

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 2nd August, 2006

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:-

Mr. Kanacho Ukur Yattani
 Mr. Sasura Hussein Tarry
 Mr. Mirugi William Kariuki
 Mr. Galgallo Wario Malla
 Mr. Lekuton Joseph

ORAL ANSWERS TO QUESTIONS

Question No.503

TORTURE OF MR. AHMED M. SUROOR
 BY SECURITY OFFICERS

Mr. Balala asked the Minister of State for Administration and National Security:-

(a) whether he is aware that, Mr. Ahmed Mohammed Suroor, a charcoal dealer at Bibi wa Saafi, Mombasa, was arrested by security officers on Saturday, 31st May, 2003, and severely tortured before being dumped on Mombasa Road in Nairobi on Monday, 2nd June, 2003, and that the matter was reported to the Provincial Criminal Investigations Officer, Mombasa;

(b) whether he could confirm that the Federal Bureau of Investigations (FBI) officials abducted Mr. Suroor, which was a violation of his rights; and,

(c) what progress has been made after the Criminal Investigations Department (CID) opened an Inquiry File No.5/2003.

The Assistant Minister, Office of the President (Mr. Kingi): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Mr. Ahmed M. Suroor made a complaint to the Provincial CID Headquarters in Mombasa, alleging that he had been kidnapped in Mombasa and eventually abandoned in Nairobi. An Inquiry File No.19/2003 and not No.5/2003 was opened. Investigations were carried out and upon completion, the file was forwarded to the State Counsel Office in Mombasa vide letter Ref.CID/POL4/4/7/Vol.23/150 of 12th October, 2004.

(b) I am not aware of any link between the FBI and the alleged kidnapping and torture.

(c) Upon completion of the file the State Counsel advised that there was no evidence to prove kidnapping or torture as alleged and hence, the file was closed.

Mr. Balala: Mr. Speaker, Sir, this same Question came before this House in 2003, and it was unsatisfactorily answered. The then Minister of State, Office of the President assured this House that they were going to address the issue of compensation, the health of the victim and give further details of what happened. The answer that we have received today is unfortunate. It has no meaning to the Question that we have raised. Affidavits were tabled in this House that the FBI and Mossad agents interrogated the victim. Could the Assistant Minister undertake to visit the victim and further investigate what happened?

Mr. Kingi: Mr. Speaker, Sir, I have addressed myself to the issues that were raised by the Question. There was an allegation of an arrest of the victim by the officers. I have said that there is nothing like that. Investigations were carried out and the file was forwarded to the Attorney-General. The verdict was that there was no evidence to prove kidnapping or torture. Therefore, the file was closed.

I have no objection to the request by the hon. Member that I should visit Mr. Ahmed. But, as far as the matter stands, that is the way it is.

Mr. Mwandawiro: Ahsante sana, Bw. Spika. Vitendo vya vyombo vya usalama kutoka nje, haswa kutoka Marekani na Israel kuwateka nyara, kuwakamata, kuwahoji na kuwatesa Wakenya, haswa watu wa pwani, ni swala nyeti na linaendelea kila wakati. Hata wengine wanapelekwa nje ya nchi hii! Je, Serikali hii inaweza kuwahakikishia Wakenya usalama kutoka kwa vyombo vya ujasusi kutoka nchi za nje?

Mr. Kingi: Bw. Spika, wakati wowote kunapoonekana kuna umuhimu wa wenzetu kufanya uchunguzi katika taifa hili, wanashirikiana pamoja na askari wetu. Hakuna wakati ambapo wanafanya vitendo hivyo wakiwa peke yao.

Ikiwa kuna wakati wowote Mkenya yeyote amepata mateso katika mikono ya wageni hao, haswa wakati ambapo askari wetu hawapo, tukipewa habari---

Mr. Balala: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to misguide this House by, first of all, denying that there are no FBI or Mossad agents in the country and, at the same time, confirming in this House that the agents are there and they collaborate with Kenyan agents? Is he in order?

Mr. Kingi: Mr. Speaker, Sir, I have not misguided this House. I have said that whenever there is a need for them to work in Kenya, they collaborate with our police.

Mr. Speaker: Why do you keep on changing languages all the time? Why can you not be consistent? Which one do you want to you use?

Mr. Kingi: I can use any! If an hon. Member asks a question in Kiswahili, I reply in Kiswahili!

Mr. Speaker: No! No! You make a choice between English and Kiswahili! Which one do you choose?

Mr. Kingi: English!

Mr. Speaker: All right!

Mr. Kingi: Mr. Speaker, Sir, I have addressed myself to the supplementary questions that have been raised by Mr. Balala and Mr. Mwandawiro.

Mr. Bifwoli: Mr. Speaker, Sir, you have heard the Assistant Minister say that whenever the FBI agents come to work here, they collaborate with the police in Kenya. Under what law do foreigners come here to work in collaboration with the Kenyan Police? Is it the same way Artur Margaryan worked?

Mr. Kingi: Mr. Speaker, Sir, I am not very sure that I got the hon. Member's question. But I said that whenever there is need for investigations to be carried out by our partners, it must be done in conjunction with our forces. They cannot do it on their own.

Mr. Balala: Mr. Speaker, Sir, the Assistant Minister has confirmed that Mr. Ahmend Suroor was picked up by CID officers, interrogated by foreign agents and abandoned in the streets after being tortured. What compensation is he going to give to Mr. Suroor for his medical treatment? He is medically unfit even now!

Mr. Kingi: Mr. Speaker, Sir, I have not confirmed, at any point of my answer, that Mr. Ahmed Suroor was kidnapped by police. He reported that he had been kidnapped and we carried out investigations. Those investigations did not reveal that there was kidnapping or torture. Regarding the issue of compensation, when a case has been finalised, the person affected can sue for compensation.

Question No.046

BREAKDOWN OF 1998 BOMB BLAST VICTIMS

Mr. Speaker: Prof. Olweny is absent! His Question is dropped!

(Question dropped)

Question No.069

GOVERNMENT EXPENDITURE ON RELIEF
FOOD IN TANA RIVER DISTRICT

Mr. Wario asked the Minister of State for Special Programmes:-

- (a) how much money the Government spent on relief food in Tana River District during the 2005/2006 Financial Year; and,
- (b) what the strategy of the Government is to ensure that the recurrent famine is put to an end.

The Minister of State for Special Programmes (Mr. Munyes): Mr. Speaker, Sir, I beg to reply.

(a) In the current 2005/2006 Financial Year, the Government has so far spent a total of Kshs127,668,205 in providing relief food to needy people in Tana River District. The district is benefiting from the on-going Emergency Operation (EMOP) spearheaded by the World Food Programme (WFP) with the support of the Government. The EMOP had distributed 4,823 metric tonnes of assorted foodstuffs with an estimated value of Kshs128,058,728.

The Government also provided the district with Kshs51,728,100 for the early warning activities as well as for implementing community-based preparedness activities in the 2005/2006 Financial Year.

(b) The Government has put in place the following strategies to ensure that famine is put to an end. The Government has developed a National Disaster Management Policy which aims at putting in place proper institutional framework for addressing disasters, including drought which, the country faces from time to time. The Bill is awaiting discussion in Parliament. Another policy that has been developed and which shall address the long-term food security matters in the country is the National Policy for the Sustainable Development of the ASAL areas. The policy aims at improving co-ordination of development in ASAL areas through involvement and empowerment

of the affected communities.

The National Food and Nutrition Policy is also being developed with the purpose of increasing food production, encouraging the development of appropriate crop varieties, assisting farmers in marketing of their produce and promoting value addition to crop produce. The policy also seeks to promote income generating activities among the poor communities. In the short-term, the Government is carrying out an emergency operation EMOP in 25 districts, targeting about 3.5 million people including 500,000 children who are worst hit by the current drought. The operation is meant to provide relief food to the affected people. Other sectoral activities are also addressing long-term problems related to water, livestock, health, education and agriculture as the way of mitigating the same.

Mr. Wario: Thank you, Mr. Speaker, Sir. The House will appreciate the fact that there have been recurrent droughts in the country and we keep on appealing to donors to support us. None of the three policies that the Minister has mentioned has been approved by this House. What specific strategies has this Government put in place to end the recurrent droughts?

Mr. Munyes: Mr. Speaker, Sir, my mandate, as the Minister of State for Special Programmes, is to provide relief assistance to the 25 districts. We passed a Motion this morning that seeks leave of the House to introduce the Bill that will address the long-term measures in those areas. We will have to wait until that time.

Mr. J. Nyagah: **Mr. Speaker, Sir,** is the Minister aware that the drought and famine highlighted last year is even serious this year? If so, how much money has he set aside towards that end? Which programme does he have to ensure that he feeds our people who are facing a more severe famine this year compared to last year?

Mr. Munyes: Mr. Speaker, Sir, this year, we are feeding a population of 3.5 million Kenyans and 500,000 children. So far, we have spent Kshs6 billion. The EMOP will take us up to February next year. By that time, we hope to have spent Kshs16 billion.

Mr. Munya: Mr. Speaker, Sir, the Minister has done a good job in feeding the people who are suffering from famine. However, there are pockets of very dry districts which do not fall under ASAL districts. Those districts are not given enough food because the Government does not recognise them. What is the Government doing to ensure that those Kenyans who do not fall under ASAL districts but have similar problems are taken care of? There should be no *ad hoc* measures but permanent solutions so that those people can also benefit!

Mr. Munyes: Mr. Speaker, Sir, I have carried out a survey throughout the country and identified 19 districts that I call the non-EMOP districts. The hon. Member comes from one of those districts. We will target 1 million Kenyans and spend Kshs2 billion in those areas.

Mr. Wario: Thank you, Mr. Speaker, Sir. The Minister allocated over Kshs500 million in the last financial year to the Drought Contingency Fund money which was removed during the Supplementary Estimates. Could he confirm to the House that this year's Drought Contingency Fund will be used for the right purpose.

Mr. Munyes: Mr. Speaker, Sir, those funds will be used for the right purpose!

Question No.116

MEASURES TO SAVE SMASSE PROJECT

Prof. Oniang'o asked the Minister for Education:-

- (a) whether he is aware that strengthening of mathematics in secondary schools (SMASSE) project training services have failed to meet the objectives and do not provide anything new to the teachers;

(b) whether he is further aware that teachers participating in this project have neither received any certificates nor their allowances; and,

(c) if the answers to (a) and (b) above are in the affirmative, what urgent measures he has taken to save the project which is intended to improve teaching of mathematics and sciences in secondary schools.

The Assistant Minister for Education (Dr. Mwiria): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the SMASSE project has so far met some of the initial objectives, namely; the establishment of a national in-set centre at Karen known as the Centre for Mathematics, Science and Technology Education in Africa (CEMASTEIA) and the establishment of 103 district in-set centres in the country which have helped popularise science and mathematics. It has also led to improved performance in mathematics and sciences in terms of quality grades as is evidenced by the number of "A" and "A-" we have had compared to 1998 before the project was launched. It has also led to more interest and greater enrolment in the sciences than was the case before.

(b) It is not true that teachers who participate in the SMASSE project have not been issued with any certificates. Today, a total of 21,662 certificates have been issued. The Ministry has not been paying training allowances to both teachers and officers in the Ministry because of financial constraints.

The Ministry's annual training allocation of Kshs283 million which is currently used for in-service expenses and capacity building for teachers---

(Loud consultations)

Mr. Sungu: On a point of order, Mr. Speaker, Sir. I am unable to follow what the Assistant Minister is saying because there are loud consultations.

Mr. Speaker: Order, hon. Members! Those hon. Members who are unaware, we are in session! We are conducting business! Please, allow the House to conduct business!

Proceed, Mr. Assistant Minister! I am sorry about that!

The Assistant Minister for Education (Dr. Mwiria): Thank you, Mr. Speaker, Sir. I think I will continue from where I left, in spite of the fact that the majority did not hear what I said. I have said that the annual training allocation is only Kshs283 million. However, we will support other training programmes by paying allowances once we get more resources.

