COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FOURTH SESSION

Wednesday, 14th May, 2025

House met in the Main Chamber at 9:00 a.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

The Speaker (Hon. Oraro): Clerk, can you take us through the order of the day.

The Speaker (Hon. Oraro): Next order!!

STATEMENT HOUR

The Speaker (Hon. Oraro): Yes, the Honourable Leader of Majority.

Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you very much Honourable Speaker. I rise to give Statement of schedules of programs for the week for the Members. Starting today,

Wednesday, 14th May, 2025 at 09:00 a.m.

SUBSTANTIVE BUSINESS

Motion on the adoption of report of the Departmental Committee on Lands, Physical Planning, Housing And Urban Development on the Proposed Sub-lease of Land to Med Aditus for Establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone.

Wednesday, 14th May, 2025 at 02:30 p.m.

SUBSTANTIVE BUSINESS

Motion on the adoption of the report of the Joint Departmental Committees of Finance And ICT and Agriculture Fisheries, Livestock Development and Irrigation on the Kisumu County Cess Bill 2024.

Thursday, 15th May, 2025 at 02:30 p.m.

PAPERS TO BE LAID

1. Honourable James Omollo, Chairperson, Select Committee on Implementation will table a report of the Implementation Committee on the Implementation Status of House Resolutions on the report of the Public Investments and Accounts Committee on its consideration of the Auditor's General report on the Financial Statement of Lumumba Level 4 Hospital for the year ended 30th June 2022.
2. Another paper to be laid by Honourable Benson Adega, that is report of the Select committee on House Powers and Privileges on Benchmarking Exercise with Nairobi City County Assembly.
3. The Chairperson, Select Committee will table a report of the Selection Committee on the benchmarking exercise with Uasin Gishu County Assembly.

NOTICES OF MOTIONS

Report of the Implementation Committee on the Implementation Status of the House Resolutions on the report of the PICPAC committee on its consideration of the Auditor General's report on the Financial Statement of Lumumba level 4 Hospital for the year ended 30th June 2022.

SUBSTANTIVE BUSINESS

1. Second Reading of the Kisumu County Cess Bill 2024, Kisumu County Bills No. 4 of 2024 by Hon. Carren Odhiambo.
2. Motion on Adjournment on the Definite Matters of Urgent County Importance, Sector deliberations on the Kisumu County Proposed Budget Estimates Financial Year 2025-2026. Then on Monday, and this is very important for all the Members, and you can inform your neighbor that is not present.

Monday, 19th May, 2025 and Tuesday, 20th May, 2025

We will have Consultative Meetings between Sectoral Committees and their respective line departments on the proposed Kisumu County Budget Estimates For Financial Year 2025-2026 and on Tuesday we will have the same. I will share the proposed schedule in our official page. Thank you.

The Speaker (Hon. Oraro): Yes, Honourable Zachary Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you, Mr. Speaker. I rise pursuant to the provisions of Order No. 14 (2) (b) of the Kisumu County Assembly Standing Orders to request a Statement from the Chairperson of the Departmental Committee on Infrastructure, Energy and Public Works regarding the current Deplorable Condition of Nkrumah Road and the measures being taken to ensure its repair upgrading by the Kenya Urban Roads Authority that is KURA.

Honourable Speaker, Nkrumah Road, a vital feeder road serving my constituents of Usoma Village, has continued to deteriorate due to prolonged neglect and lack of maintenance. The road is not only essential for the movement of residents within Usoma and adjoining areas, but it also serves as the key access route for several corporate institutions and national government parastatal operating in the area.

