

Kitui County Assembly

THE HANSARD

First County Assembly - Second Session

Wednesday 13th November, 2014

The County Assembly met at 3:03PM

(The Speaker {Hon. George Ndotto} entered the Chamber at three minutes past three O'clock accompanied by the Mace)

{PRAYER}

The Speaker:(Hon. George Ndotto): Next Order.

The County Assembly Clerk:(E.M. Mutambuki): Order No. 1, Administration of Oath.

The Speaker: Next Order.

The County Assembly Clerk: Order No. 2, Communication from the Chair.

The Speaker: Next Order.

The County Assembly Clerk: Order No. 3, Messages.

The Speaker: Next Order.

The County Assembly Clerk: Order No. 4, Petitions.

The Speaker: Next Order.

The County Assembly Clerk: Order No. 5, papers

The Speaker: Next Order.

The County Assembly Clerk: Order No.6, notices of motions.

The Speaker: Next Order.

The County Assembly Clerk: Order No.7, statements.

Hon. Ruth Kinyumu: Thank you Mr. Speaker sir. I beg to give the schedule for next week, that Pursuant to the Provisions of the Interim County Assembly Standing Orders No. 41(2a), I beg to lay on the table, a statement to inform the County Assembly of the business coming before the House, next week:

(A) Schedule Of Committees' Sittings For The Week Commencing On 17th November, 2014 And Ending On 21st November, 2014

TIME	ROOM	TUESDAY 18 TH NOVEMBER, 2014.	WEDNESDAY 19 TH NOVEMBER, 2014	THURSDAY 20 TH NOVEMBER, 2014.
9.00am-11.00am	1	House Business Committee	Plenary	House Business Committee
	2	Agriculture, Water and Irrigation Committee		Implementation and Delegated Legislation Committee
	3	Administration and Co-ordination of County Affairs Committee		Administration and Co-ordination of County Affairs Committee

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	4	Environment, Energy, Mining, Natural Resources and Tourism Committee		Budget and Appropriation Committee
	Board Room	Basic education, training and skills development committee		Lands, Infrastructure and Urban Development Committee
11.30am - 12.45pm	1	Agriculture, water and Irrigation Committee		Culture, Youth, Sports and Social Services Committee
	2	Administration and Co-ordination of County Affairs Committee		Implementation and Delegated Legislation Committee
	3	Health and Sanitation Committee		Trade, Industry, ICT and Co-operatives Committee
	4	Lands, Infrastructure and Urban Development Committee		Finance and Planning Committee
		Public Investments and Accounts Committee(Minority Leader's Office)		Selection Committee(Board Room)
				Procedure and Rules Committee(Speaker's Office)
			Public Investments and Accounts Committee(Minority Leader's Office)	
2.30pm-5.00pm	Chamber	Plenary	Plenary	Plenary

(B) Plenary

1. Tuesday 18th November, 2014: 2.30 PM

The Kitui County Integrated Development Plan 2013-2017

- Laying of paper
- Notice of motion for approval of Committee report(Finance and planning)
- Motion on approval of committee report on Pro-poor and Community Level Infrastructure Programmes.

(Continuation of debate)

2. Wednesday 19th November, 2014: 9.00 AM

The Kitui County Integrated Development Plan 2013-2017

- Debate on motion for approval of the committee report. County Assembly.

3. Wednesday 20th November, 2014: AT 2.30 PM

The Kitui County Integrated Development Plan 2013-2017

Debate on motion for approval of the committee report. County Assembly.

(Resumption of debate on Motion for approval of the CIDP 2013-2017)

4. Thursday 21st November, 2014: at 2.30 PM

i) Statements

- Schedule for the week ending 21st November, 2014
- Statement request by Hon. Hussein Mwandia (Member for Ikutha Ward) from the Chairperson Committee on Lands, Infrastructure and Urban Development.

ii) Debate on motion for approval of the Committee report. County Assembly.

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(Resumption of debate on Motion for approval of the CIDP 2013-2017)

Mr. Speaker sir, this programme is also available in the Kitui County Assembly; website www.kituicountyassembly.org.

Thank you Mr Speaker. With that, I beg to lay the paper.

The Speaker: Next Order.