(c) In view of "a" and "b" above, part "c" is not applicable.

Prof. Oniang'o: Mr. Speaker, Sir, I thank the Assistant Minister for the elaborate answer he has given to this House. We are aware that we usually do not get enough science and mathematics teachers. In the past, they have been given incentives. Without science and technology, this country cannot move forward. Given the very low remuneration---

(Loud consultations)

Mr. Speaker: Order! The hon. Members at that corner, please, relax! If you have something serious you want to argue about, just leave the Chamber! I advise you to give the House some peace!

Proceed, Prof. Oniang'o!

Prof. Oniang'o: Mr. Speaker, Sir, it is surprising to note that even the Front Bench is not listening. We know that science and mathematics are crucial for moving this country forward. We do not have enough science and mathematics teachers. In the past, they used to receive incentives and that is why I am asking why those teachers cannot be paid allowances. Could the Assistant

Minister tell us the incentives he has put in place to make sure that he attracts more teachers to science and mathematics?

Dr. Mwiria: Mr. Speaker, Sir, one of the incentives Prof. Oniang'o has referred to is paying the science teachers a little more money when they are recruited.

Secondly, the training programmes are also supposed to prepare them to be competent professionally. If you have an opportunity to train, it is already an opportunity to upgrade your skills. The third incentive relates to the supply and demand. As you saw recently, our advertisements mainly focused on the areas which have a shortage of mathematics and science teachers. As a result, many of our students are getting more interested in sciences because they have realised that if they pursue education in sciences, they have a better chance of being employed than if they did any of the traditional social science subjects. So, market forces will also assist in this regard. However, we shall continue to provide training. We will include more teachers so that they benefit from this programme when funds are available.

Mr. Karaba: Thank you very much, Mr. Speaker, Sir. Noting that the shortage of science teachers is looming in the country and that science apparatus are lacking in various schools and yet, sciences are compulsory subjects for university entrance, could the Ministry of Education consider making science subjects optional?

Dr. Mwiria: Mr. Speaker, Sir, we require that you do, at least, one science subject. So, we cannot make all science subjects optional because we also want to educate a completely balanced student. If you do not do, at least, one science subject, then there is a major inadequacy in the education received. We will continue insisting that students do, at least, one science subject; and that the science subject will matter with regard to admission to any of the degree programmes offered at the public universities. This is because it prepares students much better for the courses they undertake.

Mr. Billow: Thank you, Mr. Speaker, Sir. The performance in mathematics and sciences may be bad in the country but if you look at the ASAL areas, you will find that the situation is even worse. The performance in secondary schools in those areas is largely affected by the poor performance in mathematics and sciences. What affirmative action is the Ministry considering with regard to those particular districts so that we can address the poor performance in those areas?

Dr. Mwiria: Mr. Speaker, Sir, we hope to intensify training programmes for teachers in the ASAL areas. However, more importantly, most of the schools in the ASAL areas can advertise for science teachers. We do insist that the teachers who are considered sign a contract so that they can teach in the ASAL areas for, at least, five years. This is one of the things we have done. However, we hope that we can support science training in the lower classes and popularise it. We encourage the nomadic and other remote communities to venture into sciences so that more of their young people can take up those courses at the university.

Prof. Oniang'o: Mr. Speaker, Sir, computerization and provision of television sets and videos are crucial for science and mathematics teaching in high schools.

Could the Assistant Minister tell us the plan he has to ensure that every constituency has some schools with those facilities?

Dr. Mwiria: Mr. Speaker, Sir, we launched the ICT policy on education this morning. We insisted that to bridge the gap between the rural schools and the elite schools, we need to democratise the use of computers in our schools. As a result, we have several initiatives. One of them is the NEPAD initiative that targets, at least, two schools in every district.

Secondly, we are working with other partners, including microsoft to popularise the use of computers. This is already being offered in teachers training colleges. There are other programmes under computers for schools. Essentially, the situation is much better now. At least, two schools in every constituency have access to some computers. We hope to increase the number, depending on

the number of partners willing to work with us with regard to providing this very important learning facility.

Mr. Speaker: Next Question by the Member of Parliament for Gachoka Constituency!

Question No.203

NUMBER OF IFAD-FUNDED PROJECTS
IN GACHOKA CONSTITUENCY

Mr. J. Nyagah asked the Minister for Water and Irrigation:-

- (a) how many IFAD-funded projects are being undertaken in Gachoka Constituency; and,
- (b) how many have been completed.

The Assistant Minister for Water and Irrigation (Mr. Wanjala): Mr. Speaker, Sir, I beg to reply.

(a) The International Fund for Agricultural Development (IFAD) is funding one natural resources management project in Rupingazi and Ena River Basin. The river basin which cuts across Gachoka Constituency is part of the five selected river basins in the integrated Mt. Kenya East Pilot Project for Natural Resources Management. The project is multi-sectoral and has components which include water resources management, environmental conservation, rural livelihoods, community empowerment and project management and co-ordination.

(b) The project has an implementation period of seven years; from the year 2004 to 2011. Two focal development areas of Gachuriri and Rwika have been selected in Gachoka Constituency. The implementation of various components of the project is ongoing at Gachuriri, while implementation at Rwika is scheduled to commence this financial year.

Mr. J. Nyagah: Mr. Speaker, Sir, for the last two years, the IFAD has been conducting seminars and workshops at the village level. The Gachuriri project the Assistant Minister is talking about is a water tank that is only ten metres wide. It has taken them two years to construct that water tank at a school, and yet they have never completed it. Is this one of the projects that he is claiming to have been funded by the IFAD?

Mr. Wanjala: Mr. Speaker, Sir, it is true that it is one the projects that I am talking about. However, there are many others. The hon. Member might be one of those who do not visit their constituencies. This project will cost US\$25.7 million. It will take seven years---

Mr. J. Nyagah: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead this House by talking about a big project covering several districts and hence, give the wrong impression to Gachoka people that he is, in fact, giving them US\$25 million? The Ministry has bought vehicles and houses. They are misusing the money! It has built only one tank, which is not even complete, over a period of two years!

Mr. Wanjala: Mr. Speaker, Sir, the amount of money involved cannot be taken to one constituency. It must go to more constituencies within that region. However, the following projects have been undertaken. We have just completed a 50-cubic metre masonry tank at St. Joseph's Primary School. We have installed a river-gauging station. We have also done survey and design of Gitumba Water Resources Users Association on River Rupingazi/Kapingazi Basin. We have also established woodnotes in six schools. These are: St. Joseph's Primary School, which received 1,200 tree seedlings and Rugakori Primary School received 600 seedlings. Nkariki Primary School received 3,000 seedlings. Kangaita Primary School, Gachuriri Primary School and St. Claire Girls, received 1,200, 8,000 and 1,000 tree seedlings, respectively.

A lot has been done. I will continue to cite more projects because the hon. Member seems

not to be visiting his constituency.

Mr. Speaker: Order! How many times have you gone to his constituency to be able to know that he does not go there? Why do you not concentrate on your job?

Mr. Wanjala: Mr. Speaker, Sir, indeed, I am concentrating!

We have supported six tree nurseries. They were given seedlings and nursery equipment, wheelbarrows, watering cans, spades and rakes. We have also done the protection of the spring at Kathera on Kianjiru Hill. We have also trained one inseminator at AHITI, Ndomba. We have also purchased insemination cans. We have carried out the assessment of two cattle dips for rehabilitation and community training on animal diseases control and surveillance.

We still have other work that is going on.

Capt. Nakitare: Mr. Speaker, Sir, having a good knowledge of the operations of the IFAD, I beg to differ with what the Assistant Minister is telling the House this afternoon. The IFAD is spending more money on workshops and seminars in hotels and cities. Could he tell this House how much money the IFAD has spent on Kaberua Forest in Trans Nzoia District where we want to get water by gravitation?

Mr. Wanjala: Mr. Speaker, Sir, that is a different Question. If the hon. Member wants to be told what we have done there, he should bring a Question. However, I have mentioned exactly what we have done in Gachoka Constituency.

Mr. Speaker: Order, Mr. Assistant Minister! It may be a different situation if the hon. Member is talking about Trans Nzoia District. But how much money is being spent on workshops and seminars?

Mr. Wanjala: Mr. Speaker, Sir, at the moment, I cannot tell the House how much money is being spent on seminars and workshops. However, we must do capacity-building for our people for the sustainability of those projects. Sometime back, Finland funded the sinking of boreholes in several areas of the country without training the communities.

Mr. Speaker, Sir, at the moment, all those boreholes are not operational. The IFAD's approach is that people must be involved. For you to involve them, you must train them.

Mr. Speaker: Very well! I suppose you train people to push wheelbarrows!

Last question, Mr. J. Nyagah!

(Laughter)

Mr. J. Nyagah: Mr. Speaker, Sir, it is very obvious that the Assistant Minister has tried very hard to describe an imaginary situation in Gachoka Constituency. It is like a movie! I go there regularly; unlike him! The project covers three districts. However, he has not described the Gachoka Constituency situation.

Could the Chair instruct him to accompany me to my constituency to confirm the facts for himself, so that he can save Government money? What I have said is nothing, but the truth. They completed only one tank recently because I made a lot of noise and they knew I was to raise this Question in this House.

Mr. Wanjala: Mr. Speaker, Sir, first, I have said that there are two focal development areas in Gachoka Constituency; Gachuriri and Riwika, and the hon. Member has not disputed this fact. That is where most of these projects I enumerated are being undertaken.

Mr. Speaker, Sir, if the hon. Member, who is an aspiring presidential candidate, wants me to visit his constituency, I can avail myself.

(Laughter)

Mr. J. Nyagah: I will be greatly honoured if the Assistant Minister joins me!
Thank you.

(Laughter)

Mr. Speaker: Very well! All is well that ends well!
Next Question by Mr. Ojode!

Question No. 370

RE-CARPETING OF RODI
KOPANY-KARUNGU ROAD

Mr. Ojode asked the Minister for Roads and Public Works what action he is taking to re-carpet Rodi Kopany-Karungu Road (C18).

The Assistant Minister for Roads and Public Works (Eng. Toro): Mr. Speaker, Sir, I beg to reply.

Due to budgetary constraints, my Ministry did not make any provision in the current financial year's Budget to re-carpet the Rodi Kopany-Karungu Road. However, the road will be designed in preparation for rehabilitation during the 2007/2008 Financial Year.

Mr. Ojode: Mr. Speaker, Sir, were it not for the Chair, I would not have asked a supplementary question or talked about this road any more. The reason why I am saying this is because the same Assistant Minister came to this House last financial year and said the following regarding that particular road when hon. Ogur asked whether the re-carpeting of the Rodi Kopany-Karungu Road would be done:-

"Yes, patching and re-carpeting work on Rodi Kopany-Karungu Road which is 48 kilometres long will start this financial year."

Mr. Speaker, Sir, when we get this kind of answers, it really beats the reasons why we are here. It is not only in this HANSARD Report, but also His Excellency the President of the Republic of Kenya, when he visited South Nyanza, said the following: "*Hiyo barabara itafanywa; itawekwa carpet!*"

(Laughter)

So, which answer should I take? Do I go for the one given by the Assistant Minister or the promise given by His Excellency the President? Which one should I take? Kindly assist me!

Mr. Speaker: Order! Order! Agitation notwithstanding, we must obey the rules of the House. You cannot use the name of the President as authority for what you are saying unless, of course, you are a Minister, and I think you are not.

Mr. Ojode: On a point of order, Mr. Speaker, Sir. I seek your indulgence. This is serious and it is not a joking matter any more! As we speak, there is no road and I cannot even reach my constituency because of this very road.

I need the Chair to come up with a lasting solution to this particular road. What can I do because I have two contradicting statements? One by the Assistant Minister and another one in the form of a Memorandum of Understanding (MoU) by His Excellency the President. Which one should I go for?

Mr. Speaker: Mr. Assistant Minister, can you ensure that the hon. Member will be able to get to his constituency and home?

