

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Wednesday 14th April 2021 at 2:49 p.m.

The Speaker (Hon. Kiplagat) in chair

PRAYERS

The Speaker (Hon. Kiplagat): Clerk!

NOTICE OF MOTION

REPORT OF COUNTY ASSEMBLY SERVICE BOARD ON CONSIDERATION AND APPROVAL
OF EXTERNAL MEMBER OF THE BOARD BY THE COUNTY ASSEMBLY

The Speaker (Hon. Kiplagat): Hon. Purity Tallam

Hon Purity: Thank you Mr. Speaker. I beg to give notice on the following motion;

Aware that, the County Assembly Service Board is established by operation of Section 12 of the County Governments Act, 2012 as read together with Sections 8 and 46 of the County Assembly Services Act, 2017 as a governance body for each County Assembly;

Noting that, by statute, the County Assembly Service Board should comprise the following-

- a) The Speaker of the County Assembly as the Chairperson
- b) A Vice-chairperson elected by the Board from the Members appointed under paragraph (c);
- c) Two Members of the County assembly nominated by the political parties represented in the County Assembly according to their proportion of Members in the County Assembly; and
- d) One man and one woman appointed by the County Assembly from amongst persons who are experienced in public affairs, but not Members of the County Assembly;

Recognizing that, the mandate of the CASB is outlined in Section 11 of the CASA, 2017 as follows:

- a) Direct and supervise the administration of the services and facilities provided by, and exercise budgetary control over, the Service;
- b) Determine and review the terms and conditions of service of persons holding or acting in the offices of the Service;
- c) Initiate, coordinate and harmonize policies and strategies relating to the development of the Service;
- d) Do such other things as may be necessary for the well being of the Members and staff of the County Assembly.

Regretting that, the County Assembly lost one of its external Service Board Members, Miss Maccah Hamisi who passed on at the beginning of 2021 (2nd January, who was appointed to the Board under Section 12 (3) (d) of the County Governments Act, 2012 and that the Service Board is currently in the process of filling the vacant position;

Now therefore, this motion urges Baringo County Assembly to adopt the report of Baringo County Assembly Service Board as follows:

1. Adoption of Baringo County Assembly Service Board report in the matter of consideration by the County Assembly on approval of nomination of external Member of the Board submitted in accordance with Section 12 (3) (d) of the County Governments Act of 2012.
2. Approval of nomination of Mrs. Rebecca ArupeLomongRutto for Appointment as external Member of Baringo County Assembly Service Board in accordance with Section 12 (3) (d) of County Governments Act of 2012.

Mr. Speaker, I beg to give notice. Thank you

The Speaker (Hon. Kiplagat): Thank you. I direct that this matter be referred to House Business Committee for allocation of time. Next order!

STATEMENTS

ISSUES OF UNMAINTAINED DAMS, WATER PANS AND BOREHOLES

The Speaker (Hon. Kiplagat): Statement by Hon. Musa Cheruiyot to the Chairperson Water and Irrigation. Chairperson Water

(Loud Consultations)

Hon. Parkei: Thank you Mr. Speaker. In response to the Statement:

- i. If we are aware that there are dams, water pans and boreholes within Koibatek Ward constructed by successive Governments for the sole purpose of enabling the communities and residents access water for domestic and industrial uses? Yes, there are dams, water pans and boreholes within Koibatek Ward developed by successive governments for the purpose of enhancing access to water for domestic and industrial use by the area residents.
- ii. How many dams, water pans and boreholes were constructed (a) during the colonial era, (b) by the National Government of Kenya since independence, (c) by Members of the community through “Harambee” efforts and (d) by Baringo County Government since inception within Koibatek Ward? Dams, Water pans and boreholes have been done in the past by the National Government, the community and also by Baringo County Government before and after the onset of devolution in FY 2013/2014 which included;
 - a) Baharini, Lamaiywet, Kipkaber, Naitili, and Kaptumbu all done during colonial period
 - b) KiplombeSecondary, Kanjulul, Onjoro, Morkisis, Ndoroto all done by National Water Conservation
 - c) Nyarki dam which was done by National Youth Service
- iii. If he is further aware that most of the said dams, water pans and boreholes are now silted or have been rendered unusable due to lack of proper maintenance over time including but not limited to the following; Baharini Lamaiywet, Kipkaber, Naitili, Kaptumbu, Kiplombe Secondary, Kanjulul, Onjoro, Nyarki Morkisis and Ndoroto? Yes, most of the projects are dilapidated resulting from siltation or malfunctioning of its structures due to lack of proper maintenance over time. Nevertheless, water pans are usually designed with a projected lifespan of 20-25 years hence most of these water pans have gone beyond the design period thus needs to be rehabilitated or budgeted for new works.