The County Assembly Clerk: Order No.8, Bills and motions. Motion to defer the second reading of the Kitui county flag, symbols and names Bill 2014 (Assembly Bill No. 14, 2014). Chairperson, committee on administration and coordination of county affairs.

Hon. Mwove Kinyala: Thank you Mr Speaker sir. I stand to move a motion to defer the second reading of the Kitui county flag, symbols and names Bill 2014 (Assembly Bill No. 14, 2014). Mr Speaker sir notwithstanding the provisions of the interim county standing order No. 121(iv), this house defers the second reading of the Kitui county flag, symbols and names Bill 2014 (Assembly Bill No. 14, 2014) to allow the committee undertake public participation, prepare and lay a report to the table of the house on the same.

Mr Speaker sir, according to the same standing order, when a bill stands committed to a committee, within 20 days the second reading is supposed to be done Mr Speaker. This bill came and in between, we went on a retreat in Mombasa which took us a whole week and within the same time Mr speaker we were unable to go for public participation.

The committee has sat and come up with a work plan so that we can take the bill for public participation probably next week after which Mr Speaker the committee will be able to lay the report of the same on the table of the house and then we proceed with the second reading.

So the reason behind this deferment Mr speaker is to allow the committee to handle public participation then now we move with speed to do the other issues that pertains the bill.

With those I beg to move and request honourable Stephen Kithuka to second. Thank you.

(Hon. Stephen Kithuka rose to bow as a sign of seconding the motion as honourable Mwove Kinyala proceeded to lay the paper on the table)

The Speaker: Honourable members I propose the question which is that notwithstanding the provisions of the interim county standing order No. 121(iv), this house defers the second reading of the Kitui county flag, symbols and names Bill 2014 (Assembly Bill No. 14, 2014) to allow the committee undertake public participation, prepare and lay a report to the table of the house on the same.

Anybody who wants to say anything about that?

(Silence)

The Speaker: I will put the question that notwithstanding the provisions of the interim county standing order No. 121(iv), this house defers the second reading of the Kitui county flag, symbols and names Bill 2014 (Assembly Bill No. 14, 2014) to allow the committee undertake public participation, prepare and lay a report to the table of the house on the same.

As many as are of that opinion say Ayes!

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The Members:Ayes!
As many as are of the contrary opinion say No!
(Silence)

The Speaker:The Ayes have it. Next order.

The County Assembly Clerk:Order No. 9. Motion on approval of the committee report on the consideration of guidelines for the implementation of the community level infrastructure and pro-poor programs. Chairperson, committee on Administration and Coordination of County Affairs.

The Speaker:I think this is a resumption of a debate. We had started debating on this motion, is that correct?

Hon. Mwove Kinyala: Mr Speaker sir, it is a resumption of a debate which we deferred yesterday morning to be debated today on the same guidelines. So yes, it is resumption of a debate.

The Speaker:Who was on the floor?

Hon. Mwove Kinyala: I cannot really remember Mr Speaker sir, but I don't know because I am still standing, if I will be in order say something on the same as the chair of the said committee Mr Speaker sir.

The Speaker: This motion was moved. Isn't it?

Hon. Mwove Kinyala: It was moved, seconded and debate started.

The Speaker: So how do you come in as the chairman at this stage?

Hon. Mbiti Ndemwa: *(On a point of information)*Mr Speaker I understand that what we were debating yesterday was not these guidelines. The mover of the motion was requesting for more time. So what we discussed yesterday was addition of more time up to today so I don't think whether the motion was on.

The Speaker: What I want to find out, because I was not there is; was the motion moved and seconded?

Hon. Mwove Kinyala: Mr Speaker sir the motion was moved last week, seconded and debate commenced on the same. The motion was to resume yesterday and it was one of the day's business yesterday, but instead I requested for more time to consult with the members of the assembly as well as with the CEC in charge of finance before the debate resumes today in this afternoon session.

The Speaker: So this is a resumption of a debate which was going on?

Hon. Mwove Kinyala: Exactly Mr Speaker.

The Speaker: Which was supposed to take place yesterday but you deferred it to this morning?

Hon. Mwove Kinyala: Yes Mr Speaker sir?