Mr. Speaker, its current condition has greatly hindered access to services, disrupted transport for goods and personnel, and poses a significant safety risk to motorists and pedestrians alike. I therefore request that the Chairperson, Departmental Committee on Infrastructure, Energy and Public Works provide a response on the following;

1. Detailed update on the current structural and maintenance status of Nkrumah Road, including any assessment reports by relevant agencies?
2. Clarification on whether KURA has assumed responsibility for the maintenance and upgrading of the road and the role of the County Government in coordinating the same?
3. Report on any steps taken by the County Government through the Department of Infrastructure or otherwise to formally engage KURA on rehabilitation of Nkrumah Road?
4. Information on whether any funds have been allocated in the current or upcoming Financial Year towards the upgrading of Nkrumah Road, and if not, what steps are being taken to secure such funding.
5. Expected timeline for the roads rehabilitation and the specific officers or agencies accountable for ensuring the work is undertaken efficiently and effectively.

Honourable Speaker, this is a matter of public concern affecting not only the residents of Usoma Village, but also the broader economic and institutional ecosystem in the area. Timely intervention and follow up with the KURA is necessary to ensure that this critical infrastructure is restored to understand that the fits its usage and significance. Thank you Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Members, the statement by Honourable Zachary Okoyo is properly before the House. I'm not able to see the Chairperson, Departmental Committee on Infrastructure however, the Honorable Majority Leader, you want to say something?

Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you very much Honourable Speaker. I'm also a Member of Roads Committee and on behalf of the Chairperson, I would like

to respond. One, Honourable Speaker, I agree with the Honourable Member that Nkrumah Road is in a very deplorable state and the road is maintained by Kenya Roads Authority, which is a parastatal and a national government.

So, I believe that, the Nkrumah Road is being oversighted by the National Assembly and it is good for the Honourable Member to get in touch with the area Member of Parliament to make sure that the issue is addressed. Thank you.

The Speaker (Hon. Oraro): What is it, Honourable Okoyo?

Hon. Okoyo (MCA, Central Kisumu): Thank you Mr. Speaker. I'm happy most of us are Christians and it is my belief that we all read the Bible. The Bible says my people perished because of lack of information. Maybe the Honourable Majority Leader doesn't have this information. We as the County Government, the Constitution of Kenya 2010 explain very well that we are distinct but interdepend with the National Government.

Mr. Speaker, Nkrumah Road, yes, is being maintained by KURA, but KURA is just another delegated parastatal which uses the public fund. The public came out to ask the county government to see to it if they can intervene so that they have Nkrumah Road for their safety and accessibility. Mr. Speaker, this is not, I didn't want to respond to this. This is not the first time I personally as the area MCA plus the County Executive Committee Member for Infrastructure and Public Works convened a meeting to see on how we can have Nkrumah Road accessible and safe for the residents of Usoma. So Mr. Speaker, if we can go through, if Majority Leader can go through my statement, we are asking the County Executive of County Government of Kisumu to intervene so that my residents of Usoma can have a good road for their safety and accessibility. And that's why I am requesting the Departmental Committee on Infrastructure to intervene so that whatever we've been discussing with the County Executive Committee Member for Infrastructure can come to pass so that the residents of Usoma can have a better road. Thank you.

The Speaker (Hon. Oraro): Yes Honourable Sammy Onyango.

Hon. Onyango (MCA, Railways): Thank you Mr. Speaker. I want to support the Majority Leader on the same.

The Speaker (Hon. Oraro): Order!! Hon. Onyango. It's not a debate. Are you a member of Departmental Committee on Infrastructure?

Hon. Onyango (MCA, Railways): Mr. Speaker….

The Speaker (Hon. Oraro): Are you a member of the Departmental Committee on Infrastructure?

Hon. Onyango (MCA, Railways): No but Mr. Speaker, the said road is also part of the Railways Ward.

The Speaker (Hon. Oraro): Honourable Onyango, you have not responding to my question. Are you a member of the Departmental Committee on Infrastructure?

Hon. Onyango (MCA, Railways): Mr. Speaker, I'm a Member of the House.

The Speaker (Hon. Oraro): Honourable Sammy, you are not responding to my question. Are you a member of the Departmental Committee on Infrastructure?

Hon. Onyango (MCA, Railways): I'm a friend of that House Committee.