- iv. If he is also aware that a dam like Nyarki was not properly completed and the construction debris scattered all around the dam have made access to the dam impossible? Yes, Nyarki dam which was constructed by National Youth Service (NYS) was not properly completed. The reason being unsatisfactory design and limited supervision.
- v. What measures has the County Government put in place to ensure that all existing dams, water pans and boreholes constructed over time by area residents or Governments are in good working condition for use by the people of Koibatek whose water needs are ever rising? Baringo County Government through the Department of Water and Irrigation will encourage the beneficiary communities to allocate funds during public participation to the rehabilitation of the existing structure. The Department will also advocate for allocation of flagship funds for maintenance of water pans and boreholes to ensure sustainable use.

The taking over of projects from the National Government by County Government of Baringo is on course and hopefully will be completed at the end of this year (2021). The Department of Water and Irrigation is in the process of formulating water policy for the County which will take into account all water sources in the County and its subsequent maintenance. Thank you

The Speaker (Hon. Kiplagat): Thank you Chair Water. That was requested by Hon. Musa Cheruiyot. If he is not around, that is his answer. And we will proceed. Next order!

MOTION

(Resumption of debate interrupted on Thursday 18th February 2021)

FACILITATION OF PUBLIC PARTICIPATION

The Speaker (Hon. Kiplagat): Member of Marigat Ward.

(Long Silence)

Hon. Members, this was a matter that had gone on. This motion had been debated and this is resumption and to put you up to speed, Members about 8 had debated. Hon. Aengwo, Cheserem, Kipsang, Parkei, Chepsongol had contributed. We can go on with the contribution before the Mover. Member for Sacho.

Hon. Tarus: Thank you Mr. Speaker. I support the motion and it has come at the right time. I congratulate Hon. Lemlem for coming up with this motion which to me, will solve some of the problems that we have been having where we normally have public participations at a central point or two places per Ward where the Ward is expansive.

But if this is done at the Sub-location and the proposal is forwarded to the Ward level, I believe we will be doing great service to the people because at the sub-location that is where people can contribute and give their projects which they want to do exhaustively. When it comes to the Wards, you realize that people at times do not air their views because of the number of people who attend. Secondly, the cost of transportation of the Members of the public from the Sub-location to the Ward level is also expensive especially where the terrain and the expansive Wards have problems in terms of public participation because normally when you do it at the Ward level you realize that not all people will come.

I support and after this House passes this motion, we should follow up to make sure that it is implemented to the latter because once we have public participation at the Ward they propose their projects and they just have two or one Member to represent them which saves on cost, time

and the issue of having people coming to fight over the resources because once they come to the Sub-location, then the Ward level is just be done by the Budget Committee which will be done from the selected representatives from the Ward level.

This is a worthy course that we need to pursue as an Assembly because we will have better representation, views and quality public participation because this is at the grass root.

The Speaker (Hon. Kiplagat): Hon. Kibai.

Hon. Kibai: I also want to congratulate Hon Lemlem for bringing this kind of motion. The Constitution was promulgated in 2010 and gave powers to the people and as we go by, we have to create ways and adopt some laws that will be easy for the people to participate in the budget making process. I support the start of the pre budget in the Sub-location level and again as we prepare this budget, because when we prepare the budget considering the developmental issues that are being raised by people in their respective areas within our County.

I support because it engages and increases the volume and the number of people who will participate in development in their respective areas. We should develop a law that the first financial year the money that roll over and there is no project that is implemented, the laws should be made that allows every year that the issues being raised by the people to be done in those areas. Actually if implemented it will assist our people. I support the motion.