The Speaker: Now, anybody who wants to contribute on this pro-poor programs?

(Hon. Nzungi Ngwele rose to contribute)

Hon. Nzungi Ngwele: Thank you very much Mr Speaker sir. I rise to support the motion to adopt the report of the committee on the regulations for the small infrastructure and the pro-poor support program.

Mr Speaker sir, you might note the excitement of the assembly when I say that I rise to support because initially, my intention was quite different. I had a very candid discussion with the committee in a sitting this morning and I thank the chairman for giving me an opportunity

at that stage to ventilate on a few issues that I felt very strongly in relation to these regulations.

Arising out of the discussion that we had, I do quite agree with the sentiments of the committee that we go ahead with the recommendations that the committee has made on these regulations.

But Mr Speaker sir, I have my own very serious reservations that I shared with the committee and which I want to share with the committee. At least for record purposes and also to maybe get an undertaking from the chair when he rises to respond because he did promise that as a gentleman as soon as we are done with these regulations, we will start a process of developing concrete legislation to guide this program.

Mr speaker even as we support this committee report, there are three outstanding issues that we believe the committee will provide leadership to have them addressed may be in a different piece of legislation as soon as possible. There is the issue of the identification or rather the main issue is the use of the 25% funds from the small infrastructure program which as you are aware, from the financial allocation of this financial year alone, translates to about 100 million shillings. This is a huge sum of money and as a member of the budget committee I know that amount of money should continue growing. Perhaps it is not very appropriate that we as an assembly are giving a blank cheque to the executive to do as they will with the 25% amount from that fund.

Mr Speakersir, I strongly feel that the office of the governor should be required by this assembly, every time projects are identified to be funded from the 25%, the so called cross-cutting projects, every time they are identified, the office of the governor should prepare a report, submit it to the committee on administration and co-ordination of county affairs to interrogate the criteria that has been used to identify those projects, where the projects are located, and whether in actual fact they make development sense in relation to the needs and priorities that we know in this county and if I can give an example of why I have this kind of reservation; from the financial year 2013/2014, we know that the office of the governor committed to constructing a social hall in a place called Kyoani at a cost of 34 million shillings and another one in Mwingi town at a cost of 34 million shillings and these projects really Mr speaker even if you ask the common man and the common woman on the ground they will tell you that they do not make development sense in relation to the needs and priorities that are known in those areas. As an assembly therefore, we need to apply ourselves to interrogating the identification of those projects and how the office of the governor or the line ministries arrive at identifying those cross cutting projects. Mr Speakersir, the other outstanding issue.....

Hon. Hussein Mwandia: *(on a point of information)*. Mr Speaker, may the honourable member on the floor be informed that those centres are not social centres but they are data centres and residents there need them. Thank you.

Hon. Nzungi Ngwele: Thank you Mr Speaker. I sit in the budget committee and the projects that have been proposed are not data centres. They are community resource centres. Nevertheless Mr Speaker, the point I am making is that the feeling of the common person on the ground is that those projects do not respond to the needs and priorities that are known in those areas.

Mr Speaker the other issue that I have reservation on is equalization. I remember when we discussed these regulations in the very first instance, the honourable member for Kanziku made a very spirited effort and he got the support of this assembly to introduce a formula for allocation of the funds from the small infrastructure and pro-poor programs on the basis of things like poverty indexes, population, geographical sizes and Mr speaker I have seen in the recommendations of the committee, they are trying to remove that and we agreed that they

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remove because of the issues that they have expressed there, but the issue of equalization Mr speaker doesn't go away. It is a very serious issue. When we allocate 7 million shillings across the board for 40wards, or when we allocate 2 million shillings pro-poor, bursaries uniformly across the board, are we trying to say that the needs in Kanziku are the same as the needs of Matinyani, Tharaka and those of Kyuso? Mr Speaker that is not the reality. The reality is that we have different sizes of wards in terms of population, poverty and other aspects.

The issue of equalization is not just wishful thinking, it is a constitutional issue. Article 201(b)(iii) of the constitution makes it very clear that expenditure of public finance must ensure equitability and requires that there be provisions for areas that are marginalised. When we make regulations that do not address issues of equalization, we are not doing justice to those parts of this county that are either more populous or more geographically spread or more needy in terms of needs for water, roads, school fees support and things like that.