Eng. Toro: Mr. Speaker, Sir, last financial year, we used Kshs4.5 million to do some repair works on that road. When the hon. Member says what the President said, that the road will be done, he did not say that it will be done in the last Financial Year or this financial year. If he listened to my answer, I said it will be done in the Financial Year 2007/2008, but the President never gave the timeframe. So, the President's directive will still be obeyed, but in the next financial year.

Mr. Ogur: Mr. Speaker, Sir, some people here are very lucky because they have many other roads so that, even if one of them is too bad, they can deviate and reach their destinations. I have only one road; from Homa Bay through Rodi Kopany to Karungu-Sori in Nyatike. This road has hole after hole! These are not potholes but many, many potholes so that there is no road! When His Excellency the President came to Migori, he promised that the road will be done. We all clapped, jumped and sang because we thought the road was coming.

I was told here that the road will be done, but I did not know that we were being taken for a ride! If there is any money hidden somewhere or which is to be allocated elsewhere, could the Assistant Minister use it to do the road from Rodi Kopany to Karungu? Even work on the road from Migori to Muhuru Bay has stopped. Can this road be done?

Eng. Toro: Mr. Speaker, Sir, nobody is taking Mr. Ogur for a ride because the road will be done. You must bear with me because we cannot do all the roads countrywide in one financial year; it will not be possible. Even the future Government will not be able to do all the development projects within one year.

Mr. Omamba: Mr. Speaker, Sir, this is lamentable and a deliberate isolation. I do not know what language to use, but this is lamentable. This road has remained unrepaired for over ten years and it is totally impassable because you cannot even ride a bicycle on this road. I cannot pass through Homa Bay when going to Migori. I have to go through Kisii because the potholes are terrible!

Mr. Speaker, Sir, you can bear me witness that this is the tendency of this Ministry. Last year---

Mr. Speaker: What is your question?

Mr. Omamba: Last year, during hon. Raila's tenure, the Ministry promised that Ongoche Bridge would be constructed in that financial year. But up to date, nothing has been done and there is no indication. The Ministry is giving people empty promises and this is their tendency. Could the Assistant Minister consider improving this area which is now deliberately isolated?

Eng. Toro: Mr. Speaker, Sir, I do not know who is isolating that area, but it is definitely not the Ministry of Roads and Public Works. In the morning when answering another Question, I said that we should be given time to do proper design so that we can end up with durable roads. This road was done less than ten years ago, in 1996, and it deteriorated within five years because of what I said in the morning; poor design and workmanship. This time round, we are trying to do a proper job so that roads can last for even 15 years instead of about five to six years.

So, Mr. Speaker, Sir, as I said earlier, we are going to budget for the rehabilitation of these roads in the next financial year.

Mr. Speaker: Last question, Mr. Ojode!

Mr. Ojode: I am not satisfied with the answer! Let me ask the Assistant Minister one simple question. When we passed the Vote of his Ministry recently, you remember that the politically-correct districts got over Kshs1 billion just for maintenance of those roads within those districts. But because we are not a politically-correct district, that is why we were given Kshs3 million for Migori, Homa Bay and Rachuonyo districts. Is the Assistant Minister himself satisfied that there was no money at all which was allocated for the repair or re-carpeting of this particular road? In his own district, he got Kshs1.2 billion because he is an Assistant Minister in that

Ministry.

Mr. Speaker, Sir, do you expect us, when we take over the Government next year to behave the way they are behaving? It is not possible! Would it not be in order for the Chair to order the Assistant Minister to set aside some money for this road to be repaired to enable me go home comfortably? It is not possible. Would it be in order for the Chair to order the Assistant Minister to set aside some money for this road to be repaired, in order for me to go home?

Mr. Speaker: Order! Order!

Eng. Toro: Mr. Speaker, Sir, definitely, Mr. Ojode is agitated. Whether he is agitated or not, there will be no money this financial year, as I have said.

Capt. Nakitare: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to mislead the House that what the President says is not a decree; ordering the Ministry to do what he feels is best for the people? Is he in order to mislead the House that what the President says is not implementable?

Eng. Toro: Mr. Speaker, Sir, the President directed the Ministry to do various roads, countrywide. While preparing our budget, we went to the Minister for Finance and discussed the roads that the President directed that they be rehabilitated or reconstructed countrywide. However, the Minister could not give us money required to start work on all those roads in the current financial year. That is why some of those roads, like the one in question, has been budgeted for in the next financial year.

Mr. Speaker: Very well! The balance of the Questions by Messrs. Bifwoli, Mbai and Gitau will be deferred to tomorrow and will be given priority.

Question No.401

NUMBER OF GOVERNMENT-FUNDED HEALTH
FACILITIES IN WESTERN PROVINCE

(Question deferred)

Question No.416

OPERATIONALIZATION OF LANDS/
TRIBUNAL BOARDS IN MASINGA

(Question deferred)

Question No.485

WAIVER OF WATER BILL FOR
JOY TOWN PRIMARY SCHOOL

(Question deferred)

Mr. Speaker: Next Order!

COMMITTEE OF SUPPLY

(Order for Committee read)

being Eighth Allotted Day)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 12 - Ministry of Local Government

*(The Minister for Local Government
on 1.8.2006)*

*(Resumption of Debate interrupted
on 1.8.2006)*

Mr. Speaker: Mr. Ahenda, you have a balance of five minutes.
Could you proceed?

Mr. Ahenda: Thank you very much, Mr. Speaker, Sir. Yesterday, I started by congratulating the Minister for having brought some sanity in the Ministry of Local Government. However, I had put it across to him that within my own constituency, Kasipul Kabondo, we have Rachuonyo County Council and Oyugis Town Council, which were given very little money. Therefore, it is my humble request that he looks into the provisions for these local authorities.

Mr. Speaker, Sir, last year, the Minister gave his own district over Kshs120 million and this year, he has allocated Kshs44 million to his district. So, I humbly request him to look at the allocations and give either Oyugis Town Council or Rachuonyo County Council Kshs10 million out of that allocation, so that he can keep the balance of Kshs34 million. That would be a very fair distribution of resources in the country.

Mr. Speaker, Sir, there has been talk that has been doing the rounds for some years now that councillors all over the country should be paid from the Consolidated Fund. If councillors are paid from the Consolidated Fund, then the question of local authorities over-levying *mama mbogas* in the market places will be a thing of the past. In Oyugis Town Council particularly, a woman trader vending vegetables worth Kshs30, is levied Kshs50. There was a case in point where the women just gave the vegetables to the councillors for free.

Sometimes local authorities officers are given budgets and asked to meet them through collection of revenue. The only way the officers can raise the revenue is to run after the women in market places trying to collect money. Could the Minister look into this matter with a view to having councillors countrywide paid from the Exchequer, so that the collection targets of local authorities can come down? That target is highest within Oyugis Town Council.

Mr. Speaker, Sir, Oyugis Town Council has grown with lifts and bounds and it is high time it was elevated to a full municipality so that it can attract more investors. Rachuonyo County Council within Kosele should also be upgraded to a town council. Urban planners should go out, instead of idling at the headquarters, to oversee the planning of Kosele and other upcoming towns within the country. They should not wait until people put up their own structures and then years later, they come up with bulldozers to pull down those structures. This is the right time for them to go out and plan the towns.

Mr. Speaker, Sir, there is a tendency by the Ministry headquarters to overburden local authorities with certain directives that are not implementable on the ground. If officers at the Ministry headquarters could reach the local authorities themselves, they would see that some of the circulars they issue are not implementable. The local authorities have, therefore, been left with no

alternatives except to run after women traders at the market places trying to raise revenue. So, local authorities end up levying what cannot be afforded by women traders within the markets. The situation has been made worse within Oyugis Municipal Council by former executive officers, including the mayor, the deputy mayor and other officials.

With those remarks, I beg to support.

Mr. Khamasi: Thank you, Mr. Speaker, Sir, for giving me a chance to contribute to this very important Motion. The Ministry of Local Government is very important. This is the first attempt by the Government to devolve power. We should, therefore, try everything possible to perfect that exercise, so that power can be devolved.

Mr. Speaker, Sir, we have too many local authorities in the country, some of which are completely unviable. Some of my friends here have suggested that we should pay councillors from the Consolidated Fund. I wonder whether they have done their arithmetic well. My view is that we should restructure the local authorities in the country. We must amalgamate many of them, bringing them to a sizeable level, and then propose on how to pay councillors from the Consolidated Fund. As of now, the Government should not pay them from the Consolidated Fund because they are very many. I want to congratulate the Minister for moving this Motion ably, and for what he is doing under the Nairobi City Council, with regard to cleanness. I hope that is not because we will be having a conference of cities in this capital city of Nairobi. It should be something we can maintain. We must keep our cities clean.

The activities that have been going on in our city in terms of cleaning, incentives and getting rid of unauthorised structures is really commendable. At no time shall we have enough land in this city, to be allocated to every person who comes to this city as a hawker. All the hawkers cannot get land to operate from when we are trying to relocate them to the right places. The tendency has been to reallocate a certain number of hawkers land to operate from, but as soon as we are done with the exercise, the following weekend, we have hundreds of them coming into the city. When you tell them to go to the right place, they tell you that they want to be allocated land. Where will the City Council of Nairobi get land to allocate to hawkers who come into the city in hundreds every other month? Let us get rid of hawkers and put them in the right place. Those who have created unauthorised structures should be removed from the city.

It was very shameful for a Minister of Government to wake up early one morning and come to Nairobi to stop an exercise that was aimed at trying to clean our city. That painted a very bad picture on the part of the Government. The Minister came to the city very early in the morning to stop an exercise which had been authorised by another Minister. Just imagine what that shows about this Government. It is shameful! Shame on that Minister who woke up very early in the morning to try and stop an exercise that was right.

My colleagues have talked about LATF. Kenyans have been focusing on the CDF which is about 2.5 per cent of our revenue. We would like to call upon Kenyans and the Kenyan Press to focus on what is going on with the LATF. Nobody seems to be speaking about it, yet it is a substantial amount of taxpayers' money. It is necessary that the Kenyan Press and Kenyan public pay equal attention to what is going on with the LAFT, as they are doing with the CDF. I want to talk briefly about the law governing the elections of chairmen of county councils and mayors of municipal councils, which portrays a very bad picture on the part of this Government. It is very shameful to see councillors being herded into hotels and being confined for several days, dining and wining on the accounts of possible candidates, and it is dehumanising. It is done before an election and is being voluntarily accepted by aspiring councillors. That creates a very bad picture on the part of our leaders in the county councils. Let us amend the Act that governs their elections. I urge the Minister to move very fast and bring an amendment to this House so that we can elect a mayor, once, for the duration that the council is in force.

In terms of allocations, I want to admit that in the eight years I have been in this House, I have not seen a penny being allocated to the local market of my constituency. This time round, at least, the Minister has given us Kshs5 million. I will not argue in the same manner my colleagues have argued, by saying that it is very little. I would like to thank him for doing that and urge those hon. Members who think that Kshs3 million that has been allocated to them is too little, to donate it to Shinyalu. I would be very happy to receive it and do some work with it there. All I ask the Minister is to look at the allocation again and do something about it.

The rates from natural resources that are collected by the local governments, particularly rents collected at the Kakamega Forest, is something which the Kakamega County Council has been denied for a long time. Right now, the money adds up to many millions of shillings.

I would like the Minister, who I petition with the chairman of the county council, to look into the matter and make sure that there is proper division of the rates that come from natural resources in different county councils of this country.

I beg to support.

Mr. Biwott: Mr. Speaker, Sir, I would like to take this opportunity to congratulate the Minister for Local Government for the very able way he has moved the Motion. He has tried to show us where the money he is asking for will go. I would have liked him to go further and tell us what criteria he uses to allocate various amounts, in the absence of physical planning. The Ministry of Local Government provides the very basic infrastructure in this country, which touches on the lives of people on a daily basis. Therefore, it should be moving towards devolution and showing how funds, as requested at the Ministry, are being used. In other words, the local authorities should be working towards satisfying people's needs. Allocation of funds should be done according to the priorities which people have identified at the local authorities level.