The Speaker (Hon. Kiplagat): Hon. Tuwit.

Hon. Tuwit: Thank you Mr. Speaker. I support this motion and thank the mover. The Constitution that was passed in 2010 Came to deliberate the people, it came with devolution. Mr. Speaker sir devolution the other meaning is to start from the bottom from down up that is why you see the aspect of participation.

Mr. Speaker sir, everything is about people and people is everything and that is why the aspect of public participation is very important and even the meaning of devolution which means take it down to the people that is why it must come from the people going up.

So it should not start with ward but it must go down to the people and where you can find the people is the sub-location Mr. Speaker sir. I can even say that it is better to take it to the village and from a village to the sub-location but because Hon. Lemlem has come with this motion first before me let it start from the sub-location come to the location then to the ward.

Mr. Speaker sir, we are saying this through experience because if you do public participation to a ward headquarters those people at the ward the common people there they are always and they drive this development agenda the way they want. So sometimes you find that the sub-locations don't participate, other villages are left out, and other sub-locations are also left behind because the same people go there to decide for the ward.

I support this motion that it is better that we take it down to the sub-locations. Thank you.

The Speaker (Hon. Kiplagat): Yes Hon. Selemoi.

Hon. Selemoi: Thank you Mr. Speaker for allowing me to contribute and support this motion from the Hon. Member of Marigat ward. Mr. Speaker the prayers in this motion involves the people of Baringo more public scrutiny with the programs and projects that are being implemented by these government which is very good prayers that this motion intends to achieve.

Mr. Speaker this Assembly is largely involved in oversight activities, representation by each Hon. Member and also making laws, this aspect of public participation is very crucial as it has been enumerated by my fellow colleagues who have previously contributed to this motion.

Mr. Speaker as it has been noted by the motion itself and Hon. Members who spoke earlier there is specific provision in law in our Constitution that provides for this, however individual or Counties have their mandate to spread the involvement of public participation to whatever direction they want so long as it is participatory and inclusive and according to the law.

Mr. Speaker as you are aware that as it is now the Baringo County Government has designated areas of public participation which is largely ward headquarters equally the same we as an Assembly we also have public participation for an organized by this Assembly and more often than not we get involved as Hon. Members to suggest the gazetted areas where we need and it is that opportunity Mr. Speaker where each and every Hon. Member in this House needs to rotate the venues for these forums.

Even when we await for implementation of this motion so can we start from there, can we start when we will be doing the next subsequent public participation venues such that we rotate and involve even the villages that we intend to rob in by this motion so that we don't wait for somebody else to tell us which village or which sub-location we intend to.

Then there are challenges Mr. Speaker in public participation venues which is transportation of people to those venues sometimes some of these public participation fora because of lack of resources sometimes they are being attended by the civil society groups whose mandate is to oversight us and more often they prefer to dwell on negativity of what our programs are.

So we need as Hon. Members of this House to push for funds to the department especially the department of the governor's office and also for our own public participation funds should be increased so that we start from ourselves first.

Can we put funds for Baringo County Assembly to affect this motion because we also have that control, Mr. Speaker there is also the bureaucracy of visiting all the villages or sub-locations or even locations when we only have in mind Kshs. 10 million to subject to public participation.

Mr. Speaker in my ward I have over 8 sub-locations if we involve all the 8 locations and the money involved is Kshs. 10million the next challenge Mr. Speaker is a cabal effect on ... people will scramble for these resources, they are few and the next thing is in fighting...

(Laughter)

The Speaker (Hon. Kiplagat): What is the point of order Hon. Tuwit

Hon. Tuwit: Mr. Speaker is it in order for Hon. Chepsongol and Hon. Elizabeth to consult loudly while Hon. Selemoi is submitting.

The Speaker (Hon. Kiplagat): Of Course both the Members know, Hon. Elizabeth and Hon. Chepsongol your consultation was so loud to reach the ears of Hon. Tuwit please consult in very low tones, continue Hon. Selemoi.

Hon. Selemoi: I even didn't hear them; maybe Mr. Speaker the magnetism between Hon. Chepsongol and Hon. Elizabeth needs to be investigated ...

(Laughter)

The Speaker (Hon. Kiplagat): What is the point of order Hon. Elizabeth?