The final issue Mrspeaker that again is quite a burden for this assembly is the role of the MCA in the whole process. I passionately feel that these regulations to an extent they exclude the honourable members of this assembly from development processes in their own wards. The excuses or the reasons we have been given are that if we participate meetings at the local level, we would be undermining the separation of powers that makes us legislators and gives the executive the works of the project implantation.

Mr speaker we do agree that the separation of powers between the assembly and he executive needs to be guarded by this assembly, however, members of the assembly need to have a role in driving development/projects and offering guidance and leadership at the local level in terms of how these projects are identified. If I can give an example of what happened in Ngomeni during the process of identification for the projects of this current financial year, I stayed out of the whole process as the regulations required but when I looked at the documents that were produced by the committee at the end of the day after their public meetings with the water administrator and the county minister down there, it really represented thing that I don't believe in.

When a committee sits down and allocates toilets to a primary school of 120 thousand as a development projector guttering a classroom at a cost of eighty thousand shillings, we cannot work with micro-projects like those and hope to deliver development. As we sit here we know the development priorities of our wards and of the county at large and we know how much resources are available.

There needs to be space for us to participate in the identifications of projects at our ward levels and at least to give advisory in the whole process. But when we say we want to get involved the executive feels that we want to take political credit for what is happening there. Well, political credit is not a bad thing, but there are much more important things that we need at that level.

Nevertheless Mr speaker as I said in the beginning, we had a very candid discussion with the committee this morning and we agreed that we will go ahead or we will ask the assembly to go ahead with these regulations as proposed but as soon as possible we will embark on a process of developing legislation to be able to address these and many other issues that I believe these members have that have not been addressed. With those remarks Mr Speaker I beg to support. Thank you.

The Speaker: Very well. Honourable Kilonzo.

Hon. Peter Kilonzo: Thank you MrSpeaker sir. I also want to support in reservation. I think I have gone through this document.....

(Applause)

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The Speaker: Why are you applauding? Were you expecting honourable Kilonzo to oppose the regulations?

(Laughter)

Hon. Peter Kilonzo: Mr Speaker sir, the item number two is talking about the objectives of the program. There are a few things I want to recommend to the committee and especially part two where they say; to promote equitable. Mr Speaker I want to recommend they change that one to equal, and number four where they say equity they try to put something which still talks about equality apart from equity.

The Speaker: Honourable Kilonzo, are you proposing some amendments?

Hon. Peter Kilonzo: Yeah

The Speaker: No, you can't so that because I haven't yet seen those amendments.

Hon. Peter Kilonzo: Thank you, but Mr Speaker those words are misplaced. The word equitable means this; and this is according to the last dictionary I visited, oxford dictionary Mr Speaker. Number one; marked by having equity. Number two; fair, just and impartial. Three; relates to general principle of justice. Then the word equal which I wanted to replace Mr Speaker means; the same in all aspects. Mr Speaker, we will be lying to ourselves when talking about equity and we apply; equal in all aspects.

Hon. Mwove Kinyala: *(On a point of information)*. Thank you Mr Speaker and I would also like thank the honourable member for accepting the information I am about to give him and also to the house. First of all I have heard of the sentiments of the honourable member for Athi and I know where he was reading from but Mr Speaker sir my information is this; and I would like the house to allow me because when I was moving the motion, I said we had consulted with the minister for finance and the minister said that he had appointed an Ad-hoc committee to look into the real matter which had a problem; that is the 25%. We had all agreed as an assembly that 70% may have no problem. So the equity that my colleague is talking about was to come through the 25% Mr Speaker sir.

May I be allowed Mr Speaker because the honourable member has allowed me give him the information. Although this is part of the program, and also part of the implementation of the guidelines which may not have been seen by most of the members, but because it is part of the information and the minister has not been able to bring it when I was moving the motion, but it is part of the report that the 25%, that the component of the CLIDP shall be divided 70% equally among all the 40 wards to fund projects identified and prioritised by the committees at the wards and at a cost of up to one million shillings per project. 25% will be used to fund projects which directly benefit more than one ward and as we all know, 25% is for administrative purposes. The criteria which is actually going to make the equity come to be realised is that;

The Speaker: Honourable Kinyala, you were to give an information but now you are debating.