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Khamasi) took the Chair]*

Looking at the distribution list as given, it is obvious that all the money we are getting is earned from Roads Maintenance Levy. I believe that with efficient management of local authorities, the Ministry should be able to raise more money through rents and rates collection. It should be able to increase its capacity to meet the services required. At the moment, I think the Minister is doing very well. He is also doing well in the management of the cities. We, however, have shortcomings in planning. The physical planning of our cities is not very good.

The building and developments going on in the cities are being done outside the planned programme, which makes it very difficult to relate the actual development to the services required. If you look at the roads we have, you will find that they were built during the colonial time when vehicles were very few and the usage was light. Today, we have a huge transport system, yet we still rely on the same roads. The Minister should direct more resources towards that direction in order to improve on the drainage, sewerage system, supply of water and security needs. It is impossible to believe how we will be in ten years' time if we do not attend to the actual services required. It is impossible to rely on the services that were planned for a smaller city to service a bigger city, which we are now seeing. There is hardly no space left to expand this city yet, the water supply programme is not keeping abreast with the expansion. There is no space for the expansion of electric power network and even road network. The space we have is not enough. There is also the need to zone the city so that big investors, who require high-class areas, are given those opportunities.

We should stop haphazard development where people build *kiosks* and night clubs in the middle of residential areas. That increases noise and nuisance. They also attract criminals.

Mr. Temporary Deputy Speaker, Sir, there is an urgent need to attend to the plight of poor people who earn their living by hawking. Hawkers invade a place to scrape a living and, at the end, they become a nuisance. They are then harassed and driven away mercilessly. That is wrong because those people are poor. They only have the little that they carry. The local authorities should plan accordingly, so that those people are stopped from creating slums. But once you tolerate them to that extent, they need to be attended to. They have to be shown where to go. They should be allowed to preserve the little that they have. They have children to cater for. The way we see them crying on television is not commensurate with the civilised status of this country.

Mr. Temporary Deputy Speaker, Sir, transport is another areas where the Minister needs to put more effort. We should support him in this House, even if it means raising money in the long-term. We need a rapid improvement of our transport system. We need to create jobs, especially in the small and medium size enterprises. They need to employ as many people as possible, and reduce unemployment. That should be spread throughout the country, so that congestion in large towns is reduced.

Mr. Temporary Deputy Speaker, Sir, I have looked at the Roads Maintenance Levy and it is only nine townships that are benefitting from it. They share the Kshs335 million. I think that money need to be spread to benefit as many towns as possible. There may be need for the Minister to look for more resources to meet the services required. Little attention to those problems will never help us. As you finish with one problem, another one comes up. By the time you complete everything, the whole process requires attention. Therefore, we will never be able to solve the problems once and for all.

Mr. Temporary Deputy Speaker, Sir, the management of local authorities is good at the moment, because we have high class human resource. We are not lacking in brain power. However, we lack discipline and decorum. What we see during elections does not reflect the status which we think we have reached. When you see chairs being thrown at each other at City Hall, and it is the highest local authority in this country, it shows that there is something wrong with the management. We should not forget that Kenya is seen through Nairobi. Whatever happens in Nairobi is beamed all over the world. If Nairobi is clean and attractive, that is good. I have seen the amount of effort the Minister has put in the land at Uhuru Park, where there was a quarrel between a Minister and the police. He did an extra job there to justify the effort that he put. It looks good! However, it would have been better if such plans and development would be done earlier, so that our own Ministers are not woken up in the middle of the night to go and rescue an operation at Uhuru Park.

Mr. Temporary Deputy Speaker, Sir, I would like to appeal to the Minister to attend to the very basic things that we need. He should create, in conjunction with the Ministry of Trade and Industry and Ministry of Finance, zones where small and medium enterprises can be developed. Those zones can then be allocated to hawkers. Hawkers are people who are dissatisfied with their bosses. They have capacity and experience. That is why they think they can try out on their own, without any capital. It is capital that is undermining their efforts.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. Syongo, did you have a date with Mr. Speaker?

Mr. Syongo: Thank you, Mr. Temporary Deputy Speaker, Sir. If you listened to the way Kenyans debated the issue of devolution at the Bomas of Kenya, and looked at the impact of the Constituencies Development Fund (CDF), devolution is the way to go for this country and our people.

We need to develop leadership and governance skills so that, institutions over which the Ministry of Local Government has superintendent authority, are able to deliver services to our people and are developed into centres of excellence in terms of governance and service delivery.

Mr. Temporary Deputy Speaker, Sir, the interest and the heat generated as we debated the way we should restructure our society and our governance system at the devolution tents clearly indicated that Kenyans need devolution. The hon. Minister and his officers have a honourable task of nurturing the idea of devolution to make it a successful means of developing our nation and improving service delivery.

Mr. Temporary Deputy Speaker, Sir, with an efficient devolution system, as represented by the various local authorities, I am convinced that many Kenyans are now convinced, that What the CDF has done in the last two years is much more than what the centralised system has done in 40 years of Independence. As a result of that, there is need to improve the leadership and managerial skills of our leaders at the local authorities level. There is need for them to cultivate a culture of accountability and transparency in the way they manage issues and resources. There is need for proper planning and implementation. Even more importantly, there is need for monitoring and auditing the resources allocated for developing grassroots institutions through Local Authorities Transfer Fund (LATF) and other sources.

Mr. Temporary Deputy Speaker, Sir, I believe the reason why the 4 per cent that is given through LATF has much less impact than the 2.5 per cent that is given through the CDF is because of weak monitoring and accountability systems through the Ministry of Local Government. That is a challenge to the Minister and his officers.

I support the Minister completely when he says that election of chairmen of various local authorities should be direct. That is the only way they can be answerable to the people who reside within their jurisdictions. Otherwise, we shall continue to be entertained by the kind of drama that we

have seen of councillors fighting with chairs and others being locked up in hotels in order to go and vote for chairmen and mayors. This is a shame for our country. Kenyans do not deserve this.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the issue of equitability in the allocation of resources. The Government, through the local authorities, should impact positively and equitably throughout the nation. The Minister should consider seriously weaning off some of the old local authorities, so that we can nurture and support the young and youthful ones. When I look at the Development Vote, I feel that there is obviously a case for the revision of the figures. Local authorities which have been in place even before Independence are being given more money. It is high time that we weaned them off the list, so that we can have an affirmative action to bring up the more youthful local authorities.

In most cases, the youthful local authorities were created where there were none or there was a long distance between the centres of local governance and the service delivery. I want to give an example of Suba County Council. This is probably one of the county councils that collected revenue and after adding to what was given to them through the Ministry, had a surplus of nearly Kshs2 million. It should be rewarded. Suba County Council is making a major difference in a jurisdiction that makes a major contribution to the Gross Domestic Product (GDP) of this country through the fisheries sector.

However, we have no roads in Suba County Council. We do not even have proper landing facilities for the fisheries. We also do not have proper markets for fish. I would like to believe that the Minister will re-look into the distribution of the Development Vote. Last year, nothing was allocated to us. This year, still nothing has been allocated to us. I believe the Minister is a fair man and he is going to look at the amount of money that should rightfully be allocated to Suba County Council, so that it can catch up with the older county councils.

Mr. Temporary Deputy Speaker, Sir, there is a problem in terms of sustainability of local authorities. We must contend with this fact. I believe that the long term objective of the Ministry of Local Government is to help local authorities to be self-sustaining. One big step that the Minister should take is to consolidate some of these local authorities.

During the constitutional review at Bomas, we agreed that the district shall be the principal level of devolution. We should strengthen county councils and consolidate them. Some town councils serve no purpose and we should do away with them and create stronger and more sustainable county councils in line with the spirit of the Bomas Draft of the Constitution. There is need for us to help these institutions to develop their revenue collection systems through training of human resources, computerisation and better management and control over the revenue collecting clerks. So that all the money that is collected, either in form of market rates or cess, is brought into the pool and used for development. In many cases, there is evidence that some of the officers use this money for their personal benefits because of the weak structures of revenue collection and lack of accountability of the revenue collected from the residents of the areas that they are responsible for.

Mr. Temporary Deputy Speaker, Sir, for 18 months, I was an Assistant Minister in charge of Trade and Investment Affairs. We have a major crisis in this country today. If we have to bring investors into this country, there must be industrial and commercial enterprises plots. As I speak, I know that many municipalities do not have even a single acre of land available for investments. All the plots were grabbed and some are lying idle. It is high time the Minister looked into this matter. We should create investors paradise through our local authorities. We should challenge our local authorities to be the top salesmen of investment opportunities, so that they can attract investors to their respective local authorities.

This is one of the most important ways through which they can sustain themselves. If you have taxpayers' investments in the various local authorities, they will collect more revenue and self-sustain themselves. That can only happen if they have the capacity to attract and retain investors and investments.

The issue of lack of physical planning in our local authorities is something that the Ministry should take very seriously. In many residential estates in municipalities and cities, even emergency services such as the fire fighters, ambulance services and the police cannot reach those in distress because there are no proper access roads. Yesterday, one hon. Member said that we should not only name our streets, but also number them. The truth is that the streets do not even exist. Structures have been put up haphazardly all over the place and this cannot be right for this country. At the end of the day, we are going to have a situation where we may have to pull down very expensive structures which have been built with the authority of the local authorities.

With those few remarks, I beg to support.

Mr. Nderitu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to issues concerning local authorities.

Local authorities have actually let down the country at large. Something must be wrong in terms of management, administration and working out priorities. I appreciate the fact that the NARC Government has been in power for only three years now. At least, we should be able to see the effects of a new Government.

I come from a place where all our local authorities and towns have been invaded by hawkers. When replying, the Minister should inform us what programme he has for all the hawkers in this country. With regard to garbage collection, most of our cities do not even have incinerators. You do not require a professor to tell you where to dump garbage. There are no drainage systems in our local authorities. Year in, year out, local authorities collect revenue from all the businesses in

their localities. We need to work out a programme for developing our local authorities. We do not need to come here in Parliament to organise that programme.

I want to believe that the Ministry of Local Government has highly trained employees. Something is wrong somewhere.

The issue of councillors fighting is immaterial. What is important is delivery of service to our people. Our people require a drainage system and a clean shopping centre. We should also build malls for hawkers at a nominal fee. That is why hawkers fight in Nairobi; when you move them, they ask you where you want them to go. Instead of throwing them into an open ground, why can we not spend in every town or shopping centre about Kshs20 million and we build malls?

Mr. Temporary Deputy Speaker, Sir, the environmental conservation programme in the City Centre is coming out very well. I urge the Ministry to extend it to all other local authorities. I know that the city is being cleaned because there are visitors coming around. But what if one of them decides to travel to Thika or Machakos? The cleaning should not be confined to Nairobi only but everywhere. This ought to be a continuous exercise.

Mr. Temporary Deputy Speaker, Sir, starting from 7.00 a.m. up to 8.00 p.m. there is traffic jam and you cannot move in Nairobi. The Ministry has the power to create a conducive environment for motorists. We have very educated men and women in that Ministry and we support them. Kenyans are losing a lot in terms of time and fuel. The manufacturers are also losing when their vehicles are held up because of traffic jam. This is something the Ministry can change. If the Minister were to do something in that direction, Parliament would support him. So, we are only waiting for the officers to act.

Majority of local authorities have outlived their usefulness. Some of them cannot collect enough revenue to pay salaries of their officers. The Ministry should evaluate why such authorities should exist. It is pointless for business people to pay for their licences yet the local authorities cannot even buy graders or exhausters for the sewer system. If the local authorities cannot afford to offer these services, they should allow private entrepreneurs to operate exhausting systems on behalf of the Ministry.

The first priority of each local authority would be to have all the necessary equipment to run. Certain local authorities do not even have computers or photocopying machines. I hope that in the next Budget, the Ministry will ask for more money to provide these services. Members have been speaking about increasing the CDF allocation, but I wish the allocations to this Ministry would rise by about 20 per cent. This is a core Ministry. Those hawkers out there are the ones who "convert Members into ATM machines". I would like, instead, the Ministry of Local Government to become the ATM machine because that way, they will have a livelihood.