Hon. Elizabeth: Mr. Speaker Hon. Chepsongol came in and he was asking me what is going on in the Assembly and we were really consulting in low tone so what Hon. Selemoi is talking about magnetism that one I don't understand and it is not the language of this Assembly. Thank you.

The Speaker (Hon. Selemoi): Hon. Selemoi note that and you proceed.

Hon. Selemoi: Mr. Speaker, when I was in Kituro high school I learnt in physics that like poles ...

The Speaker (Hon. Kiplagat): I have already ruled on that just note and proceed with your debate. Mr. Speaker that is on a light note and no bad intended we need to subject flagship projects to public participation...

(Applause)

We have been getting flagship projects going unscrutinized but this time round Mr. Speaker and I wish this motion could attract that anomaly that any funds even donor funds need to be subjected to public participation because as it is now the Governor has a lot of latitude to appropriate these funds allocate them to whatever projects they intend without being subjected to public participation which must be corrected and must be addressed, Mr. Speaker I am very happy that even the Amaya triangle initiative project was heavily subjected to public participation and as it is now the beneficiaries of Amaya triangle initiative project are Saimo Soi, Mochongoi Ward and ...

The Speaker (Hon. Kiplagat): What is it Hon. Kimosop?

Hon. Kimosop: Mr. Speaker when this House makes official changes it is good that when it is making official submissions you take in to account the changes that this House has made which have already been accepted.

We changed Amaya triangle initiative name to cooperate for peace development so I expect the Member to be saying cooperate for peace development formerly Amaya triangle. It is a good language so that we move forward obvious it is basic logic. Thank you Mr. Speaker.

The Speaker (Hon. Kiplagat); Hon. Selemoi proceed, once again you note that and you just proceed unless there is magic in a name.

Hon. Selemoi: Mr. Speaker before I was rudely interrupted by my colleague I was saying Amaya triangle initiative project which we have benefited much a lot as a County the Hon. Member of Bartabwa is a beneficiary, Saimo Soi is a beneficiary, Mochongoi is a beneficiary and other wards.

So whether there was a motion to change the name it is yet to reach the desk of Hon. Ngotie and as he said it is neither... Mr. Speaker I am a reader you remember there was a book written by Shakespear that whatever name you give to a rose flower it still smells the same so if we can call Amaya triangle today a donkey or a cat or a tree it doesn't matter but what we are going to benefit from the triangle is much better than the name and is it is Mr. Speaker without lying the semantics of the motion will never change Amaya triangle.

It is a registered body which has bank accounts which has...

The Speaker (Hon. Kiplagat): Hon. Selemoi order. Hon. Kimosop I want to overrule you, just say something then I give a ruling on this.

Hon. Kimosop: Mr. Speaker is it in order for Hon. Selemoi to mislead this House? Mr. Speaker the memorandum of understanding which is with this House and the clerk has it and you have it Mr. Speaker has no provision at all the word Amaya triangle.

And that is what it has been signed by Isiolo, Samburu, Laikipia and Baringo Governors. So it is wrong for us to allow in an official forum somebody to mislead the House and again. Mr. Speaker it is not upon Hon. Ngotie whether he wants to implement or not this House approved justice and legal affairs report which changed the name and that is the Baringo County Assembly that you are the Speaker that we have a clerk and we are Members.

So let us not play fun with the official microphone of Baringo County Assembly. Thank you Mr. Speaker sir.

The Speaker (Hon. Kiplagat): Now I will give a direction on this, honestly Members as we allow Hon. Selemoi to precede you see what happens is that facts don't lie and we have documents to refer to, so the documents in the HANSARD will bear us right.

Whatever name it is in the documents will be the ones that are right so even if we argue here until tomorrow what happen is what is in the official documents so let us proceed as I said in any event the way I heard Hon. Selemoi say this was just a side on his document. So he can still proceed, the issue of the name leave it aside. Proceed.

Hon. Selemoi: Thank you Mr. Speaker. What is more important is my contribution to the effect that any project any funding should be subjected to public participation so the semantics of ... and I just quoted ATI projects that it should be subjected to public participation just like flagship projects.