The Speaker (Hon. Oraro): Honourable Sammy, just learn to answer the question. You don't know what I'm going to ask you. Maybe I'm helping you. Are you a member of the Departmental Committee on Infrastructure?

Hon. Onyango (MCA, Railways): No. Mr. Speaker, but the said road traverses through my Ward.

The Speaker (Hon. Oraro): I mean, if you are rising, then you just need to say that you'd want to add something because that road also cuts through your ward.

Hon. Onyango (MCA, Railways): Mr. Speaker, I want to add something.

The Speaker (Hon. Oraro): Okay, next time you ask, just answer the question your asked. Don't go in circles. So, one minute.

Hon. Onyango (MCA, Railways): Thank you, Mr. Speaker. I want to add something. Mr. Speaker, this road falls under my ward and as the Leader of Majority has said, I also realize that it belongs to national government and I had a talk to the area Member of Parliament, Honourable Joshua Oron, and I believe that they are working on it. So, I just want to inform Honourable Okoyo on the same.

The Speaker (Hon. Oraro): Honourable Deputy Leader Majority, what did you want to say?

Deputy Leader of Majority (Hon. Owade MCA, South East Nyakach): Thank you, Mr. Speaker. I just wanted to reinforce what my the leader of Majority has said and also to inform Honourable Okoyo that on matters of national issues, the County Government has very little to do. We deal with our functions and the functions that are devolved in roads, are County roads, not National roads. KeNHA is a national function; KERRA is a national function, the same to KURA. If a road has been classified to be under KURA, definitely it is in the national government, and as rightfully as the Leader of Majority has directed you, you should follow it up with the are Member of Parliament who is a national representative. As a member of the

Departmental Committee on Infrastructure, Energy and Public Works, I can authoritatively reply to you that we have very little, if not none at all, to handle matters of KURA, KERRA and KeNHA. As it is, the roads belong to KURA and therefore follow it up with your Member of Parliament. Thank you.

The Speaker (Hon. Oraro): Honourable Okoyo, I want to make a determination on this matter, or what is it that you want to say?

Hon. Okoyo (MCA, Central Kisumu): Mr. Speaker, thank you. Let me just add something on my rejoinder. Mr. Speaker, the National Coordination Act of 2012 explains what I am putting across very well. Mr. Speaker, yes, Nkrumah Road is or should be done by KURA, but that does not bar us from asking what arrangements are in place to maintain the road. As the area MCA, I believe I still have the mandate to ask what is going on, and I can only do this through the Committee of the Assembly, which is the Departmental Committee of Infrastructure, Energy and Public Works. So, Mr. Speaker, I believe this Departmental Committee can still intervene so that the residents of Usoma can have a better road. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honourable Members, I do not want to open this statement for debate, however, I see that it is attracting a lot of emotions, I mean; it is going to open a debate which I want to shy away from.

Now, I want to make a determination that, your work as an MCA representative number one, regardless of whether you are representing members who subscribe to the National Government or the County Government. But I am aware that the schedule four of the Constituent provides for what is devolved fully, partially, and those that are retained at the National Government. I believe that for us to sort out this matter, I want to commit this Statement to the Departmental Committee on Infrastructure, Energy and Public Works, so that all that discussions are brought in a formal way. If this road is supposed to be done by KURA, let it come formally in the House, so that we certify the residents of Usoma and led by Honourable Okoyo. So, the Departmental Committee on Infrastructure, Energy and Public Works, I believe that, this is something that we need to work on latest 28th of May, so you can even bring a report tomorrow. But the latest that we expect a report from this House Committee on this matter is 28th of May, 2025. I so rule.

The Speaker (Hon. Oraro): Next order!!

MOTION

ADOPTION OF THE REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS, PHYSICAL PLANNING, HOUSING AND URBAN DEVELOPMENT ON THE PROPOSED SUB-LEASE OF LAND TO MED ADITUS FOR ESTABLISHING A PHARMACEUTICAL

MANUFACTURING PLANT IN KISUMU AND SUPPORT FOR ITS CONVERSION TO A SPECIAL ECONOMIC ZONE.