Hon. Mwove Kinyala: Mr Speaker I am just going to add an addendum to the information that....

The Speaker: I will give you your time to do that. You are just giving an information.

Hon. Mwove Kinyala: Okay. So I wanted to tell my brother that there is an equity of 25% which if you give me time Mr Speaker I will give it to him and also to the house. Thank you.

The Speaker: Go on Honourable Kilonzo.

Hon. Peter Kilonzo: Thank you Mr chair who happens to be my maternal uncle and he has not spoken anything new MrSpeaker.

The Speaker: Honourable Kilonzo, the issue of maternal has got nothing to do with what we are debating. Stick to the debate.

Hon. Peter Kilonzo: I have a lot of respect.....

The Speaker: Order! Stick to the debate honourable Kilonzo.

Hon. Peter Kilonzo: Thank you. What I was saying is that the chairman has not given us anything new, that is just a status quo. What I was saying is that two million of the pro-poor program in Athi ward is not exactly the same in terms of impact to a ward with a population of twelve thousand people. We know what is being shared here is just being equal.

My feeling is very straight and I need to express it to this house. I want to inform the committee concerned and the honourable chair that the executive has gone to bed and they are totally asleep.

The executive right now and especially the ministry of basic education should be able to be knowing how many students are existing in all the wards constituting Kitui County.

This is the only way we can be able to share the pro-poor program in an equitable manner. When we already know that Tharaka has five thousand students, Athi ward has fifteen thousand and we can share in that order.

Why am I putting it in this Mr speaker? if I take an example and I am sorry to have exonerated Tharaka, but if I take a student who comes from Tharaka ward may be schooling in mulango girls and my student from Athi ward and I am only able to share the pro-poor program in all the students at five thousand and Tharaka is able to give fifteen thousand, then that will call for discrimination Mr speaker. If these two students happen to share a desk and when sharing the story of how they have benefited from this program, the girl from Tharaka confesses to have benefitted with fifteen thousand while my girl from Athi ward speaks of benefiting with only five thousand, that is a clear discrimination and the word equitable does not apply at all.

Mr Speaker sir I see in the first one they have said on the objectives is to support in attaining the county vision. The vision of this county is; *to be a prosperous county with vibrant rural and urban economies whose people enjoy a high quality of life*. I like that statement, but it is just in papers Mr Speaker.

Let me now come to the small infrastructure and community level program. We have now bought some graders to make roads. What the executive has come up again with, is to share the number of kilometres the same way they have done with the pro-poor program.

Mr Speaker sir, Athi ward, a stretch of hundred kilometres will only benefit with around thirty kilometres only per year while a ward like the one of my chairman in trade here, township will get the same allocation of thirty kilometres of access road. Is this what we are calling high quality life for my people?

Mr Speakersir, there are things which need to be looked into. When we look at what we are calling grants.....

Hon. Titus Mbiti Ndemwa: *(On a point of order)* Mr speaker I am a bit concerned whether the honourable member for Athi is in order to quote some figures which we don't know whether they are official or they are cooked somewhere. So is he in order?

The speaker: Order, order deputy speaker. Which figures are you talking about?

Hon. Titus Mbiti Ndemwa: The kilometres which will be done is there any document to confirm whether there is.....

The speaker: What honourable Kilonzo is saying; thirty kilometres in Athi ward is not equal to thirty kilometres in a ward like township. He is only talking hypothetically. Is that what you mean honourable Kilonzo?

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Hon. Peter Kilonzo: Mr Speaker thank you for protecting me. The honourable deputy speaker is the one who should be guiding us in understanding these words and if he stands guided, I will get surprised.

(Laughter)

The speaker: Order! Honourable Kilonzo, withdraw that remark and continue.

