

Tuesday, 14th July, 2015.

Afternoon Session

Time: 02:30 pm

(Prayers by Madam. Speaker, Hon. Pamela Omino)

Motion:

- 1. *The Kisumu County Public Participation Bill, 2014 (1st Reading)***
- 2. *The status of Sanitation in Kisumu County (Hon. Farida Ahmed)***
- 3. *Report from Adhoc Committee on Demolition of Kiosks in Awasi Bus Park.***
- 4. *Management of County Vehicles. (Hon. James Were)***

Madam. Speaker (Hon. Pamela Omino): Order Hon. Members, may I call upon the Clerk to take us through the Order paper of the day.

Asst. Clerk to Assembly: This is Order Paper No. 54, First Assembly, third session of Tuesday, 14th July, 2015 at 02:30 p.m.

Asst. Clerk to Assembly: Order No. two, **Communication from the Chair.**

Madam. Speaker (Hon. Pamela Omino): Hon. Member's good afternoon.

Hon. Members: Good Afternoon to you.

Madam. Speaker (Hon. Pamela Omino): Hon. Members I have two issues to communicate to you.

- 1. Following the resolution of the House on 27th May, 2015 with regards of the position of the Clerk, that was communicated to the transition authority, I have received information of secondment of the new clerk who is Mr. Philip Otiende Adundo to the Kisumu County Assembly. His appointment is of immediate effect. I have therefore communicated to the registrar of the High Court to conduct his swearing in immediately, he reported this morning and he was received by my office.**
- 2. There is advertisement which appeared in the Nation News papers yesterday, I don't know whether they are represented here today, it read "that the Kisumu County Assembly owes Jamii Telkom Amount**

of Kshs.5m” That was a very big lie , I therefore ask them to correct this immediately and apology’s. This information was untrue because as per information received from Jamii Telkom the amount we owe them is Kshs. 4000017 but not Kshs.5M. as was indicated yesterday the Nation News Papers.

Asst. Clerk to Assembly: Order No. three, Messages.

Asst. Clerk to Assembly: Order No. four, Petitions.

Asst. Clerk to Assembly: Order No. five, Papers.

Asst. Clerk to Assembly: Order No Six, Notices of Motion.

Leader of Majority (Hon. Malin Akinyi): Thank you Madam Speaker, I wish to give a notice of Motion on Kisumu Public Participation Bill 2015, 1st Reading.

Hon. Farida Ahmed: Thank you Madam Speaker, I rise to give a notice of Motion on the status of sanitation Kisumu County.

Hon. Charles Aguko: Thank you Madam Speaker, I rise to give a notice of Motion on report of the Adhoc Committee.

Hon. Maurice Aloo: Thank you Madam Speaker, on behalf of Hon. Were, I wish to give a notice of Motion on Management of Kisumu County Vehicles.

Asst. Clerk to Assembly: Order No Seven, Statements.

Commencement of business.

Order Number 8: Motion: Kisumu County Public Participation Bill 2015 1st Reading.

Leader of Majority (Hon. Malin Akinyi): I rise to Move a Motion on the Kisumu County Public Participation Bill 2015 1st reading to be read for the first time and I want to request the minority leader to second.

Hon. Joshua Auko: Madam Speaker, I rise to second that the Kisumu County Public Participation Bill be read for the first time.

Asst. Clerk to Assembly: The Kisumu County Public Participation Bill be read for the First time.

A Bill for

AN ACT of the Kisumu County Assembly to give effect

To paragraph 14 of part 2 of the Fourth Schedule of the Constitution; to establish modalities and platform for public participation in the Governance of the County and for connected purposes.

Madam. Speaker (Hon. Pamela Omino): The Kisumu County Public Participation Bill 2015 has been read for the first time, I therefore commit to the Committee of Justice and legal Affairs.

Asst. Clerk to Kisumu County Assembly: Order No.9. Motion on Sanitation Status on Kisumu County.

Hon. Farida Ahmed: Aware that sanitation is a constitutional right in Kenya whose responsibility rest on county governments. Universal access to improve sanitation yields maximum health, social and economic benefits.