So Mr. Speaker the emotions or adrenalines of Hon. Kimosop should not guide or should not be dragged in to my contributions Mr. Speaker and that notwithstanding we as an Assembly we need to be more robust on our roles and I call upon the mover of this motion and the owner of this motion to not only be ... I wish we had more time to give flesh to this motion so that we have cheques and balances on what is going to happen if it is not going to be implemented.

We are not going to chant motions which will lie idle in our shelves for the records that we have motions which are not implemented so because we want others to contribute I beg to support.

The Speaker (Hon. Kiplagat): Yes Hon. Lotela.

Hon. Lotela: Thank you Mr. Speaker. Before I contribute I have tried to go through the motion and maybe the mover should expound a bit further that it seems we are not aware as an Assembly that we already have a County Government law on public participation and the law was passed in this House in order to guide public participation that we have been doing all along both at the Executive level and at the County Assembly level.

That law has constituted a ward development committee that is supposed to be organizing and running the issues on the ward fund. Mr. Speaker the same law had some challenges with PFM Act and that is where you cannot operationalize funds in tandem or the way the CDF is being managed that was the hard part and it was agreed that that was the committee that has done.

Mr. Speaker even before sometime back if you see the way they are putting in papers they are putting in radio stations when they are announcing for public participations Mr. Speaker it does not have a specific individual or selected members of the public to come for public participation.

It is believed that it is the people who have the interest those who have read and understood and those who have heard that public participation that the County Government of Baringo either the Assembly or the Executive are bringing a budget or any other document to the public.

But when we narrow and say let's have selected individual definitely the spirit of public participation concept will not apply and also the County Government in that bill when your ward is let us say so vast you can have two public participations so that they can gazette it and put it in the paper.

It is not yet cast on stone when they say that at the ward level other places are not being represented. Mr. Speaker the Member who was just on the floor raised a very fundamental issue about the funds used for public participation that is very small amount both at the County Assembly and the Executive side and that has been an issue because all along because when you say that the public participation will be in this sub-location this time round because you know it has been revolving. Like in Silale we have been doing public participation in the entire ward revolving all the Sub-locations and locations. This time round we take to Silale location, next to Naudo location and when the budget pre-estimates, public participation is done and for County Assembly we don't take to the same place but we take to other place Mr. Speaker.

Thirdly I am abit confused and I need a Member maybe to furnish me on this prayers of this Motion that we already have that Bill in place. Can we amend the Bill or what can we say here? It is like we are not aware that the Bill is there and yet you can't go on without public participation law as a County which is a must and we passed in this House Mr. Speaker.

Mr. Speaker definitely when we wanted to implement and I am sure the Chair of implementation and the one for the delegated legislation are supposed to give such kind of...if you read delegated legislation roles, they are suppose to give us the challenges public participation Bill is facing and report back to the House. That is their role but because the Member is very busy always from all radio stations and maybe about the issue of elections, he is not even in a position to tell us the challenges we are facing and that is the role of delegated legislation.

If we go as per the Standing Orders but my friend is only busy with Amaya name which I don't understand its meaning and that is a Samburu name and I don't know if he has a problem with the Samburu people...

The Speaker (Hon. Kiplagat): Order Hon. Lotela you are ...

(Hon. Kimosop loudly consults)

Hold on Hon. Kimosop nobody has mentioned your name.

Hon. Lotela: Thank you.

The Speaker (Hon. Kiplagat): I just wanted Hon. Lotela to specify who is this friend, who is this he...It is good just to put it on record.

Hon. Lotela: Thank you so much. Mr. Speaker I think sign language is also one of the clear communication. When I stretch my hand to that direction you know definitely who I was pointing at Mr. Speaker and...

The Speaker (Hon. Kiplagat): So it is now official that you were referring to Hon. Kimosop?

Hon. Lotela: Mr. Speaker my directive of this Motion is that this Motion is good but I only wanted to tell the mover of that Motion that if he is aware that we have that public participation law and if he has ever gone through it? The other part of implementing this Motion by the implementation and the delegated legislation committees will have a challenge and maybe if we customize it so that the committee that has been formed which is Ward Development Committee and in that Bill also it has devolved further to Sub-location development committee that they are supposed to come under supervision or Chair of Ward and village administrators Mr. Speaker.