PRESENTED BY;

HON. RATIB BOITONE, MCA, NYALENDA "A"

(CHAIRPERSON, LANDS, PHYSICAL PLANNING, HOUSING AND URBAN DEVELOPMENT)

The Speaker (Hon. Oraro): Honourable Ratib Boitone.

Hon. Boitone (MCA, Nyalenda A): Thank you, Mr. Speaker. Mr. Speaker, I arise to present a Report of the Departmental Committee on Lands, Physical planning, Housing and Urban Development on the Proposed Sub-lease of Land to *Med Aditus* for Establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone.

Honourable Speaker, on behalf of the Sectoral Committee on Lands, Physical Planning, Housing and Urban Development, I am honored to present to this Honorable House the report on the proposed sub-lease of land to Med Aditus Kenya for the establishment of a pharmaceutical manufacturing plant in Kisumu County, and to express the Committee's support for the conversion of the same parcel of land into a Special Economic Zone (SEZ).

The communication relating to this matter was received on 3rd December 2024 through the Office of the Clerk of the Assembly. The matter was subsequently tabled in this House. Pursuant to the Standing Orders, the Hon. Speaker directed the sectoral committee on Lands, Physical Planning, Housing and Urban Development to conduct an inquiry and report back within twenty-one days. (See Annex 1)

In undertaking its role, the Committee engaged the parent department to gather clarity on technical aspects and reviewed documentary evidence provided to it for procedural compliance.

Honourable Speaker, the proposal originated from a Memorandum of Understanding (MoU) signed in 2021 between the County Government of Kisumu and Med Aditus Kenya, a subsidiary of a U.S.-based pharmaceutical initiative. The MOU aimed at establishing a pharmaceutical manufacturing plant to improve healthcare access and promote economic development within the County.

The County Government identified a ten-acre parcel of land in Miwani, situated adjacent to the Great Lakes University of Kisumu, as the most suitable site for the project.

To facilitate the partnership, the County Government, through the department of Lands, Physical Planning, Housing and Urban Development put a proposal of twenty-five million in the proposed budget estimates FY 2023/2024 for acquisition of Land. This proposal was approved by this committee and subsequently by the County Assembly. An amount of

Honourable Speaker, subsequently, the County Government initiated direct procurement of the land from the Tropical Institute of Community Health and Development (TICH), acting in trust for GLUK at an amount of twenty-two million.

It was the observation of the committee that this method of procurement was justified under the Public Procurement and Asset Disposal Act, 2015 due to the uniqueness of the site and absence of alternative parcels. The procurement process was supported with all required documentation.

Subsequently, a formal concession agreement was signed in February 2024 outlining the obligations of both parties. The agreement covered land provision, utility facilitation, compliance, and timelines, and included a 40-year concession period with a clear dispute resolution framework.

In addition to land matters, the Committee noted that the County Government had initiated a formal engagement with the Special Economic Zones Authority (SEZA), seeking to have the site designated as a Special Economic Zone. The Authority acknowledged receipt of the request and guided the County on the next steps, including submission of a feasibility study, environmental approvals, a master plan and approval from the County Assembly.

Honourable Speaker, the Committee further reviewed the report on public participation and established that extensive consultations had taken place with the community. Stakeholders raised valuable questions and recommendations around employment, training opportunities, intellectual property safeguards, infrastructure, and timelines. The Committee was satisfied that public participation was conducted in line with Article 10 of the Constitution and Section 115 of the County Governments Act.

Honourable Speaker, it was evident to the Committee that this project is aligned with the County's economic development and industrialization strategy, national healthcare reforms including Universal Health Coverage, and the broader objectives of Vision 2030. The project promises to deliver numerous benefits, including job creation, enhanced access to quality medicine, industrial innovation, and positioning Kisumu as a key pharmaceutical hub in the region.