Further aware that Ministry of health developed a Community Led Total Sanitation (CLTS) Road map that was to guide the implementation of CLTS as well as speed up its implementation by all the actors and implementers, both at national and county level. The key principles adopted for the formulation of this roadmap were informed by the fact that the success of any behavioural change in sanitation and hygiene program is only possible when there is a complete absence of Open Defection (OD) from the entire community. Hence achieving the ODF status in all our villages is key objective to be attained. Anything short of an ODF village is not considered as achievement albeit the number of toilets constructed may be high. The definition of a ODF village is therefore a village where :**All homes are free of open defecation : everyone in household uses latrine, infants excreta is disposed off in the pit latrine, there are no files coming in and out of the pity (presence of tight cover), use of Ash after latrine use, streets are free of open defecation, Drains are free of open defecation, fields are free of open defecation and hands are free of open defecation, i.e. everyone regular practices hand washing with soap or ash at critical times.**

In Kisumu County, 31.3% use unimproved latrines, 30% improved latrines, 25.9% shared latrines, while **12.9 still** defecate in the open. The sanitation of Kisumu County is dismal.

The uptake of CLTS which is meant to spur rapid gains in sanitation is not encouraging. Kisumu County has a total of 1,490 villages out of which only 483 have been triggered with only 354 progressing on to achieve an ODF status. The sub county performance indicates that Nyakach with a total of 425 villages only managed to triggered 133 villages and only 126 have obtained ODF status, Muhoroni with 222 villages triggered 2 and only 2 have obtained ODF, Kisumu east with total villages 257, triggered 7, only 2 have obtained ODF, Kisumu West with a total villages 257, triggered 7, only have obtained ODF, Seme with a total of 242 have triggered 139 and only 55 have obtained ODF. It is only in Nyando Sub-County with a total of 149 villages that triggered all their villages and went ahead and obtained ODF status and thus earning it the second sub-county to become ODF in Kenya after Nambale in Busia County .Madam Speaker, in the county sanitation benchmarking by the Ministry of Health in conjunction with the water and sanitation program, Kisumu county is ranked number 10 out of 47.

Further profiling indicated that Kisumu county also loses Kshs.740M each year due to poor sanitation (Economic of sanitation in Kenya). This includes losses due to access time premature death, health costs and productivity . This cost does not include some costs that could be significant such as water pollution.

Madam Speaker, one of the major causes of poor sanitation is poor toilet coverage and sewerages system especially in the informal settlements. These informal settlements harbour a big chunk of our population and many homes there do not have toilets, prompting most of the people living there to embrace open defecation which is serious health hazard.

Honourable members the county sanitation program needs to be improved and current 30% needs to be reviewed upwards to 60%. If this happen then it means interventions need to be put in place such as community awareness programs, we need to work on improving toilets coverage and sewerage systems. We need also to come up with legislation on sanitation for the county. This requires proper budgetary allocation to be effected. Currently, if you look at what has been factored in the budget it is only Kshs.6922000 whose use is also not clear as it indicates that it is for of

goods and services. The allocation for sanitation needs to be looked into and clearly spelt out on what areas it will address . There should also be allocation for formulation of legislation on sanitation for our county. I now request this honourable house to deliberate these issues and come up with further recommendations that will pave way for clear and healthy Kisumu County.

Hon. Moses Ochele: Thank you Madam Speaker, today I came to this Assembly feeling low and the Messages you have just read may they be done the way you have just read them, I rise to second the Motion on the Status of the Kisumu County, we are struggling to save coins to build something that can be felt by the residents but not struggling Madam Speaker, to spend money on treatment on diseases that we can easily prevent, on the open defecations, in tropical Africa the major enemy of our former colony was all about poor sanitation, and it is sanitation that takes better percentage based on open defecations .

It is sad to note that WHO has come up with statistics that Kisumu as a County waists around Kshs.7000040 annually, I was trying to imagine if all that money collected and diverted to major projects that can generate income and change the lives of people. Going with our implementation rates of our projects in our budget F/R 2014/2015 the total cost of the projects which were propose is Kshs.1.5b. if this money can be spend properly. In our sub-county I can just imagine what we can achieve with that money.