Hon. Peter Kilonzo: I withdraw MrSpeaker. What I am saying is this; it is very confusing, when it comes to some of the projects, lighting programs are done in certain areas, and we all know that and accept for example I mentioned this township ward whereby they have grants to do sewerage, lighting system, which us from peripheral wards we don't complain about, but we are worried it comes to the things which should go to the peripheral wards. Those same wards still want to share thirty kilometres of access roads. I can't understand MrSpeaker but the reasoning is this; the executive does not want to work hard. I believe we need to have the right thing done and I want to request the honourable house that we should stand up and the bill which we are going to draw about this programme we will be very careful because we ae just being thrown to the edge. We want like what the honourable Ngwele from Ngomeni has said, there is no participation of the role of the MCA here.

Secondly, we are left to be begging because this is what the executive wants; just to sit down and say, give them one shilling everywhere, if it is not enough, let them come, lick our boots so that we can serve their people.

Mr Speaker this is the house to make the laws which needs to be followed. I want to urge this honourable house that when it comes to making the real law govern this program, we need to be very alert. The role of the MCA needs to be felt. When I look at this, Mr speaker these regulations are purely orchestrated to lead a political way for a certain person and not an MCA. If you look at it,because it is the executive and we all know who the person is, but MrSpeaker we all need to be included, we have a part to play in the politics of this county Mr speaker.....

The Speaker: You are trending on a very dangerous ground honourable Kilonzo. I am about to tell you either to substantiate or you withdraw the remark, but continue.

Hon. Peter Kilonzo: Thank you.Mr Speaker I have not mentioned any name here

The Speaker: You are saying there is somebody and you know him who is doing this. You either substantiate and name the person,or you avoid that direction.

Hon. Peter Kilonzo: Thank you Mr Speaker. Mr speaker when I see the hangman's noose staring at me I should do every other thing either I run away or I die before it hangs me. So I am saying, I will support this program. The little which has been done in my ward I can mention; four hospitals, one toilet, one pipeline has been done from this one. I cannot say it is not as good but we have much more we can improve on this program because it is going to help us. Otherwise Mr Speaker, I stand to support the report. Thank you.

The Speaker: Very well. You know these regulations have been going round and round but today we must clear with them. Honourable Mwende.

Hon. Joyce Mwende: Thank you Mr Speaker, much has been said concerning the regulations and it is more painful when we follow the vision of the Kitui County that people in the rural areas and people within the Urban areas will be sharing the same things. Yes that is written and it is not applicable anywhere. Because when we are talking of things which are done in the urban areas like the street lighting, path walks there is nothing you can see in Thaana which is so called street lighting.

When we talk of tarmacking the roads, we are tarmacking the roads within urban regions but when you go to Thaana there is nothing to do with tarmacking, yet they have the

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tarmac and they are also being given 30kms to be graded, where will they be graded? It means the people of Thaana Nzau have been ignored of their won rights of having roads which are being graded and then the urban people to be given the ones for tarmac.

Mr Speaker, when it comes to the regulations, yes let us enjoy the 70% and it is not equitable but to share in equal ways but when our main thing is on our 25% which it is said it has to do with the cross-cutting projects.

Now when we are doing the cross-cutting projects, our people are not in anywhere, asked what to do with the 25%. Yet with 70% our ward administrators our sub county administrators and even some ministers, are involved in having the public, having our people from the wards coming around and giving out the projects to be done. Yet in the 25% it just comes from blues. We are going to do ABCD. Can we the MCAs be involved on where to allocate the 25% and what job to be done with the 25%.

Mr Speaker as we are here, I have heard the chairman for coordination mentioning about the 25% yet in our files, we have no those regulations that is reading. I may request if he can adjourn the for 5 minutes so that he can read those statements that he is having so that we may read from the same page because he is reading alone. We are not there. We don't even know which news has come from the minister of finance and what is he reading while we don't know, we are talking about regulations within our files, yet he is having other regulations Mr Speaker. Is it possible that we are reading two different pages in the same one house?

Mr Speaker with all that I am so much willing that we should be inclusive of the 25% of identifying the projects that the 25% will be doing, thank you Mr Speaker.

(Honourable James Munuve rose in his place)

The Speaker: Honourable Munuve

Hon. James Munuve: Thank you MR Speaker Sir, while I rise to support the motion, on the two programmes that is the community small infrastructure development programme and also...