The Ministry should also look into the issue of town planning. You enter into a shopping centre and you take one route which ends into another building; a dead end. It is time most of these towns are re-planned. I know it is expensive, but can we have sanity in our shopping centres? Majority of our markets have no toilets or water, yet every day local authority officials collect revenue from business people. Where does that money go? These are questions I would like the Minister to respond to. We know he has a heavy task ahead of him, but he should know that Parliament will support him to clean our towns, and he should not shy away from asking for more funds.

With those remarks, I beg to support.

Mr. ole Metito: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to also contribute to this very important Vote.

From the outset, I support this Motion. But I would like to draw the attention of the Minister to the fact that among the very many districts that have not been allocated anything in terms of Development Expenditure this financial year is Kajiado District, which is my district.

Kajiado, and other towns including Narok and Kilgoris, have markets and cattle dips that are supposed to be serviced. Nevertheless, I want to support this Vote because this is a very important Ministry. Actually, the Ministry of Local Government is the principal unit of devolution in terms of governance. It is a service ministry that we should all support.

Mr. Temporary Deputy Speaker, Sir, first of all, I want to start with our Nairobi City. It has been said by many that a lot of improvement has been done in terms of cleanliness in this City and it is good to comment on that.

Mr. Temporary Deputy Speaker, Sir, I would also wish that the same is done to our major towns like Nakuru, Mombasa, Eldoret and others. However, in this City of ours, Nairobi, there still remains a lot to be done in terms of roads and I would like to give an example of South C Estate.

Mr. Temporary Deputy Speaker, Sir, there are so many bad roads especially the road that leads to the far end of South C Estate from the junction of the Kenya Water Institute (KEWI) to Five Star Estate. It is a very bad road. Whether it rains or not, it is always impassable. It is a very short distance measuring about half a kilometre. I think the Nairobi City Council needs to repair that road. Water is still a problem and some of the estates in this City are going for as long two weeks without water. So, if the Nairobi City Council could improve provision of water and better roads, I think they will be doing a great service to the residents of this City.

Mr. Temporary Deputy Speaker, Sir, having said that this is a service Ministry, a lot remains to be done in order for these services to reach and benefit their target groups who are the *wananchi*. We need a lot of planning, proper organisation and management of service delivery. This goes down to the ward level. This is where the management and organisation of the Local Authorities Transfer Fund (LATF) comes in. My proposal is that we need to have ward committees just the way we have CDF committees at the constituency level. It is very paramount to have these committees at the ward level to oversee the implementation of services being delivered by this Ministry because as it is now, all the decisions are just being made by the councillors at the ward level. It is him or her to decide where to allocate LATF money this financial year, which student to award bursaries because I am aware the Ministry of Local Government has bursaries through the county councils that are awarded through the ward councillors.

Mr. Temporary Deputy Speaker, Sir, I would propose that it is good to have in each and every ward a committee selected or elected by the people of that ward under the chairmanship or patronage of the elected area councillor that will decide on how these services are going to be delivered to the people. We have like, as I have said, the LATF. I am made to understand that currently each and every financial year, every ward receives at least one development project and that is the case in my county council. However, the identification and implementation of that one project is left to the discretion of the area councillor. It is time that we gave decision making roles to the people at the grassroots level.

Mr. Temporary Deputy Speaker, Sir, at the county council level, I would request the Ministry to speed up procurement procedures for these services because I have witnessed a process in which a project is awarded to a certain ward and it takes two financial years before it is actually realised at the grassroots level. When the people at the grassroots level put the area councillor to task, the only explanation they give is that the procurement at the district level takes almost a year to award the Local Purchase Orders (LPOs) up to the implementation of the project.

Mr. Temporary Deputy Speaker, Sir, I would also like to say that there are so many projects that were started by this Ministry all over the country ranging from boreholes, cattle dips and markets that have stalled. Actually, it is very important that these boreholes, cattle dips and markets be revived because they are of great service to the people of this country.

Mr. Temporary Deputy Speaker, Sir, I know the previous speakers have also talked about the remuneration of councillors and I would also support that proposal that these leaders at the

grassroots level be well remunerated. I am very sure that the Minister for Local Government is in agreement with all of us that they are not properly remunerated right now. I would also propose like other hon. Members have said that it is high time we think of how these leaders are going to be remunerated. Actually one proposal is that because we have talked of the sustainability and viability of some local authorities, if we could merge some and scrap those which are not viable, we can reduce the number of councillors and pay them well. It is better to have few of them who are well remunerated than having very many of them who are poorly remunerated.

I would like to support.

The Vice-President and Minister for Home Affairs (Mr. Awori): Thank you, Mr. Temporary Deputy Speaker, Sir. I also wish to add my voice and contribute to this Vote. First, I would like to thank the Minister for the concise way in which he moved the Vote. I want also to thank him for the way he is running the Ministry of Local Government. This is a very important Ministry which touches on almost everybody.

Mr. Temporary Deputy Speaker, Sir, looking at the Central Business District (CBD) of Nairobi currently, we are happy with the way things are going on. There are streetlights and people walking in the CBD can now see what is happening. We want to be positive in our contributions on this Ministry and let us not direct ourselves only on the negatives. Perhaps we can point out a few weaknesses here and there in order to help the Minister and his officers to run this Ministry.

Mr. Temporary Deputy Speaker, Sir, still talking about Nairobi and its beautification, the Nairobi City Councils needs to do a little more because some of us miss the bougainvillea flowers that were very familiar about 30 to 40 years ago. When the jacaranda trees were flowering, they dropped beautiful flowers on the lawns all over the place. I remember in the old days when we used to go to the movies and on our way home, there used to be a big truck with water with people actually cleaning the streets. I think we are moving towards that direction. However, I would like this service to be extended beyond the CBD. Let us go where the majority of people live, that is the Eastlands. We want to start by removing the garbage. I have never understood why we still live with garbage in the Eastlands because the people who used to do this were the same people who are there today. What we need now is for the officers at City Hall to give proper leadership so that the staff whose job is cleaning up, do their work properly.

Mr. Temporary Deputy Speaker, Sir, in the Central Business District (CBD), there is one weakness and that is the issue of traffic. I would like to give a very simple example to illustrate this. I called the Attorney-General in his office more than 45 minutes ago because I wanted to have a word with him. As you can see, he has just walked in, 45 minutes later because of the heavy traffic. It is only now that he is arriving because of the heavy traffic. We want a proper traffic system. Many times, the Ministers and senior officials travel in other countries to see how they can learn from those areas how to do their job properly. I know that my brother, the Minister for Local Government, has been to Seoul and Japan. He knows that Japan is a tiny country, but there is a proper system. Let us go overhead now and take action. We have talked about having traffic going around. We can build stilts all the way and build several roads. So, this is one thing I want to plead with the Minister, that we should look at this issue very seriously. I say this because time is money. Many people are spending time, not discussing business, but in their motor cars; between their offices and the places where they would be discussing matters of development.

Mr. Temporary Deputy Speaker, Sir, about 85 per cent of our people live in the rural areas. We want to encourage them to stay there, because migration to major towns like Nairobi and Mombasa, creates welfare and social problems. In making the rural areas attractive, that is the small towns, town councils should create an environment that will also help investors to invest in those places. If we do so, we will stem the migration into the big megalopolis like Nairobi, Mombasa, Kisumu and other towns. So I am pleading that we should now strengthen town

councils in the rural areas. Let us encourage people to come and live in those towns and let them leave the farms, so that those farms can be large units that will help to revive and build our economy.

Mr. Temporary Deputy Speaker, Sir, we need a masterplan in those town councils. If you visit a beautiful place like Bungoma District, which is very vibrant economically, people are building houses in a very haphazard manner. In my little village of Funyula, right now, there are no streets of any kind. When people are living that way and maybe there is an expectant mother who is having complications at birth, it is difficult for even an ambulance to reach the homestead. It is necessary to take a deliberate policy to plan and put streets in the small towns. We must also be prepared even to destroy certain houses that have been built on the streets so that we create a good plan because this is a matter of life and death. Many times, we have seen in the slums of Nairobi, when there are fires, the fire engines cannot reach the affected places because there are no streets of any kind. Let us every time insist on town planners in those areas to plan properly and to have street lights. We should also have names in the streets so that we can recognise where people are.

Mr. Temporary Deputy Speaker, Sir, we believe that the Ministry of Local Government can do quite a lot on the economic side by making towns attractive, creating the cottage industry and encouraging the *Jua Kali* sector in those places. This simply means that the Ministry must now harmonise its work with the ministries of Trade and Industry, and Finance, so that we attract investors to come to those places.

Mr. Temporary Deputy Speaker, Sir, in the small towns, we must think of the health facilities, especially public toilets. These are extremely important when we are building markets and bus parks. I believe that one of the first things that should be done even before a bus park is completed, is to build toilets. If we make those town councils attractive, this will create employment in those places and people will be proud of the areas where they are staying.

Mr. Temporary Deputy Speaker, Sir, I want to touch very briefly on the issue of the rates. The rates, particularly in major towns like Nairobi, are being increased almost every other year. However, there are no services commensurate with the rates. We pay rates, so that we get essential services.

Finally, we need discipline in all councils from the Nairobi City Council to the smallest council in this country so that the councillors are also *waheshimiwa*. This is important. Even if we cannot have the new constitution now, but we need some kind of amendment to allow the chairmen, chairwomen and mayors of councils to be elected directly. To me, it negates democracy when we allow 20 to 30 people to decide on a mayor of a town that has got millions of people. We need to ensure that it is the majority who elect a mayor.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Mr. C. Kilonzo, I had a date with you!

Mr. C. Kilonzo: Thank you, Mr. Temporary Deputy Speaker, Sir. First of all, I need to thank the Minister for Local Government for the good job he is doing. I want to start with the good example of trying to revert things to where they used to be. A particular case in point is the current programme of beautification of Nairobi City Council. Recently, I visited Lusaka City. Although, they are many years behind Kenya, but that city is properly planned. It is Kenya in the 1960s. This city was beautiful in the 1960s and early 1970s. We need to see what we can do to restore the glory of Nairobi City Council.

Mr. Temporary Deputy Speaker, Sir, if you walk in the streets of Nairobi, you can see all signs of a beautiful city, only in the town centre. A beautiful city will attract tourists and investments. However, an ugly city will attract criminals, carjackers, drug traffickers and so on. What is also important is that we ensure that our City is properly planned. The current beautification programme which is being done by Nairobi City Council (NCC) under the Town

Clerk is a good job. I cannot remember the last time I saw trees being planted in this City. However, all over you can see trees and flowers being planted, which is very good and encouraging. We have also seen commercial buildings which had never been painted getting painted. Landlords were busy collecting rent but those buildings were not being painted. If you walk around the City, you will see buildings being painted.

Mr. Temporary Deputy Speaker, Sir, we are also seeing new pavements and grills along the pavements not to mention the naming of streets. This is good! However, there is more that needs to be done. We still need to demolish a lot of illegal structures in the City. We should not use the excuse that, that is a source of income. This City should be planned. If we are going to allow hawking, then it should be done in particular areas. We do not want to see kiosks all over. I once lived in Buru Buru and in front of my house, there was a kiosk in the compound. Behind me there was one, and there was another one on the side of the kiosk. I feared that they were going to put one above my house. The demolition of unwanted structures currently going on should not be halted. The Minister must remain firm. He should not listen to political leaders of certain political parties. If you are a leader of a political party, like NARC-(K), you have no business going to interfere with the work of another Minister. The example set by Prof. Kibwana was a very bad one. He owes this Minister an apology.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. C. Kilonzo! You are on the brim of trying to discuss an hon. Member of this House. Please, stay clear of that!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, I want to thank the Minister for having removed that tent from Uhuru Park. Uhuru Park does not belong to a particular denomination. The good job of beautification should be extended to other cities.