Wasting Kshs.70000040 annually is bad but if it can be divided to each ward it can be good. I want to give an example; in Nyando when I was young, Nyando Sub-County used to be on Headlines as Cholera prone Zone, the causes of the cholera are quite open and everybody knows them and its controls. Madam Speaker, it took the efforts of the Governments and NGOs to went round to educate and this process was not only done in Nyando but all over Kenya but unfortunately I don't want Nyando people to brag, Nyando People listened to the words of the educators and acted promptly. Madam Speaker, to attain the ODF status doesn't only mean to have toilets in every House Hold; you can have toilets in every house but not achieving ODF still, in many cases the mothers once they have handled

their children that is after the call of nature they just through them anyhow/carelessly and by throwing them outside you at risk just like that person who doesn't have toilet.

Madam Speaker, certain area in this county can try to achieve this ODF status but still the environment is not free from the effects of other sub-counties, for example however much Nyando has attained because we have been informed that Nyando has got 149 villages units out of these villages inspected and all of them have attained ODF status, going by the place of Nyando you will realize that if Muhoroni is not well taken care of, if they don't attain ODF status then the effects of bad sanitation will split over to Nyando because water use in Nyando is majorly coming from Muhoroni and lower parts of southern Kericho.

I want to thank the mover of this motion for having realized that it is high time we educated ourselves, it is high time we spread this information to our people, so Nyando cannot pride of to be safe because our neighbours are not and I don't want to blame the leadership for example in Muhoroni being sugar belt area and the cane caters normally don't use the toilets because there are no toilets in the farms.

It is a common knowledge that flies have got no home and they can parched on anything and it can fly to any house hold even in the house hold of the H.E. Governor that means the flies have got no respect to any status.

It is upon everybody that we help in spreading this crusade of ODF so that very body be free from this menace, it is through this House because this motion only give us guidelines let us come with ideas on how best can we improve it and what input can be done to ensure that we attain 100% ODF, I am appealing to this House that, this is one of the very rare motions and it sound a little beat technical which few people can understand the technicality within it but put the technicality aside but think with the very man in the village through that I know you have a responsibility and duty to do. In many cases some of the issues related to sanitations have been handled by the NGOs and most of these NGOs are winding up and leaving soon, my worry is who will be left with the responsibilities of sanitations in ensuring that our people are educated in this if most of these NGOs wind

up, eventually this task will be left to the County Government, so if the County Government does not prepare up in time then we will be spending more than Kshs.7M in treating sanitation related diseases e.g. Diarrhoea, Decency, typhoid and Cholera and if you go to most of our Hospitals to day, you will realized that apart from malarial drugs the next drugs that should be that covers these categories of diseases.

I therefore ask the Hon. Members of this Assembly to come up with plans and advice the County Government on areas and ways of controlling this menace, Thank you very much and I beg to second.

Madam. Speaker (Hon. Pamela Omino): Thank you very much a motion on status of sanitation Kisumu County has been moved and seconded and I propose a question for further debate.

Hon. Salome Lunghafa: Thank you Madam Speaker, I rise to support this Motion on status on sanitation of Kisumu County, I want to congratulate Hon. Faridah for bringing such important motion like this, we as the legislatures in this House discussing this motion, I think it should start here at Assembly precinct and I stand to say that it is very unfortunate that we are operating on a very dirty compound, Hon. Faridah as the vice chair for health I think she has taken her opportunity to walk all over the Kisumu County to see the rate of ODF.

Hon. Caroline Owen: Point of clarification.

Madam. Speaker (Hon. Pamela Omino): Granted.

Hon. Caroline Owen: I just want clarification from the Hon. Member to clarify whether we have problem on sanitation on this compound.

Madam. Speaker (Hon. Pamela Omino): Hon. Salome can you clarify that.

Hon. Salome Lungafa: Unless Hon. Owen is not using the toilets in this compound and even right inside the Assembly you can easily smell the odours from the toilets, so I don't think I am wrong to say that sanitation should start right in the Assembly precinct we should make a budgetary allocation for cleaning of our sewer system because now we have a very big population in Kisumu County which cannot be managed by the sewer

system done long time ago. I think this Motion is very important and I stand to support it.