The Speaker: I hope the chairman you are noting the concerns by members, because that is the most important part of the debate which is going on. They are concerns.

Hon. James Munuve: And also the second one which is the pro-poor programme. Mr Speaker Sir, the two programmes have actually helped our people especially the last financial year. Especially in my ward I was able to construct several ECDE Classrooms. My ward was also able to benefit with solar lighting equipment's especially in schools and hospitals. Public toilets were constructed and even the water pumps with the pro-poor programme. My people benefited with in total sh.1.7 million in terms of bursaries and also last week learning materials were distributed to all my ECDE schools.

I want just to comment on the 25% which most of the members have a concern with. Mr Speaker Sir, it seems and that is the feeling of most of the members here. It is we are giving a blank cheque to the Executive, because even the document is not well stated who is supposed to come up with the projects like the other one of 70%. In my view, I want to comment that the CIDP should be followed. We cannot allow projects which are outside the CIDP.

We need also public participation like other projects which were identified by the community and prioritised. I think that is the concern of most of the members here. We need also involvement of all stakeholder especially in prioritising the needs of the people.

The last but not the least, honourable members through Mr Speaker Sir, these are just guidelines and in near future we need to come up with a comprehensive Bill on the two

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programmes. I think that one will help us in dealing with the issues of percentages especially the 25% but for now, members we need to support the guidelines as we come up with the Bill, which can now handle the concerns of many who have spoken before me, thank you Mr Speaker Sir.

The Speaker: Honourable Kinyala you need to respond to the views of the...oh the Deputy Speaker you want to say something?

Hon. Titus Mbiti Ndemwa: Thank you Mr Speaker, I want to agree with the chair honourable Kinyala who has tried so hard to formalise these guidelines Mr Speaker. Mr Speaker we know these issues of guidelines is a hot cake for us, it has our baby and Mr Speaker for most of us who are in the actually the Government of Kitui County, we are pleased with these Mr Speaker which has been done.

We have done these projects which are being done by these guidelines Mr Speaker without these guidelines. And this is the high time Mr Speaker we pass these guidelines so that we can move forward. Mr Speaker I know honourable members some of them have issues which are valid, which we should be considering Mr Speaker and they have directed them to the chair and the chair is willing Mr Speaker if I may understand, he is willing to absorb their views Mr Speaker.

I am begging the honourable members to allow these guidelines to be approved Mr Speaker because they were supposed to have been approved as early as yesterday Mr Speaker and not today. Because as we sit here Mr Speaker we know there are some projects which have been done following these guidelines and it seems as if Mr Speaker, it is our fault and we should not be taken as that Mr Speaker because it is us the house, who are supposed to formalise this. And since there are projects which have been done, others are in the process Mr Speaker, I think it is the high time we formalise this Mr Speaker and move forward.

I know there are some issues Mr Speaker like the recommendations I am holding here Mr Speaker they have some issues where the honourable chair is supposed to check on, because we have some, like where it is being said that any other role that may be deemed to be necessary from time to time. Mr Speaker, we don't know who will be giving these roles Mr Speaker. We are opening a leeway Mr Speaker where somebody can come up and say you committee you should do this and this. The chair should be specific on who will be giving these functions to this committees Mr Speaker.

The other issue Mr Speaker is about the 25%. I come from Ngutani ward which is in Mwingi West sub county Mr Speaker and there is nothing which has been done within this 25% in Mwingi West. Mr Speaker what is being mentioned here Mwingi resource centre is in Mwingi Central Sub County and from Mwingi Central Sub County to Mwingi West Sub County is very far and my people never go to that resource centre Mr Speaker.

So if I stand here and challenge that Mr Speaker it is valid that Mwingi West there is nothing which has been done by this 25% Mr Speaker. So Mr Speaker I don't want to raise this issue here, it is our war for another day but what I am asking is that let us approve this and move forward, thank you Mr Speaker.

The Speaker: Honourable Kinyala, do you want to respond to members sentiments?

Hon. Mwove Kinyala: Yes Mr Speaker.