Based on the legal compliance, stakeholder engagement, and the transformative potential of the project, the Committee is satisfied that the proposed sub-lease meets all conditions required by law and public policy. The Committee therefore resolved to recommend that this Honorable House approves the sub-lease of the ten-acre parcel to Med Aditus Kenya and supports the designation of the area as a Special Economic Zone.

Honourable Speaker, I wish to sincerely thank the Members of the Committee for their commitment and objectivity throughout the process, and also acknowledge the invaluable support from the Offices of the Speaker and the Clerk of the Assembly, as well as the Committee secretariat

It is now my humble duty to table this report before the House and to urge this Honorable Assembly to adopt it.

Establishment and Mandate of the Committee

Mr. Speaker and Honourable Members, the Sectoral Committee on Lands, Physical Planning, Housing and Urban Development is established under Standing Order No. 193 of the Kisumu County Assembly Standing Orders, whose mandate, pursuant to the Standing Orders No. 193 (5) is as follows;

i. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments
ii. Study the programme and policy objectives of departments and the effectiveness of the implementation
iii. Study and review all County legislation referred to it
iv. Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives
v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly
vi. To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187 (Committee on Appointments)
vii. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Composition

Mr. Speaker and Honourable Members, the Committee on Lands, Physical Planning, Housing and Urban Development as currently constituted comprises of the following Members:

1. Hon. Boitone Ratib - Chairperson
2. Hon. Tom Nyaoke - Vice Chairperson
3. Hon. Seth Ochieng - Member
4. Hon. George Abaja Member
5. Hon. Moses Ochele Member
6. Hon. Zackaria Okoyo - Member
7. Hon. Joachim Oketch - Member
8. Hon. Nereah Okombo - Member

9. Hon. James Were – Member

Secretariat

1. Mr. Austine Ochieng - Clerk Assistant
2. Mr. Rodgers Wagude -Committee Clerk Assistant
3. Ms. Vallery Achieng - Hansard Reporter
4. Mrs. Faith Judith - Sergeant-at-Arms

Legal Framework

Honourable Speaker, the consideration of the proposed sub-lease of public land to Med Aditus Kenya and the subsequent support for its conversion into a Special Economic Zone (SEZ) was guided by various constitutional, statutory, and policy frameworks. These instruments ensure that land allocation, public-private partnerships, and economic zone development are done in a transparent, accountable, and lawful manner.

The key legislative and policy instruments include:

The Constitution of Kenya, 2010

a) Article 60 outlines the principles of land policy, including equitable access, sustainable and productive management, and transparent administration.
b) Article 66 provides for the regulation of land use and property in the public interest, which includes promoting investments that support economic development.
c) Article 69 outlines obligations regarding sustainable development and land resource management.
d) Article 174 and Part 2 of the Fourth Schedule empower County Governments to manage land, planning, and development within their jurisdictions.

The County Governments Act, 2012

a) Provides the legal foundation for governance at the county level, including public participation (Section 87–91) and coordination of development activities.
b) Section 104 and 108 mandate counties to prepare and implement County Integrated Development Plans (CIDPs), which must guide resource allocation and major investment decisions such as this one.

The Land Act, 2012

a) Governs the administration and management of public land, including allocation and lease of land.
b) Provides the framework for public-private partnerships on public land and the conversion of land use rights.
c) Sections 9 and 12–14 detail the functions of the County Government and the National Land Commission in managing public land.

The National Land Commission Act, 2012

a) Establishes the National Land Commission (NLC) and outlines its functions in overseeing the allocation and administration of public land.
b) Empowers the NLC to evaluate and approve land allocations by County Governments, including sub-leases and transfers of interest in land.

The Special Economic Zones Act, 2015

a) Provides the legal framework for the designation, development, and management of SEZs in Kenya.
b) Stipulates the procedures for identifying suitable land for SEZs, licensing developers and operators, and providing fiscal and non-fiscal incentives to promote investment.
c) Aligns with Kenya's broader Vision 2030 economic strategy and Kisumu County's development plans.