Otherwise I have no issue or problem with the Motion because it is good and I was just directing it and to say that Motion is placed unless there is something more than this Motion that the mover needs to explain Mr. Speaker.

The Speaker (Hon. Kiplagat): Yes Member of Mochongoi Hon. Kimosop.

Hon. Kimosop: Mr. Speaker first of all I want to thank my neighbour and colleague Hon. Lemlem for this well thoughtout Motion. When I first saw this Motion Mr. Speaker, I lauded it and understood that, what Hon. Lemlem was saying is as opposed to one forum in the whole ward or two forums in two wards or first wards. I think we did two in Mochongoi and Marigat. Mr. Speaker, I understand his idea was we have a grassroot approach and I think that is a brilliant idea then we select people from each of those areas to now meet and make the decisions. Something like locals Assemblies or ward Assemblies or ward forum or something. That is how I understood the Motion Mr. Speaker but I have three points which I want to put across.

First, Mr. Speaker is a feedback on this Motion. You are aware that we have been having public participation across all the wards. I don't know whether they have finished or they still going on. We had ours in Mochongoi and in one of the forums in lower Mochongoi, there was a huge push that we need to have these forums rotate and I told them that we have a Motion by Hon. Lemlem coming up and a few Members might be selected at the grassroot level to participate before we meet at the top level

Mr. Speaker, to my shock the whole congregation was opposed to this idea. To them they said by selecting a few people, you are denying us the roles as public. It ceases to have the same meaning as the public and they were really passionate about it and it got me by surprise. In fact it almost messed up my earlier Motion of buying machineries which had been overwhelmingly accepted. So when I rose up and the way they were against it, this almost messed up the fact that I had won in the other proposal that I gave out. So that is a feedback Mr. Speaker which I thought it is important for us to consider as we debate this Motion.

The Second feedback Mr. Speaker which I need to bring, I don't know what these Members got especially those who attended the public participation but I will tell you Baringo citizens are a little bit tired with this public participation. Actually to them they fill and in fact that is the forum we had and I don't know in other places that, before we even consider the estimates of this particular budget 2021/2022, can you tell us what has happened to all other projects? Can you give us an account of the implementation of the other projects?

There is apathy across the County that these forums are just rubber stamp, they just happen, we make proposals but nothing is moving. Implementation is not happening. So as we look at this Motion and as we come up with clever ways of going to the public participation, we also need to

ask ourselves, are we really having these projects that we take to the people for public participation implemented?

Mr. Speaker I want to agree with Hon. Selemoi away from the side shows. That flagship projects also needs to be subjected to public participation. Let the people of Baringo know what the County is proposing, this is what is going to Baringo County Referral Hospital for example, this is what goes to Eldama Ravine Referral Hospital for example, this is what goes to Maoi abattoir for example and this is the contribution that we have from World Bank and it is conditional grant and it goes to Kabarnet. So that they have an idea of how their County is progressing and in fact Mr. Speaker it is around that even a proper conversation will emerge. Why would we for example share the same amount of money with areas that still receives flagship projects within the same financial year? You know if one ward for example receives 30 or 50 Million of the flagship project, why would we still share the ward fund in the same figure? So I want to agree with him in absentia, that is something that needs to go to public participation.

Mr. Speaker, I want to take the route proposed by Hon. Lotela and with my colleague Hon. Lemlem. If He feels that we put the question today then he has my vote. I will support him and also support this Motion but I think there is wisdom in what is coming up that we already have a public participation Bill and we may need to look at that Bill vis-à-vis this Motion.

Secondly Mr. Speaker is that we may need to put more flesh into this like when we say we select Members, how many? What is the framework? And how do we do it? So if the Member feels that he needs more time he can tactfully allow this to proceed and we have more time so that we have more flesh but as my neighbour and my colleague, if he feels that he needs to table it then he has my vote, thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): Hon. Leparsalaach.

