts and other diseases. What touched me most is that there are people in the houses who are suffering. They went to hospital, they were diagnosed that they are suffering from a, b, c, d, but because they do not have money, they cannot buy drugs, they cannot continue seeking medication but through such an initiative by Safaricom, people were able to be given medication, others benefitted from the operation to remove cataracts in their eyes. One old man told me, ‘wow! I can see once again.’ It tells you what Corporate Social Responsibility can do to a community.

Therefore, I want to congratulate Honourable Gilbert for such a noble idea. It needs to be followed to the latter; not only what has been mentioned here. I want to divert a little bit; in Uasin Gishu currently we have quarries all over. Mr. Speaker, around areas where we have quarries, communities are suffering; really suffering but if these quarries could be doing Corporate Social Responsibility, they could have lowered the suffering of the community by providing them with proper roads, building schools for them, building even health facilities. There is no way they can come to scoop all the profit from a given area leaving a community poorer than they found it. This one is unacceptable.

Therefore, Mr. Speaker, I really support this move that the committee concerned undertakes the survey of all industries - hereby all means all- what has been mentioned and what has not been mentioned so that the residents of Uasin Gishu can start smiling due to what is being undertaken in this County. For sure, it is ironical that for example, when wealthy men come and start quarry services in an area, you can imagine parents and their children who grew up in those areas for many years, they have never quarreled with these stones and the likes but one individual or a company comes and starts scooping millions of money without giving back even a shilling to the said community. This should be unacceptable and, as leadership, we need to stand firm and say, it is a high time Kenyans saw the need of embracing the issue of Corporate Social Responsibility. It is enshrined in so many laws, it is practicable and therefore there should be no excuse whatsoever that this is not possible; it is possible.

Mr. Speaker, I urge other Honourable colleagues that these are the kinds of Motions that we need to put our hearts and heads together for. Even in trying to go deeper and ask what the Honourable Member saw or had in place, what we need to add to him so that we realize what is here. There are areas and I want to give an example; when Eldoret Municipality had an idea that they can get Chebara Water to serve Eldoret Municipality, what did they do? The white men who gave resources gave an idea that in Elgeyo/Marakwet, we need to come up with an institution; today we have Chebara Boys; a fully-fledged secondary school courtesy of that project and that is just an example. There are so many others.

Therefore, Mr. Speaker, this thing is possible. What we need is to actualize it. Somebody knows somewhere, what he or she is supposed to do but they take advantage of our ignorance. Thank you, Honourable Member for bringing a wake-up call to us and we should all rally behind this idea and make sure that we are not only using public resources to develop our people, but also we are using the profit made by other organizations to make sure that we give services to our people.

With all those many remarks, I support the Motion. Thank you.

Deputy Speaker: Honourable Member for Sergoit!

I have seen you, Honourable Member for Megun.

Hon. Keitany: Thank you, Mr. Speaker Sir, for this opportunity. First of all, I want to thank the mover of the Motion who is also the MCA for Cheptiret/Kipchamo Ward, Honourable Gilbert Tenai for coming up with this Motion. I want to say this, Mr. Speaker Sir. We have some industries and institutions in Uasin Gishu County and for sure, I think this is the County which is lucky when it comes to industries and these other institutions.

Mr. Speaker Sir, the issue of CSR is something that we cannot even say that we are requesting. I want to say that we are demanding that these institutions in Uasin Gishu County participate in CST activities. I want to say this, Mr. Speaker Sir. I remember one time when I used to work with one of the financial institutions and I do not want to mention the name; they used to participate and the amount they used to spend is a lot of money. But because there is no one who

usually follows up these funds, they sometimes end up misusing the funds. I can remember they used to spend around sh30, 000, 000 assisting our athletes but most of the time when we meet with these athletes, they were not even aware that there was something like that provided by such an institution.

So I want to say this, Mr. Speaker Sir. Let us make sure that we follow up and make sure that these institutions give us what we call CSR because it is very important. We are even using a lot of money as Uasin Gishu County. We use millions when it comes to issues of roads, maybe providing infrastructures like water but still the beneficiaries are these institutions and yet they cannot even give us something back or give even something to the community.