The Public Finance Management Act, 2012

a) Ensures accountability and prudent use of public resources in development projects.
b) Provides for oversight by the County Assembly in the approval of public investments.

Public Participation Framework

a) As required under Article 10 of the Constitution and Section 115 of the County Governments Act, public participation is a critical part of any land-related or investment decision by County Governments.
b) The Committee confirms that public consultations were duly conducted and the views of the community considered before arriving at a decision.

Summary of Legal Procedure Followed

Based on the documentation reviewed and consultations held, the Committee confirmed that the following procedural steps were undertaken in accordance with the law:

1. Receipt of a formal application by the County Government from Med Aditus;
2. County Executive deliberations and endorsement of the proposal;
3. Execution of a Memorandum of Understanding (MoU) in 2021 to guide collaboration;
4. Due diligence on the proponent, including verification of capacity and credibility;
5. Identification of suitable land (LR No. Miwani/Miwani/12/2) and preparation of supporting documentation;
6. Conduct of public participation forums;
7. Submission of the matter to the County Assembly for review and approval;
8. Anticipated submission to the National Land Commission for registration and sub-lease processing;

9. Concession agreement.

MED ADITUS PHARMACEUTICAL MANUFACTURING

Honourable Speaker, Med Aditus Pharmaceuticals is a U.S based pharmaceutical company committed to transforming medicine access in sub-Saharan Africa through innovative manufacturing technologies and strategic partnerships.

Med Aditus is pioneering the use of Continuous Modular Pharmaceutical Manufacturing (CMPM) in Africa. This approach involves the uninterrupted movement of materials through various stages of the manufacturing process, allowing for a more streamlined, efficient, and flexible production process. Unlike traditional batch processing, CMPM operates as a continuous process, ensuring consistent quality, high efficiency, and faster time-to-market for life-saving medications.

Additionally, the company integrates block-chain technology into its operations to enhance transparency and traceability across the manufacturing and distribution processes. This integration aims to ensure the integrity of the supply chain and improve patient engagement by securely tracking medication adherence and outcomes

The plant aims to produce high-quality, affordable medicines, including treatments for pediatric populations, non-communicable diseases, and neglected tropical diseases. By leveraging advanced manufacturing technologies, the facility is expected to enhance local drug production capacity, reduce reliance on imports, and improve healthcare outcomes in the region

Med Aditus Pharmaceuticals' innovative approach and strategic partnerships position it as a key player in enhancing pharmaceutical manufacturing and healthcare access in sub-Saharan Africa.

Report on public participation.

Honourable Speaker, the public participation report provided indicated that the event was carried out on 13th November, 2024. This report revealed that the proposal was welcome but with the following clarities sought. (See Annex 2)

Timeliness and Implementation Phases

a) Participants expressed concern about the clarity of timelines for the project's rollout. They emphasized the need for a phased implementation plan with defined milestones.
b) Stakeholders called for transparency in project commencement, duration of construction, and when the facility would become operational, to ensure accountability and track progress.

Community Involvement and Engagement Mechanisms

a) The community stressed the importance of ongoing consultations, not just during the initial public participation forums but throughout the project lifecycle.
b) There was a call for the establishment of a local stakeholder advisory committee to ensure continuous feedback and local ownership of the project.

Economic and Social Impact

a) Residents were interested in understanding how the project would impact local economic growth, including business opportunities for local suppliers and service providers.
b) Concerns were raised about potential displacement, environmental effects, and equitable distribution of the benefits among different community groups.

Youth Employment and Education

a) The youth questioned how many employment opportunities would be created, and whether they would be prioritized for local hiring.
b) There was a strong push for vocational training programs, internships, and collaborations with local institutions to equip young people with skills relevant to the pharmaceutical industry.

Intellectual Property and Accessible Medicine

a) Participants raised the issue of patent rights and the affordability of drugs manufactured by Med Aditus.
b) There was concern about whether the company would prioritize public health needs or commercial interests, and how local researchers or innovators would be protected in intellectual property arrangements.