Hon. Caroline Ogot: Thank you Madam Speaker, I stand to support this Motion brought by Hon. Faridah, the sanitation is quite wide and to continue from where Hon. Salome left however enclose our toilets are they should be of standard, we only have one hole at our Toilets so if five of us are oppressed then it will force to do our things outside there and that amounts to open defecation, going to the toilet is a luxurious thing, it is relief and enjoy full moment for any one of us, when you go to the toilet you relax and I am imagining a situation where I have to gone the bush and looking in a situation where we have women in the market I don't know what we will do without the toilets apart from defecating openly that means I have to do it quick and fast that way I don't get the relief anymore .

As we celebrate the world toilet day, that is will be on November 19th and it is done yearly, we will be fine after the figures mentioned shall have improve to probably a better if not worse in statistics , in slams and flood prone areas where most people do their things openly and we have the boreholes and that means during rainy seasons when rainy water flows it carries “staffs” across the boreholes, so you can imagine what happens with water, people will be drinking and cooking with this water because that is what they have, so you can imagine they are using water that is mixed with “shits” so I don't think it will be good and this again is tantamount to the spread of diseases .

Toilets are known to add live expectance with 20years, so anytime you walk to a wash room that your life expectance is added with 20years, I don't think we as the legislatures would like a situation where our voters lives expectance reduces and that means we are losing out, so it would be better to have this facilities put in place .

In schools we have boys and girls, I have heard it that some of our schools do not have separate toilets for boys and girls and they share, so this could also lead to high rate of rape, The mad men and I said this to mean the men that cannot differentiate whether this is daughter, sister or a child who

when risen they can jump on anything, in a situation where we have family sharing the same facilities then the risk of being rapped is high.

The sanitation especially the proper one even to us here in Assembly is a right and must be observed, therefore I stand to support this motion.

Hon. Willis Ogunyio: Thank you Madam Speaker, I stand to support this motion on status of sanitation of Kisumu County.

Hon. Paul Okiri: Point of information.

Madam. Speaker (Hon. Pamela Omino): Granted.

Hon. Paul Okiri: When this Motion was brought to This House we expected to hear from other Hon. Members but it is so happening that only Hon. Members from the Health Committee are the same people contributing on it Madam Speaker.

Hon. Moses Ochele: Point of information.

Madam. Speaker (Hon. Pamela Omino): Granted.

Hon. Moses Ochele: This motion was brought here by Hon. Faridah it was not a motion sponsored by the Committee further the seconder of this motion is not a member of the health committee .

Hon. Willis Ogunyio: Madam Speaker, I was on the point of supporting this motion, it is a very important motion that requires a lot of input from Hon. Members and I want to thank the mover of this motion, in our markets there is bad sanitation and at least toilets should be built in our markets, several markets are yet to be closed because of poor sanitation and in these markets are where we do get our revenues, also we should ensure that in every ward there must be a public toilet, as I was growing up by then the chief used to walk around to check if there are toilets in every house hold, Madam Speaker, I am requesting let us allocate funds for construction of toilets in our public schools, most of the primary schools have got only one per each which is being shared by both boys and girls. Finally Madam Speaker, health has been devolved; money paid for the use of toilets should be reduced.

Hon. Aggrey Ogesi: Thank you Madam Speaker, I also rise to support this important motion on sanitation in the Kisumu County it is true if people are allowed to defecate openly then we are allowing a number of diseases in our County therefore it is important that we eradicate open defecations in Kisumu County.

Madam Speaker, in the report that Hon. Faridah has heavily borrowed from to come up with this motion it was indicated that it not only the availability of the toilets but it is also the community sensitizations, it is important for us to look at the report and see how did Nyando Sub-County achieve its status it is because they did a lot of community sensitization and I want to agree with what Hon. Salome was saying that in certain cases after our toilets have been used they are left in deplorable manner and in this Assembly if the bushes were around then I could use them, it is important what Hon. Salome Lungafa was talking about, that it is not only building the toilets but keeping clean the ones we have in that when you walk inside them you are encouraged to use them.