However, I would like to talk about the City Mortuary. The Minister needs to do something about the City Mortuary. What is happening there is very bad. When people are alive, we like them. Or is it when they can vote for us, we like them? When they are dead and, therefore, cannot vote for us, we are not bothered about them. I am told that we have only three pathologists. One of them is always at the court. The other one does postmortems and the other one is probably on leave. So, in essence, we have only one pathologist at the City Mortuary. The workload there is too much! We need to employ as many as ten pathologists. The capacity of the City Mortuary was for the early 1960s and 1970s. We need to expand it. I understand that the NCC collects Kshs2.4 million every week from the City Mortuary and yet they cannot even buy gloves, overalls or uniforms. I know that the Minister is very able. I would, therefore, urge him to go there and address that issue. We do not want to hear about unclaimed bodies. If a body is not collected within two weeks, it should be disposed off. There are laws for that!

Mr. Temporary Deputy Speaker, Sir, I wish to talk about fire fighting. That is one department that has been ignored for very many years by the NCC. We saw the City Hall burning and we were shocked because they could not do anything yet these are the people we are relying on. I would like to ask the Minister to ensure that there is enough fire fighting equipment at the City Hall because that is the sign of a city. If there is a small smoke, there are automatic sprinklers because that is the City Hall. City Hall is the pride of a city. I do not want to over-emphasise on that.

I would like to touch on the issue of Local Authority Transfer Fund (LATF) money. The LATF is like a country called Alaska. Everybody knows about it and nobody wants to go there. Why? Because councillors have taken LATF money to be their pocket money. When Mr. Kamanda was an Assistant Minister in that Ministry, he had a good occasion of visiting my town council. However, he was lucky enough because I cautioned him. I told him: "If you are going there, the first thing is that I am not going to accompany you. The second thing is, go with enough security." I met him the following day and he told me that he could not believe what he saw. Those are the

people who are running our local authorities. All of them are in court because of defrauding the council. I would like to ask the Minister to bring whatever reforms he feels necessary to trim the number of councillors and councils. We should also amend the LATF Act to make sure that it operates like the Constituencies Development Fund (CDF). The donors have praised the CDF and yet they never talk about the LATF money they have given us. We will support the Minister to ensure that whatever reforms he wants are implemented.

Mr. Temporary Deputy Speaker, Sir, the other day I received a call from my constituency and I was told there was a big problem with Thika River. They did not want to reveal to me what the problem was. So, I drove all the way and what I saw there was unbelievable. There was raw sewage which comes from Thika Municipality. It had been dumped into Thika River. It flows all the way over 100 kilometres downstream. That is the water that people are meant to drink downstream. If you go to the other side of Athi River, it is the same problem. If you go to Munyu area, you cannot drink water from the river. We need to ensure that major urban centres have enough treatment plants so that the water downstream is not affected by raw sewage.

Let me turn to the issue of hawking. Hawking is a profession and it is there to stay. In the many years past, in 1960s and more so in the 1970s, the then City Council put up several markets, for instance, Nyayo Market in Ngara and Kenyatta Market in Ngumo Estate. We need to see what we can do. We could buy land and put up more markets so that these hawkers are given areas where they can do business. We cannot just wake up one morning and say that we do not need hawkers any more. A month ago, I buried my neighbour, a police officer, who was killed by hawkers. So, we cannot wake up one morning and say that we do not need hawkers. However, we need to plan. So let us have policies on hawking.

Mr. Temporary Deputy Speaker, Sir, provision of water in major urban centres is crucial. Where I come from, a small town council, there is no water throughout. In a year, they have water, perhaps, for only six months. We need to know, as a council and the Ministry, what we are doing. Most of those fellows running those councils have no idea what is required in those councils. So, if we are going to rely on those councillors, then we are going to fail. The parent Ministry should address the problems facing our local authorities. From there, we should find the way forward. The way forward is nothing else but giving the services that are expected of us.

Without repeating---

The Temporary Deputy Speaker (Mr. Khamasi): Your time is up!

Mr. C. Kilonzo: Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Mr. Oparanya: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this important Motion.

Mr. Temporary Deputy Speaker, Sir, I will start off by supporting the Motion. First of all, I want to thank the Minister for the way he moved the Motion and congratulate him for the good work he is doing at the Ministry of Local Government.

Mr. Temporary Deputy Speaker, Sir, I will further want to thank the Minister for increasing LATF from about Kshs5.6 billion to Kshs7.5 billion. However, LATF has been there for a long time and the CDF came the other day. I have asked here, severally, how LATF money is helping our people. I have not got the correct answer. Within my county council; Butere County Council, as soon as this money hits their accounts, it is withdrawn the next day and there is nothing for development. There is a provision that the LATF money should be used for debt resolution. So, councillors' allowances, salary arrears and statutory deductions have been paid from the LATF under the debt resolution provision. You will find that more LATF money is being used on debt resolution than on development activities. It is important for the Minister to bring an amendment to the law, so that LATF money is made strictly usable for development purposes.

There is a provision that at least two councillors must sit on the CDF Committee. Some councillors are behaving as if the CDF is part of their money. They go around promising the electorate that they will do such and such projects using CDF. They often forget about LATF. Since councillors sit on the CDF Committees, I will request that Members of Parliament be allowed to sit on cess committees, so as to advise on some of the issues.

Mr. Temporary Deputy Speaker, Sir, my local county council collects cess from sugar-cane growers. It collects about Kshs1.8 million every month from sugar-cane growers. This money is supposed to maintain infrastructure in our area. But if you go there, you will find that nothing is being done. That is why I am saying that hon. Members should be allowed to sit on the cess committees. The Minister should amend the Local Government Act, Cap. 265, to allow hon. Members to sit on cess committees.

There are also too many local authorities, some of which are not economical. We should conduct a survey to do away with uneconomical local authorities. You will find that some local authorities do not pay their staff for over six months. How do we sustain such local authorities? It is important to have fewer local authorities that are able to pay their staff and councillors.

It is also important to reduce the powers of the Local Government Minister. Section 5 of Cap. 265 gives a lot of powers to the Local Government Minister. If you have a rogue Minister, he will rock the boat. It is good that the Minister we have now is tolerant, and is not misusing those powers. Everything that is done in a local authority has to be approved by the Minister for Local Government. What is the use of having elected people at the grassroots level to make decisions, if such decisions have to come to Nairobi to be ratified by the Minister?

The Minister for Local Government has the power to approve by-laws that come from local authorities. He has powers to approve the annual and supplementary budgets of local authorities. He also has powers to approve educational tours of councillors outside their local authorities areas. All these powers are given to one person who is not accountable. It is important for those powers to be reduced. The Minister has also powers to establish and abolish a local authority without reference to anybody. It is important for powers to establish and abolish local authorities to be given to the Electoral Commission of Kenya. It is important for the financial management of local authorities to be strengthened.

You will also find that most of our local authorities are debt-ridden. In fact, my local county council has not been audited since 1988 when it was established. It is important for all local authorities to be audited whenever money is sent to them. Auditors go to our constituencies after every six months to audit CDF projects. But for local authorities, when money is sent to them nothing happens. So, it is important that the financial management and control of county councils are strengthened.

I wish to thank the Minister, just as other hon. Members who spoke before me did. Nairobi now looks like a city. But the street lights that we see are confined to the City Centre. It is important to do the same to our estates. A few street lights that were installed in our estates have been vandalised. It is important that the Minister looks into that.

The other issue that I would like to talk about is harassment of hawkers. We must treat hawkers as people who are part of us. We must look for a lasting solution to the problems of hawkers. Hawkers are everywhere in the world. They should be organised. They must have some streets where they should be allowed to sell their stocks at a particular time, as long as they keep such places clean. If hawkers are licensed and organised well, they can contribute a lot to the economy of this country. Instead of chasing them all over and clobbering them, they must be treated well because they are part of us.

Some of the local authorities have no capacity to employ professionals like engineers and valuers. They cannot afford to pay for such services. It is important to make them able to access

professional services. We should group councils to enable them source professional services as one group instead of employing professionals within individual county councils.

Mr. Temporary Deputy Speaker, Sir, I should also comment on the issue of council chairmen and municipality mayors being elected directly. It is unfortunate that recently a woman councillor from our county council was sent away by her husband because of being locked up in a hotel for a week. When she came back home her husband sent her away. She was locked up in a hotel so as to vote for a particular man. This is an unfortunate thing to happen. This practice is barbaric and should be stopped. Before the next general election we must put in place minimal amendments to the Local Government Act, so that chairmen, mayors and deputy mayors are elected directly by the people.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): I have about two more minutes. I will request the hon. Member for Makadara to say a few things. At 5.00 p.m. I will call upon the Minister to respond.

Mr. Ndolo: Thank you, Mr. Temporary Deputy Speaker, Sir. Let me also support this Motion.

As a Member of Parliament for Nairobi, I am happy to say that Nairobi is now not the Nairobi that it used to be some years back. Many hon. Members have talked about street lights and toilets, but some houses in our City that were built at Independence time have not been repaired. These are like "dead" houses, yet the City Council collects money from them every day.

So, I am asking the Minister to look into that matter because it is very important. As you can see, the Minister is very courageous and is doing his work well. However, as far as Nairobians are concerned, the Minister should work even harder on housing issues.

Mr. Temporary Deputy Speaker, Sir, with regard to land grabbing, it is a shame that some people are still grabbing land here in Nairobi. If allowed, I will be ready to name hon. Members and Ministers who have grabbed land in Nairobi. I will not do that here in this House, but I will name them out there. Right now I have with me a document which shows that an influential Minister has grabbed land here in Nairobi. They want to sell that land to other people and--- I do not know what the President will do about these leaders. It is a shame to realise that hon. Members and councillors are grabbing land for their own benefit. The document is here and I am going to lay it on the Table of the House.

The Assistant Minister for Information (Dr. Kibunguchy): Mr. Temporary Deputy Speaker, Sir, you heard, very clearly, Mr. Ndolo say that there is an influential Minister in this House who has grabbed a plot in Nairobi. Would I be in order to ask him to substantiate his remarks?

The Temporary Deputy Speaker (Mr. Khamasi): You are duty-bound to do that, Mr. Ndolo!

Mr. Ndolo: Mr. Temporary Deputy Speaker, Sir, I said that I will not name him while I am in this House. I will do it outside this Chamber.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ndolo! You know our rules. You should not have talked about it then. Once you have done it, it is upon you to substantiate it as has been demanded by the hon. Member. If you cannot do that, then withdraw your remarks.

Mr. Ndolo: Mr. Temporary Deputy Speaker, Sir, I know our rules. I know that I am required to Move a substantive Motion in order to name an hon. Member of this House. However, I said that if I could be allowed, I am ready to name the person outside this House. This is because---

The Temporary Deputy Speaker (Mr. Khamasi): Order, Mr. Ndolo! You know you are contributing at the courtesy of the Speaker and you want to take advantage of that. Once you say anything on the Floor of this House and you do not have any facts, in accordance with the rules of

this House you are required to withdraw your remarks. It is as simple as that.

Mr. Ndolo: Mr. Temporary Deputy Speaker, Sir, I withdraw my remarks. However, I am going to lay on the Table of the House this document so that other hon. Members can know that this is a serious matter.

*(Mr. Ndolo laid the document
on the Table)*

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, before I respond, I will donate three minutes to the hon. Member for Kacheliba, five minutes to my brother, hon. Kamanda, and two minutes to Prof. Anyang'-Nyong'o.

Mr. Poghiso: Mr. Temporary Deputy Speaker, Sir, I would like to thank the Minister for being gracious.

Kacheliba Constituency falls under the Pokot County Council. I would like to ask the Minister, in the future, to consider taking affirmative action in areas where the trustland law applies. The county councils that fall under trustland are struggling a lot and if there could be any way of working a formula to benefit them with regard to LATF and so on, they should also be considered.

Mr. Temporary Deputy Speaker, Sir, I would also like the Minister to do exactly what other hon. Member have asked him to do, that is, to survey all the local authorities with a view of getting some of the things that have been highlighted here. For example, some of the local authorities have only four or five councillors. When an area has only four councillors, they are easily manipulated and so they do not run the place well. I think it would be proper to shut such county councils down until something better is done. Some council officials just collude and use council money for their own benefit.