Political and Legal Frameworks for Development

a) Clarity was sought on the legal basis of the land lease and the government's role in facilitating or regulating the project.
b) Citizens requested assurances that the lease process had followed due process and that any political interference or manipulation would be minimized.

Preparation for Future Opportunities

a) The community wanted to understand how this project would position the region for future industrial growth and investment.

b) There were suggestions for developing incubation hubs or research parks in partnership with Med Aditus to spur innovation in the health and pharmaceutical sector.

5.1 Workforce Development and Job Market Alignment

a) There was a call for capacity-building initiatives aligned with labor market needs in the pharmaceutical and biotechnology fields.
b) Participants proposed that academic curricula in local colleges and universities be adjusted to meet emerging industry standards and skill requirements.

Logistics in Pharmaceutical Distribution

a) Concerns were raised about the infrastructure needed to support effective distribution of pharmaceutical products, including road, rail, and cold chain systems.
b) The community emphasized the need for local logistical players to be integrated into the supply chain to create additional economic opportunities.

6.0 Global Positioning and Regional Competition

a) Some participants highlighted the need for Kenya to position itself as a regional pharmaceutical hub, leveraging the Med Aditus facility to compete with countries like South Africa and Egypt.
b) There were suggestions that the government should develop a broader strategy to attract more pharmaceutical investors and integrate local manufacturers into global value chains.

THE SURVEY REPORT.

Mr. Speaker and Honourable Members, the Survey report provided revealed that the site was visited by a team from the department of Land, Housing, Physical Planning and Urban Development Survey Section on Wednesday 13th February, 2025.
The existing facilities identified on the 10-acre piece of land and its environs included, a borehole, a water pipe supplying water to Great lakes University, Power lines, fibre optic internet cable, Safaricom booster tower, a swamp and a fish pond.

The report further indicated that the 10-acre piece of land is bordered by the following;

a) A murram road on the western side.
b) 240 and 11 kilovolts powerline within the road reserve.
c) 30 Metres wide Kenya Power and Lighting company wayleave for a 132 kilovolts powerline.
d) 11 kilovolt powerlines on the eastern side.
e) Safaricom booster tower, fish pond and a swamp within the great lakes University and,

f) Fibre optic internet cable along Kisumu-Chemelil Road. (Annex 3)

REQUEST FOR GUIDANCE ON GAZETTMENT OF LR. NO.654/16 AND 654/17 AS A SPECIAL ECONOMIC ZONE.

Mr. Speaker and Honourable members, on 06th February 2023, His Excellency the Governor of Kisumu County, through a letter referenced CGK/GVN/ADM/VOL.2/2023, formally sought guidance from the Special Economic Zones Authority (SEZA) regarding the gazettement of a parcel of land situated along the Kibos River in Kisumu County. The request was made with the intention of designating the area as a Special Economic Zone (SEZ) under the Special Economic Zones Act, 2015 for the purpose of manufacturing pharmaceuticals and related products and services.

Mr. Speaker and Honourable members, this initiative aligns with Kisumu County's broader economic goals of attracting private investment, promoting industrialization, creating employment, and improving access to essential pharmaceutical products in the region.

Further, H.E the Governor wrote to the Cabinet secretary Health via a letter REF; CGK/GVN/ADM/02/VOL.2/353 dated 15th August, 2024, to request for support on the Med Aditus pharmaceutical manufacturing project in Kisumu County. (Annex 4)

SEZA's Response and Requirements:
Mr. Speaker and Honourable members, In response, the SEZ Authority (SEZA) acknowledged the County's interest and provided guidance by requesting the submission of a complete SEZ gazettement application package for further review and consideration.