The Speaker: Go ahead

Hon. Mwove Kinyala: Thank you Mr Speaker, first of all I want to thank members who have contributed because they know the importance of this particular guidelines. We all understand that Mr Speaker Sir, that what work has been done within our wards that our respective wards and still we have some works which is still going on and all those are relying on these guidelines Mr Speaker so I would like to thank them.

Mr Speaker I know the real issues which has been raised here concerns between 25%. I agree with members who have contributed towards this that in the past the 25% and especially the community level infrastructure development was actually not chosen following any particular guidelines or even contribution from the public.

Mr Speaker Sir, to answer what has just been asked Mr Speaker, I want to inform members that as a committee, we have been consulting, we have also spoken to the CEC in charge of finance regarding this Mr Speaker and to form the basis for answers that I am giving the honourable members Mr Speaker for the answers on citation of 25% which is actually on the criteria for identifying inter ward project which is which is supposed to be covered by the 25% Mr Speaker Sir. For the purposes of recording in this particular motion that is going on Mr Speaker, I will say that;

1. The basic thing which is about the 25% is that must addressed the cross cutting needs of different wards
2. Mr Speaker the other on the same is that the identification of this that the 25% of the identification to be done Mr Speaker, it will be identified by the local communities and prioritized by the ward development committees at the sub county level.

So it will not be done the way it used to be done in the past Mr Speaker where by which just used to hear project is being done in Kyoani for that matter or even in elsewhere even in Endau without consulting the community. So the prioritisation will be done by the communities through the wards development committees. And they will be meeting at the sub county levels for that purpose Mr Speaker. The intention is to have a long term project Mr Speaker, which will benefit communities for long years to come.

3. The other thing Mr Speaker which also forms the basis for the same issue is that in prioritization, may be proposed by the County Ministries from County Integrated Development plan just the way honourable Munuve was putting, that it can also be brought to the community through the CIDP. The project may be requested directly by the communities or through their representatives from the Governor during meetings.

I know, more often or now and then members of the County Assembly many times they have meetings with the Governor. So where the members are saying may be the MCAs are not involved Mr Speaker, we have gone further to say that the MCAs can also through their consultation with the Governor and as the representatives of the people may request the projects directly for the communities or through the representatives of the Governors meetings.

4. The other part Mr. Speaker is that this component will support projects not exceeding a quarter of the total common budget. We know that this financial year 2014/2015, there is sh.100 million that is 25% of the sh.400 million which is for community level infrastructure programme.

Therefore, in total there is sh100 million and therefore the projects which are supposed to be covered by the 25% they should not exceed sh25 million per one single project.

Again Mr Speaker priority projects under the programme include among others:

1. Roads and drift construction for roads connecting wards.
2. Water piping, extension for major water systems used for Village polytechnics, technical institutes, health facilities including mortuaries, resource center and sports stadia in the sub counties, training centers e.g. Agricultural training centers, digital villages extra, markets Mr. Speaker, Earth dams serving more than one ward, industries and factories such as agro processing, stone planting extra and industrial parks Mr. Speaker.

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And Mr Speaker I am saying, in general we have a problem with the way the 25% has been used but most of the members have said that, let us approve the guidelines Mr Speaker including what I have suggested an addendum to the same guidelines which we know Mr Speaker from time to time we will keep on improving them Mr Speaker rather than holding the guidelines here and yet we know in one way or the other honourable Muniu has put it very clearly, in one way or the other, our people have benefited and the only item we have a problem with Mr Speaker is just the 25% and that can serve as a guidance for the time being Mr Speaker. Thank you Mr Speaker I just wanted to answer that.

The Speaker: Now, I will put the question. Are you ready for the question? That pursuant to the provisions of the county interim Standing orders 18(6) and 191 (5g), this house adapts the report of the committee on administration and coordination of county affairs on the consideration of the guidelines on implementation of the two programs laid on the table of the assembly on 29th October, 2014 afternoon sitting.

As many as are of that opinion say Ayes!

The Members: Ayes!

As many as are of the contrary opinion say No!

(Silence)

The Speaker: The Ayes have it. With that we come to the end of the order paper today and therefore we will adjourn the house.

(Members rose in their places)

The Speaker: Honourable members, the house now stands adjourned until Tuesday 18th November, 2014 at 2.30pm.

The County Assembly rose at 4:04PM.