The other thing that was captured in that report is that Nyando sub-County used school children to sensitized people by doing a lot of songs and poems on open defecation Madam Speaker, they were also using women groups, in that report it was agreed that Nyando Sub-County to do sensitization to neighbouring sub-county, it so interesting because in that report it was indicated that remaining sub-Counties were to achieve their ODF by 2016 and we are few months away from 2016, may be things have changed and Seme Sub-County could be leading by now, in Nyando children formed a vigilant group against those that defecate openly through all these they achieved that status, so this is one techniques that we can use even in other sub-counties so that we achieve this ODF status, I support this report and I believe this will help to get rid of diseases like cholera and typhoid and I beg to support thank you.

Hon. Lydia Ndege: I rise to support this motion and mine is to give out one point in regards to sanitation in Kisumu County and any place where people were are gathered they is waist accumulations, so if we have poor planning that means we will have open, burst sewer system and low flow of water and that means that we cannot have proper sanitation, if we have

proper planning of the city then we will have proper sanitation otherwise even if we discuss this without proper planning we will not get anywhere .

In places like in Nyalenda, Obunga where people are populated and they don't have access to water, toilets and they have open sewer system, so I beg to support this motion and I still insist that proper planning is the way to go.

Hon. Joseph Osano: Madam Speaker, if you look at what Hon. Faridah has just read to us and this project started back in 2007 and it was dubbed "wash hands poa" and it was initiated by caretaker and Great Lakes University and they were using schools to sensitize people, Madam Speaker, if you go to Nyando what this organizations did they went to schools sensitizing people and they even built toilets under the concept of caretaker, the main reason of doing this was to sensitize "wanainchi" and it was done in Nyando, Suba and in Rachounyo the reason being these areas were in worst state.

The main reason why I am supporting this Madam Speaker, In Kisumu County you will find toilets which are being manned by Kisumu County employees and this generates income, let them built new models so that we can collect revenue on them, let us come up with new models that can accommodate even people living with disability . Let us empower groups e.g. Women groups we built for them toilets so that we can collect revenues on those built toilets, I want to thank the Hon. Member for bringing this motion, though the Chairperson for health didn't know what we are discussing.

Hon. Caroline Owen: I want to congratulate the sponsor of this motion because there are a lot of information that some of us are seeing for the first time, I have been to all these sub-counties in Kisumu and I saw sign boards "No open defecation in this area" and I was wondering what it was all about, now I can understand what it was about.

I want to say I as a resident of Kisumu West Sub-County I don't think it was done in my sub-county (sensitization) because I have never seen any sign board, having lived in kisumu west sub-county for better quarter of a century I am yet to know whether there is still open defecation there and if

at all it is there then it should be addressed very fast because we know the dangers of openly defecation, in Kisumu west there are no many toilets and sometimes I wonder why there is bad smell from toilets when you pass near schools in Kisumu west sub-county, so it means that these schools do not have proper defecation about what ODF is about.

The Health department must take it very seriously to come out to sensitize people, you cannot compare one community with another where the other one is informed and the other one is not informed, I want to ask the Chairman for health to take this matter to health committee and health department so that we begin a serious sensitization to our people, in some places latrines are dug in places where the water table is very high and this is why it is important that our people can to know where the latrines can be dug, I want to support this motion and encourage the health committee together with the health department to come up with a program of sensitizations and this is something that could have been done long time ago, thank you Madam Speaker for giving me opportunity to support this motion.

Hon. Fanuel Aim: Madam Speaker, I stand to support this motion looking at the mood of the House and I think most of the Hon. Members have contributed on this motion, I beg the mover to reply .

Hon. Joshua Auko: A Country where there is no proper sanitation that means anybody can easily get diseases, I want this House to come up with proper legislation to make sure laws are put in place such that if somebody goes against laws establish by this county then they can be penalized .

Madam Speaker, at this juncture if you go to market places especially in rural areas there is serious sanitation problems, we should come up laws to compelling public health officers to perform their duties seriously.