If a town is made a municipality let that be known. What is the benchmark of a municipality? What is it that makes a town a municipality? How come there are municipalities which do not have even a fire brigade, water or an elaborate sewerage system? Such places should not be called municipalities! If they do not meet certain qualifications, drop their status. Let them remain as town councils. That is exactly what the Minister should do.

Mr. Temporary Deputy Speaker, Sir, we have a problem in my area. We are known to be cattle-keepers and so when you give us a bus park instead of a slaughterhouse, it really does not augur well. I would rather prefer a slaughterhouse to be built in my area before building a bus park. We will buy buses later.

I would like to highlight the issue of staff at the Ministry of Local Government. They ought to be strict because there is a lot of collusion between staff on the ground and those working in the offices. This has resulted in certain things disappearing. I am sure if the Minister was to get firm on this matter, things will work well.

Mr. Temporary Deputy Speaker, Sir, with those remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Khamasi): Hon. Members, sometimes, I really wonder why some of you make claims and then go ahead to produce documents to prove those claims. What Mr. Ndolo laid on the Table of this House has got really nothing worth considering. Is it for the purpose of capturing the headlines? Honestly speaking, Mr. Ndolo, there is nothing on this paper and it is, therefore, inadmissible.

The Assistant Minister for Gender, Sports, Culture and Social Services (Mr. Kamanda): Mr. Temporary Deputy Speaker, Sir, let me thank the Minister for donating five minutes to me.

I support the Vote for the Ministry of Local Government and commend the Minister for his

good work. I have worked under the current Minister for Local Government and I must say that he is one person who has devoted all his energy in making sure that he delivers. This is one Ministry that needs the support of so many Ministries including the Ministry of State for Administration and National Security, the Ministry of Water and Irrigation, the Ministry of Roads and Public Works and the Ministry of Finance.

I am saying this because during the Budget Speech, the Minister for Finance appreciated the role Nairobians are playing in paying taxes through the Fuel Levy. He actually allocated about Kshs1 billion through the Ministry of Local Government for the purpose of constructing and repairing roads here in Nairobi. That was, indeed, a commendable move.

With regard to LATF, the current Minister has tried to streamline the operations of the Fund in the whole country. All hon. Members have realised that for about one-and-a-half years that Mr. Kombo has been the Minister for Local Government, at least, something has been seen happening on the ground, especially as far as LASDAP projects are concerned.

In Nairobi, for example, we have witnessed so many projects which have come up in the last one year. Regarding the boroughs, I have asked the Minister to hasten the process. It has been the talk of the day that Nairobi is too big to manage. It is high time the Minister implemented the recommendations of the Omamo Commission which among other things, recommended that Nairobi should be sub-divided into four boroughs. The central Government has given us three districts. We do not mind if the Minister can follow suit and give three boroughs. We need those boroughs as soon as possible, so that we can manage Nairobi easily.

Mr. Temporary Deputy Speaker, Sir, many hon. Members have talked about the beautification of Nairobi. It is true that Nairobi has changed. I also want to commend Members of Parliament from constituencies in Nairobi because we do not interfere with the operations of the Minister for Local Government. So, we want him to move with speed in that area. We have another major event coming in Mombasa. Maybe, he should give us another Town Clerk like Mr. Gakuo in Mombasa, so that he or she can beautify Mombasa City.

With those few remarks, I support and commend the Minister.

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, let me thank my colleague and dear friend, the Minister for Local Government, for giving me two minutes. I assure him that I will give him five minutes next year, when I will be on the other side.

First, I appeal to the Minister to ensure that when the Ministry of Roads and Public Works is building major roads in Kenya, the spur-roads entering the markets are tarmacked. Those are roads which enter the markets. For example, there is a road that is being built from Kisii, Bondo and Usenge. The spur-roads going into Uru, Akala, Ndori and Bondo markets have not been constructed. That is very dangerous because it really discriminates against such markets and yet, they are the economic nerve points for those roads. So, that is something that should be taken very seriously.

Secondly, there are urban centres coming up in rural areas. In fact, most people in the rural areas are moving into the markets. Those are urban centres in the rural areas, and yet they do not have proper facilities, like sanitary facilities. If you take the figures from the Central Bureau of Statistics (CBS), you will find out that there is increased movement from rural areas into the markets. So, I appeal to the Ministry of Local Government to take such markets as centres of important economic activities and one of the major functions of the Ministry of Local Government.

Finally, Kisumu City is a Millennium Development City, something which the world is very proud of. But I notice from the Development Expenditure that Kisumu has only been allocated less than Kshs7 million. I appeal to my friend to take the millennium project in Kisumu very seriously. Please, revise that budgetary provision for Kisumu and increase the allocation. I am sure you will do that.

Thank you.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Speaker, Sir, let me start by thanking hon. Members for their extremely high standards of debate that we have witnessed since yesterday. A lot of valuable advice and recommendations have been given to us by hon. Members. I want to say that we have heard those recommendations and we will definitely put them to good use, as we look at the future within the Ministry. I also want to thank hon. Members for the very kind words they have had for my staff in the Ministry, myself and, particularly, Nairobi Town Clerk and his staff. I want to say that the good work that is being done in Nairobi is because of less politics in Nairobi.

Mr. Temporary Deputy Speaker, Sir, I want to take this opportunity to thank Members of Parliament and other politicians within the city. By de-politicising the affairs of Nairobi, they have enabled the Council to do what it is doing today. There have been difficult times. But when we experience them, hon. Members from Nairobi and myself have talked about them and found ways to move forward. As we improve Nairobi through the lighting of streets and so on, I want to assure hon. Members and, particularly, Mr. Oparanya who raised the issue of the estates that, we will be moving into the estates. At this stage, I would like to ask Members of Parliament within Nairobi to assist us in that area because vandalising of street lights is a major problem within the city. I hope that, as we move into the estates, we shall get political support from Members of Parliament.

Mr. Temporary Deputy Speaker, Sir, from Nairobi, we intend to move to Mombasa, Kisumu - the Millennium City - Nakuru and Eldoret. We shall move to Mombasa because next year, we are having a major event - the World Cross-Country Championship. That is an event that will put our country in the limelight. Therefore, as we are trying to showcase Nairobi for the Africities Conference, we want to showcase Mombasa for the cross-country. I want to ask politicians in Mombasa, Kisumu and Eldoret to give us support just the way politicians in Nairobi have done.

Mr. Temporary Deputy Speaker, Sir, some major issues have been raised. I will not talk about all of them. If you hear that I have not touched on an issue that you raised, do not take it that we have not heard you. Take it that we have taken note and we shall be using your advice next time round.

The major issues that came up can be summarised into a few headings. Every Member of Parliament talked about the haphazard planning and construction that is taking place in various parts of our City. Even county councils in the rural areas--- We may call them rural areas today but, tomorrow, they will not be rural areas any more. Therefore, the concept of planning is something that we will take seriously not just as a Ministry, but as a country. We have to think about it seriously.

As a Ministry, we have started to push that no town can develop without a master-plan. We have given guidelines and now the towns are busy working on their master plans, which in a very short while will become a conditionality to access funds from the centre. This is the approach we are taking. I know that we have taken a long time to reach this stage, but sooner than later, we will be seeing planned towns.

Within the Nairobi City Council, we have now put a stop to the haphazard construction of buildings everywhere. We are looking at the rezoning of the City. Even in some areas that had been rezoned and allowed to put up different types of buildings; for example, Kileleshwa and Lavington, we now have a new approach to them. We will not allow the rezoning of 1997 to be carried on. So, we have new instructions that within that area, for example, on a quarter-of-an-acre, one can only put up so many town houses. These are some of the things that we are doing.

Mr. Temporary Deputy Speaker, Sir, as we plan the Nairobi City, we have to bear in mind that it is surrounded by other local authorities. Now, we are looking at a metropolitan approach;

that what happens in Kajiado Town does affect what happens in Nairobi City Council. Likewise, what happens in Kiambu similarly does affect what happens in the City. Therefore, we are in the process of having a metropolitan planning authority that will not just look at Nairobi, but also take care of all the surrounding towns. When this was raised in certain quarters, a number of colleagues came to me and said: "You cannot do this because you are taking our towns to be part of the Nairobi City Council. For example, Machakos Town will be swallowed by Nairobi." This is not true. It is just a way of helping even Machakos to be able to plan now and for the future. So, if we tied around Nairobi, those towns also will develop very well. So, there should be no fear that they will be swallowed.

Mr. Temporary Deputy Speaker, Sir, apart from planning, I think there was a lot of talk about the transport system within the City. We have looked at the non-motorised mode of transport. We have tried to be friendly to pedestrians and other road users. That is why, within Nairobi City Council, wherever roads are being constructed, there is a pavement meant for pedestrians. But as we do this, discipline among Kenyan motorists is something that we should really appeal for. Those who have driven on Mombasa Road will allude to the fact that we have constructed a pedestrian walkway. But in the morning during the traffic jam, the *matatus* drive on that pedestrian walkway. I asked the engineers how we can stop this habit. Some suggested that we build bumps, but I think, at the end of the day, it boils down to the fact that there is lack of discipline among Kenyans themselves. So, if we cannot accept that, that lane is meant for pedestrians, I will be asking my colleagues within the police force to assist us to make sure that, that discipline is enforced.

Mr. Temporary Deputy Speaker, Sir, traffic management and congestion within the Nairobi City Council is an issue that was discussed at length. It is a problem, but the Ministry, working in conjunction with the Ministry of Roads and Public Works and the Ministry of Transport, is looking at it in a very holistic manner. We have plans to widen Uhuru Highway, and the contract has already been given out to a Chinese group. With the support of the Chinese, we will construct an extra lane on Uhuru Highway, so that the flow of traffic will be better.

We are also working with the Ministry of Transport to push the idea of allowing only larger capacity *matatus* to operate within the City. Instead of the 14-seater *matatus*, we suggested to allow only the 28-seater ones. So, these are things that we are working at, together with other Ministries, to make sure that we decongest the City. We are also building what we call "missing links" within Nairobi. They will also help to decongest the City as we look for other ways to do so. The Ministry of Roads and Public Works is also working on the by-passes very seriously. The Vice-President talked about building a flyover on Uhuru Highway, so that we can drive on top of it. That also will soon be a reality because through concessioning, together with the Ministry of Roads and Public Works, we are now looking at a possibility of leaving the airport, all the way to Westlands, using the flyover. So, these are things that we are doing, not just as my Ministry, but in a holistic approach with other Ministries.

Mr. Temporary Deputy Speaker, Sir, we are also addressing the issue of solid waste throughout the country, especially polythene bags. I think it is a great menace throughout the country. I heard our Nobel Laureate yesterday raising this issue. There is a policy that we are working on that will soon be finalised. We will not just be looking at the solid waste as we understand it, but we shall also try and see how we can discourage the use of polythene bags in order to keep our landscape clean. That will help us to improve the environment as much as possible. We are also liaising with the Ministry of Environment and Natural Resources in this area. We have looked at what happened in Rwanda, where, practically, polythene is banned. I think we may be going that route as well. We should take note that polythene is dangerous to us and, therefore, we must do something about it.

Mr. Temporary Deputy Speaker, Sir, if we allow our catchment areas of Mt. Kenya, Aberdares, Mt. Elgon, Mau and Chereng'ani to be deforested, then we will have problems with rains. So, we are encouraging the county councils in those areas to make sure that they work together with the Ministry of Environment and Natural Resources to ensure that the forests are not depleted. Again, that is an area that becomes very politicised. So, I would like to ask my colleagues that when we are doing something like that, we get their support because it is the lifeline of the country.

Mr. Temporary Deputy Speaker, Sir, I think every hon. Member who spoke showed some displeasure at what is happening with the LATF. We have increased the LATF amount and we are still open to suggestions by the hon. Members. We agreed yesterday with the Minister for Finance that we will re-look at the regulations governing the LATF within the next ten days. So, if hon. Members have ideas to give to us that will improve the management of the LAFT, we would appreciate it. But 50 per cent of the LATF money that goes to development must be used for infrastructure. I reckon something like that will help us to improve our towns.