I want to say this, Mr. Speaker Sir, and I want to thank Honourable Tenai because I have seen he has requested that the Committee on Public Investment and Public Service Management do that survey of all industries in the County and make sure that they come up with the status report. I am happy because I am one of the Members of Public Investment and I am very sure we will do something good for the people of Uasin Gishu County. If it is possible, Mr. Speaker Sir, let us make sure that every year or by the end of the year, let us have the list of all the institutions in Uasin Gishu County and let us get to know that an institution provided this or they provided a certain amount to a certain Ward or maybe in a certain area.

I want to also request that let us also have the formula they are using because you find sometimes, they just concentrate on some areas. I remember when I questioned another institution, they told me that they have been participating and that they are even planning to still support the same school which is still in the same Ward. This to me, I think is not good. It is good at least to have a criterion so that each and every Ward can benefit from these institutions.

For those few remarks, Mr. Speaker Sir, I want to say thank you and thank you to the mover.

Deputy Speaker: Thank you. Honourable Member for Megun!

Hon. Sang, K: Thank you so much, Mr. Speaker, for giving me this opportunity also to add my voice to this very important Motion. This Motion that has come to us this afternoon is a very important Motion and from the onset, I want to register my support for the Motion and say that I fully support the Motion that has been brought by Honourable Tenai. The prayer of this Motion is that we undertake a survey of all the business entities; industries and service sectors in this County. This is very important for Uasin Gishu County because this will give us a link between the County Government of Uasin Gishu and the players that are within our jurisdiction.

Mr. Speaker, for a very long time, many industries, businesses, NGOs, faith-based organizations; everybody works on their own but with this Motion, all these activities will help us to mend that relationship; it will give us a very good working relationship with these entities. I am aware that already some organizations are doing something as far as CSR is concerned but we want to take stock of what is actually happening on the ground, what is happening practically. Some organizations confessed that they do CSR but we do not know because there is no evidence. So, this Motion will help us understand clearly what is happening in those industries and players. I

am aware that in the year 2007, when we had the post-election violence, Moi University Main Campus, that is, the community around the Main Campus had been asking for a very long time for Corporate Social Responsibility from that institution and it was not forthcoming, and when that time came, when there was chaos, the community around that area invaded the Moi University farm and they took maize from the farm which was about 50 acres. It was because of the desperation from the community.

Mr. Speaker, we want to help shield our businesses and industries from such in future. I wish to state the following; as we conduct this survey, I wish that this committee that has been tasked with this activity should also go ahead and take stock of the turnover of these industries because that will gauge; it will help us understand to what extent these industries will give us the CSR.

Mr. Speaker, we have concerns from some members of the public especially in regard to the operations of the NGOs. Members of public do not understand clearly what these NGOs are doing and this activity will also help us understand these entities will; help us understand the operations of these NGOs, and as it were, this in a way will help us, although informally to audit these firms.

Mr. Speaker, I support this Motion and I believe that at the end of it, it will help us improve the services that we are giving our people. So, I support this Motion and only ask that as we conclude the activities in the prayer of this Motion, I wish through your guidance, perhaps we could in future turn this Motion into a Bill so that it can actually be for posterity. I support this Motion and urge our colleagues to also support.

Thank you so much, Mr. Speaker.

Deputy Speaker: Thank you, Honourable Member for Megun.

Honourable Members, there being no other contributions over the same I now put the question.

(Question put and agreed to)

Deputy Speaker: The ayes have it, Honourable Members, and I therefore direct that the committee on Public Investment which is being chaired by Honourable Member for Moi's Bridge and Public Service Management which is chaired also by Honourable for Tembelio to undertake this survey and be able to table the report on this Honourable House.

ADJOURNMENT

Deputy Speaker: Honourable Members, there being no other business on our Order Paper, the House stands adjourned until tomorrow at 9:30 AM.

The House rose at 4:00 PM

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