Hon. Leparsalaach: Thank you so much Mr. Speaker sir. You find that it is written down there that as a resumption of this Motion that was interrupted on 18th February 2021... Mr. Speaker sir there was no interruption as such but Members thought that there is some flesh lacking in this Motion and we wanted more time so that we can put more flesh Mr. Speaker sir and the way Hon. Kimosop has said because I remember he was the one who actually came with that idea and now they still many more time to put more flesh which we have not done Mr. Speaker sir.

Prayer number one is a bit cumbersome because at the moment we are not able to hold three or four meetings per ward because of financial constraints. Now if we were to go to that direction of each Sub Location, there are some wards which have up to 40 Sub Locations. Shall we be able to deliver? We will not. Mr. Speaker sir the intention of the Member is very good but we actually need to improve from the experiences we've had. It is now a Motion of the House so we need to put our input so that when it comes again, in fact we were supposed to have done so that today we will be deliberating on the more flesh that we want to out into this Moi on Mr. Speaker.

So Mr. Speaker sir I totally agree with those Members who are saying we need to put some more flesh because as it is, this is unimplementable. It is very difficult and have some financial implication and we might not be having that window for the finance, thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): I think we have heard enough of the debate and we will now go to the mover, let's hear his response.

Hon. Lemlem: Thank you very much Mr. Speaker. I want to take this opportunity to thank Members who have contributed to this Motion in the earlier session and even today. Mr. Speaker

why this Motion? The last part of the Motion says that the County Government Act states that each County Assembly shall develop laws and regulations giving effect requirements for effective citizen's participation. As we speak today, the current Public Participation Bill or the way we are doing our public participation at the moment is not effective Mr. Speaker and this Motion has made prayers that can we develop a pre-budget public participation. Away from when we are ready to do the public participation. If we can do a pre-budget public participation at the Sub-location level whereby the County representatives has a calendar to visit all these Sub-locations and engage the community at that Sub- location like a public *baraza* and the ideas generated by the people then they just need to sign a document of all the attendants and then they get a proposer and a seconder who will then move upwards to deliver what the community has agreed at the lowest level.

Indeed the African system has taught us that anytime we come up with an idea we think of a budget. Our role is to serve the community however painful or time consuming it is we must reach those citizens at the lowest level. So that was my idea that this will look like a *barazza* but from that *barazza* they can draw representatives who can now go up to the ward and represent the issues of the people.

As per today Mr. Speaker, anytime I attend a public participation people are complaining and saying why we should I have done this. At my village we should have done this at a place I can just work and present my issues to my Government. We have vehicles, time, one year or five years to serve the community. We are not in hurry to rush anywhere.

Mr. Speaker people want be reached in their locations and then we have a feedback mechanism whereby few people can come to the higher level of discussion just like what is happening now. The entire 40,000 people of Marigat ward are in Marigat. I have been sent here to represent them and Mr. Speaker that was the idea which I had and I want to accept the wisdom of Hon. Lotela. If we can now enrich the current Bill because the current Bill is not serving us the way we want. This will give us an opportunity to engage with the people and have a forward way of engaging with the citizens.

Mr. Speaker for the last four years I have been in Marigat ward, I have never known who is the Sub-Location Development Committee. I have never met them but I only see the Assistant Chief or Chiefs from those far ends Sub- Location who come all the way to Marigat and when they are leaving they have to ask for facilitation because the County does not facilitate them. As a responsible leader I am forced to dig into my pocket which I should not be doing. So if the County Government had gone to meet that chief plus his representative at the location, it would have been easier.

A scenario when I was in Tebei the ward champion for Marigat Ward has been accused. You go to Marigat, manipulate our projects and you come back here. So it means the Public Participation Bill that we have at the moment is not effective and my prayer really is can this County Government and Assembly has an engagement from this Motion to enrich that Bill.

So Mr. Speaker I think there is no need to delay this Motion further. We just need to put the question and now the Assembly plus the Executive can relook at that Bill and re-amend it. This atleast give them the opportunity to redo that Bill again and we have a more effective Bill. Otherwise I want to thank all the Members for the contribution and this is an opportunity for us to vote for this Motion, thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): Thank you very much Hon. Lemlem.

(Question Put and Agreed to)

(Applause)

ADJOURNMENT

Order Members, this House stands adjourned until tomorrow the 15th April 2021 at 2:30pm.

The House rose at 3:52pm.