Hon. Maurice Aloo: Madam Speaker, I also rise to support this motion and I want to say that it is a motion that has come at the right time and being a Hon. Member coming from Nyando, during our early days we were seriously affected by the bad sanitation this because of perennial floods, through floods waists were transported from rift valley to Nyando and that really affected us in terms of sanitation, sanitation is condition related to

health especially availability of clean water and how we dispose of our wastes, so we had a serious problem, what the leaders by then did Mr. Speaker they came to sensitizing them to construct pit latrines and the responses were good because we even didn't have bushes to go Madam Speaker and that is why most of the affected areas bushy area and they include Seme and Kisumu west Sub-Counties.

Hon. John Kadede: Point of order.

Madam Speaker (Hon. Pamela Omino): I want to inform the Hon. Member that Seme Sub-County there is a lot of improvement, so let him stick to the motion.

Hon. Maurice Aloo: Madam Speaker my argument is based on what was read by the mover of the motion, the bushy areas are much affected and in Kano there were no bushes so didn't have place to go to and that is why our leaders came in very fast to build us latrines and they did it with a lot of passion and even people were being arrested if you did not have a pit latrine, the affected areas should be marked out and come up with the ways of sensitizing members of the affected areas and where possible as a county we should allocate funds for digging pit latrines especially in markets and any other public places, and we should also allocate funds for disposal of waste and if possible let us come up with draft bill of sanitation to help us address this issue, thank you Madam Speaker.

Hon. Elijah Omondi: The best doctor is clean environment, the health facilities are overcrowded because of diseases caused by poor sanitation, it is therefore in health budget it should be more of preventing than treating Madam Speaker, and I can see the people of Nyando are proud of this is because all of the health resources have been taken to Nyando. The first Luo medical officer Prof. Ogada was from Nyando (interruption)

Hon. Moses Ochele: Point of information.

Madam Speaker (Hon. Pamela Omino): Granted.

Hon. Moses Ochele: I think the contributor is completely out of order and he is lacking information, when he is saying that Prof. Ogada came from Nyando then that tells you that he is talking on appointment of not knowing,

Prof. Ogada was raised, died and buried in Muhoroni sub-County, he is talking of resources being taken to Nyando, since this county was born it was tasked with the mandate of passing the budget is this Assembly, I think that budget for health for Nyando has not hyped.

Madam Speaker (Hon. Pamela Omino): Hon. Elijah are you well informed?

Hon. Elijah Omondi: Madam Speaker, he is informing me of what I know, but Madam Speaker, the resources should not be allocated to one side but it should be rotational, even the positions should be rotated including the Governorship Madam Speaker, because some areas are neglected, so that the resources can be evenly distributed Madam Speaker.

Hon. Petronilla Auma: Thank you Madam Speaker, I rise to support this important motion and I want to congratulate Madam Faridah for having brought this to the House...

Chief Whip (Hon. Isaya Onyango): Point of information.

Madam Speaker (Hon. Pamela Omino): Granted.

Chief Whip (Hon. Isaya Onyango): Madam Speaker, I heard Hon. Faridah reading her motion but there are seasons in Nyando where there are a lot of floods, so what happens during this flood season.

Madam Speaker (Hon. Pamela Omino): That one will be answered when she will be replaying.

Hon. Petronilla Auma: Madam Speaker, it is so unfortunate that we are discussing a very important motion but some people are not paying attention and the statistics which were read before us are those statistics that take various account to the number of villages and how they have achieved the ODF status, now I rise to support this motion and I praise Hon. Faridah for having brought this into the House so that we can turn the motion to be our projects and I hope through this House we are going to do this especially when we realized that through sanitation and hygiene this are the only areas that drive the socioeconomic developments and contributes to a cleaner environment which we all would like to be in, like what was done in Nyando it would be very sad if the statistics would read differently by now, so what I would say is if this House would come out with some

recommendations that will make this ODF attainable in all other Sub-Counties , and people should understand that once you have built an House the next thing is to build a toilet that is in every home stead, market places and any public places if we can do that then Madam Speaker we will be getting somewhere , I am looking forward to see this motion to bring some life concept in Kisumu County and I rest my case and support this motion, Thank you Madam Speaker.