On the issue of hawkers, that is an issue which was raised a lot by hon. Members. As a Ministry and as a Government, we appreciate the role of small business groups, and hawkers fall in this category. Yes, we are looking at ways of helping them. If you have noticed, we are building markets around the country. I appreciate that the hon. Members for Kacheliba and Samburu would rather we build slaughterhouses than markets for them. So, we have taken note of that. But we are also building those markets in the other areas to be able to help small business groups. This problem is not only in Nairobi, so we are trying to build markets outside there too. But within Nairobi, we have ten sites where we want to build markets that will cater for those hawkers as well.

Mr. Temporary Deputy Speaker, Sir, politicizing the issue of hawkers is also not good for our City. If they co-operate with the Government, there is no way we will discard them. We will work with them closely. So, we would like to ask them not to politicize the issue.

The Temporary Deputy Speaker (Mr. Khamasi): Order, Minister! You can take a minute to wind up because we are running short of time.

The Minister for Local Government (Mr. Kombo): Thank you very much, Mr. Temporary Deputy Speaker, Sir.

As I wind up, I would like to say that the mayoral elections were barbaric and it is something we must deal with. I undertake to bring amendments to Cap.265, that will deal with that area and also ensure that a better calibre of councillors are elected into the local authorities.

There are many areas that we need to address, but we are open for your suggestions. Once again, I thank the hon. Members profusely for their support as shown in their contributions. I look forward to working with you. Thank you very much.

With those few remarks, I beg to move.

(Question put and agreed to)

*[The Temporary Deputy Speaker
(Mr. Khamasi) left the Chair]*

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Mr. Poghisio) took the Chair]*

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, I beg to move :-

THAT, a sum not exceeding Kshs1,018,521,280 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2007, in respect of:-

Vote 12 - Ministry of Local Government

(Question proposed)

VOTE R12 - RECURRENT EXPENDITURE

SUB-VOTE 120 - GENERAL ADMINISTRATION AND PLANNING

Head 360 - Planning and Development

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, under Head 360 on Planning and Development on page 529, Item No.2210800 - Hospitality Supplies and Services--- The figures are printed in small prints; I think they are deliberately meant not to be noticed. Mr. Temporary Deputy Chairman, Sir, I have noted that in this financial year's provision, there is a sum of Kshs161,025,159, while in the last financial year, the same item had been allocated a sum of Kshs23,025,159. I would like the Minister to tell us what occasioned this huge leap of close to Kshs130 million?

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, that allocation covers the Africities Summit. That is why it has gone up that high.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, on page 531, Head 360 on Planning and Development, Sub-head 077 - Community Development Programmes, Item No. 2220100 - Routine Maintenance - Vehicles and Other Transport Equipment, I just wanted to understand whether the Minister is serious that they will only need a paltry Kshs100,000 for routine maintenance of vehicles and other transport equipment.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, this applies to just one section of the Ministry. There are other areas, but this particular Vote Head is for maintenance of the vehicles within the Street Families Unit.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, here, we are talking of maintaining vehicles and other transport equipment. What are these other transport equipment? Do they include *mikokoteni*? Probably, that is the only transport equipment that can be maintained with Kshs100,000.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, I think there is only one vehicle involved in this case. So, Mr. Muturi should not quarrel with the wording.

(Heads 360, 362, 372 and 375 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 122 - CONTRIBUTIONS IN LIEU OF RATES

Head 367 - Contributions in Lieu of Rates

The Temporary Deputy Chairman (Poghisio): Hon. Members, refer to pages 534 and 535.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I would like to refer to page 534, Head 367, Contributions in Lieu of Rates, Headquarters. If you look at the provision for Rentals of Produced Assets, under Item 2210600, you will see that last year, there was a sum of Kshs500 million. This year, the amount has reduced to Kshs300 million. Interestingly, in the next financial year and the year that will follow, the figure is projected to jump to, and remain constant, at Kshs500 million. What is occasioning these small variances?

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, this is what the Ministry of Finance decided to give us. Last year, the Ministry gave us Kshs500 million. This year, the Ministry was not able to give us Kshs500 million. So, we were given less. However, in our negotiations with them, they have said that in future, the figure will be higher.

The Temporary Deputy Chairman (Mr. Poghisio): Minister, again, you are telling us not to care about the words used to describe this Item. However, the words "rentals of produced assets" give an idea of what this Item really, is all about.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, basically, Contribution in Lieu of Rates is dependent on various places. The various local authorities have their assets which, perhaps, the Central Government is using. That is what it all means. In some areas, those assets include forests, as is the case in Lugari. They also include local authorities land that the Government is using. So, that is what builds up to Contribution in Lieu of Rates.

Mr. Oparanya: Mr. Temporary Deputy Chairman, Sir, I would like to refer the Minister to Head 415, on page 534, Item 2110300, Personal Allowance Paid as Part of Salary. You can see that this figure has decreased from last year's allocation of Kshs6 million to Kshs3.4 million this year. The provision for basic salaries for permanent employees has decreased slightly. What is this personal allowance paid as part of salary and why has it decreased drastically compared with basic salary paid to permanent employees?

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, I must admit that the Item is not very clear to me. I have been told that it is something to do with acting allowances and special duty allowances which have been cut down. That means that in the future, we will not have many people in acting positions.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, I am hoping that my friend, Mr. Oparanya, understood what the Minister said. The Minister admitted that the Item was not clear to him.

Mr. Oparanya: Mr. Temporary Deputy Chairman, Sir, Mr. Muturi stood up, yet I wanted to raise a supplementary question.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, the rules are that the Chair's eye caught me. I will leave the issue Mr. Oparanya had raised for him to pursue it.

Mr. Temporary Deputy Chairman, Sir, on page 535, there are two interesting Items, under Head 415; that is the second and the third Items. I just want the Minister to tell us, regarding the second Item, what he means by Purchase of Specialised Plant Equipment and Machinery, costing Kshs800,000. A similar item last year was allocated Kshs600,000. The other one is on Rehabilitation and Renovations of Plant Machinery and Equipment.

Last year, the Item was allocated Kshs300,000 but this year, it has Kshs500,000. What are these very specialised equipment?

The Minister or Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir,

when we talk about specialised equipment, we are referring to computers and the rehabilitation of our offices. We are trying to create more office space.

The Temporary Deputy Chairman (Mr. Poghisio): That is not the way the Item has been labelled. Even if they were computers, the term used, "specialised equipment", kind of scares hon. Members. When you look at the money being allocated, you will see that it is not specialised.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, that is what we are referring to.

Mr. Oparanya: Mr. Temporary Deputy Chairman, Sir, I will spare the Minister on the first one. But on the second one, Head 367 - Item 2210600 - Rentals of Produced Assets - it was allocated Kshs500 million last year. This year, it is---

The Temporary Deputy Chairman (Mr. Poghisio): Order! That has already been asked!

Mr. Oparanya: I am sorry, Mr. Temporary Deputy Chairman, Sir.

(Heads 367 and 415 agreed to)

(Sub-Vote 122 agreed to)

(Vote R12 agreed to)

The Temporary Deputy Chairman (Mr. Poghisio): We have finished with Recurrent Expenditure.

Could we now go to the Development Expenditure?

VOTE D12 - DEVELOPMENT EXPENDITURE

SUB-VOTE 120 - GENERAL ADMINISTRATION AND PLANNING

Head 360 - Planning and Development

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, whereas it is not clear at what point we shall be looking at the Local Authorities Transfer Funds (LATF), let me just ask the Minister the following question: On page 316, Head 360, there is confusion. There are Heads 3110200, 3110400 and the other two that follow. I hope the Minister is with me. Head 3110200 is on Construction of Buildings.

Last year, they had an allocation of Kshs46.7 million. This year, the figure has jumped to Kshs215 million. We want to understand what is going on because this is Planning and Development. What is this building that cost Kshs46.7 million last year, and it is going to cost Kshs215 million this year?

Maybe, the Minister could handle that because the other two are slightly different. There is Construction of Civil Works and Overhaul and Refurbishment of Construction and Civil Works. I think there is something which is being hidden somewhere!

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, last year, we talked about constructing primary schools in Nairobi. However, that did not take off. That is why you see this huge difference. In my speech, I said that plans and programmes are at an advanced stage and the construction will take place.

The Temporary Deputy Chairman (Mr. Poghisio): Are those new primary schools?

The Minister for Local Government (Mr. Kombo): Yes. We are also refurbishing some old schools as well. There will be about 260 new classrooms built within Nairobi.

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, in the Printed Estimates, there is nothing that shows anything regarding LATF?

The Temporary Deputy Chairman (Mr. Poghisio): Why do you not let me dispose of this one, since it is not connected with LATF.

Mr. Muturi: I think they are connected, Mr. Temporary Deputy Chairman, Sir. There is a small book that shows allocations for every local authority.

The Temporary Deputy Chairman (Mr. Poghisio): Is that where LATF falls, Mr. Minister?

The Minister for Local Government (Mr. Kombo): No, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Poghisio): So, you cannot find it in the Printed Estimates?

Mr. Muturi: Mr. Temporary Deputy Chairman, Sir, there is an allocation that is titled Service Delivery and then another one titled Performance. As the Minister explains about Overhaul and Refurbishment of Construction and Civil Works, he could also explain what this means. Is this Item from where councillors' allowances are to be paid? I suspect that, that is what it means.

The Temporary Deputy Chairman (Mr. Poghisio): Mr. Minister, as you explain that, you should bear in mind that there is another issue involving the construction of classrooms. You also need to say something about research, feasibility studies and projects' supervision. These Items reflect the same amounts of money as the ones meant for construction. Maybe, you could comment on all of them.

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, first of all, the LATF service is actually divided into two categories. Indeed, 65 per cent is for development and about 45 per cent goes to clear various debts. Indeed, we pay some allowances from there. That is the Item on Performance that you are looking at.

However, on research and design, you know that whether you are building a road or a putting up a new building, all those things have to be done. That is what these Items are for. Maybe for the future, we need to clarify these Items. I take note of that.

(Head 360 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 125 - DEVELOPMENT SCHEMES

Head 364 - Basic Infrastructure Facilities to Local Authorities

Mr. Ojaamong: Mr. Temporary Deputy Chairman, Sir, I would like to get a clarification on Item 3111100 - Purchase of Specialised Plant, Equipment and Machinery. Which are these machines that the Ministry is going to purchase? I have heard from my councillors that the Ministry intends to purchase graders. Do they come under this?

The Minister for Local Government (Mr. Kombo): Mr. Temporary Deputy Chairman, Sir, that particular Item is strictly for buying ten units of fire-fighting equipment, which will be distributed around the country.

Mr. Oparanya: Mr. Temporary Deputy Chairman, Sir, I want to get a clarification on Item 2210700 - Training Expense (including capacity building). I know that training is very important and it has to be continuous. I can see that last year, a provision of Kshs2 million was made. However, no provision has been made this year and the subsequent years. Why is this so?

The Minister for Local Government (Mr. Kombo): This year, we have not catered for it, but we will try and see if we can look around, because when we discussed training fire fighters and so on, it is an area that we figured we would discuss in the Ministry.

(Head 364 agreed)

(Sub-Vote 125 agreed to)

(Vote D12 agreed to)

(Question put and agreed to)

*(Resolution to be reported
without amendment)*

(The House resumed)

[Mr. Deputy Speaker in the Chair]

REPORT

VOTE 12 - MINISTRY OF LOCAL GOVERNMENT

Mr. Poghiso: Mr. Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding KShs.1,018,521,280 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2007 in respect of Vote 12 - Ministry of Local Government and approved the same without amendment.

The Minister for Local Government (Mr. Kombo): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Assistant Minister for Education (Dr. Mwiria) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, there being no further business, the House stands adjourned until tomorrow, Thursday, 3rd August, 2006, at 2.30 p.m.

The House rose at 6.05 p.m.