According to SEZA, the application package must include the following documentation and information:

1. Cover Letter of Interest: A formal letter expressing intent to develop an SEZ on the proposed site.
2. Feasibility Study Report (as per SEZ Act and Regulations), which should comprehensively outline:
    a) Project rationale and the targeted sectors within the SEZ.
    b) Economic impact assessment on the local and national economy.
    c) Market and demand analysis for pharmaceutical products.
    d) Investment climate and justification.
    e) Sector/industrial development framework including land-use breakdown and proposed industries.
3. Business Case Study, comprising:

a) Cost-benefit analysis and investment appraisal.
b) Project financial evaluation.

4. Site Conditions and Infrastructure:

    a) Current physical condition of the proposed land including photographs.
    b) Description of on-site and off-site infrastructure.
    c) Nearby relevant development projects that may impact or complement the SEZ.

5. Environmental and Social Considerations:

    a) Environmental impact study and compliance with NEMA regulations.

6. Project Planning and Implementation:

    a) Full project description and proposed activities.
    b) A schematic master plan and detailed land use plan
    c) Proposed project implementation timeline.

7. Legal and Statutory Documentation:

    a) Copy of the title deed for the proposed land.
    b) NEMA approval/study report.
    c) Certificate of Incorporation and Form CR12 of the investing entity (Med-Aditus).
    d) County Assembly approval as a statutory requirement under the SEZ framework. (See Annex 5)

CONCESSION AGREEMENT BETWEEN CGK AND MED ADITUS KENYA.
Mr. Speaker and Honourable members, on 7th February 2024, the County Government of Kisumu (CGK) entered into a concession agreement with Med Aditus Pharmaceuticals Kenya Limited. The primary aim was to develop a pharmaceutical manufacturing plant on a 10-acre parcel (KIBOS 654/45 GRANT NO. 123371) in Kisumu County, to support the County's health and industrialization goals.

Strategic Context and Background
The project aligns with:

a) Kisumu County's industrialization agenda.
b) The promotion of Universal Health Coverage (UHC), already piloted in Kisumu County.
c) The implementation of recent national legislation: Social Health Insurance Act, Digital Health Act, and the Primary Health Care Act (2023).

Scope of the Concession

a) 10 Acres of land granted by CGK for the plant.
b) 40 years initial concession period, renewable by mutual agreement.
c) A Transition Committee will oversee the extension/termination process.

d) Termination requires 10 years' written notice from either party.

Rights and Responsibilities

a) County Government of Kisumu's Obligations:

a) Provide land and facilitate its sub-leasing (36 years + 4-year extension).
b) Ensure land-use change and access to utilities (water, electricity).
c) Support regulatory approvals and liaison with national government bodies.
d) Facilitate partnerships with local institutions (e.g., Great Lakes University of Kisumu).
e) Assist in acquiring Special Economic Zone (SEZ) designation.
f) Ensure waste management and support marketing for manufactured medicines.

b) Med Aditus Kenya's Obligations:

a) Design, finance, construct, operate, and maintain the facility at own cost.
b) Provide insurance coverage, design documentation, and participate in EIA and public participation.
c) Hire technical personnel and secure professional indemnities.
d) Comply with all laws and avoid unauthorized sub-contracting.

Key Clauses of the Agreement

a) Force Majeure:

a) Covers events like war, natural disasters, epidemics, and strikes. If disruptions persist beyond 60 days, the agreement may be terminated with 12 months' notice.

b) Intellectual Property:

a) Each party retains pre-existing IP.
b) New jointly developed IP is co-owned.
c) Confidentiality and non-disclosure obligations last for 5 years after termination.

Termination Conditions:

a) Early termination by Med Aditus if SEZ designation is not gazetted within 12 months
b) Either party may terminate with 10 years' notice.

Dispute Resolution:

a) Governed by Kenyan Law.
b) Arbitration under the Kenya Arbitration Act.
c) Interim relief allowed via courts before arbitration.

6.1 Risk Assessment

a) For CGK:

a) Land ownership and change of user could be delayed or challenged.
b) Political or administrative changes may affect continuity.
c) Failure to obtain SEZ status could result in project collapse.

b) For Med Aditus Kenya:

a) Heavy financial burden and operational responsibility.
b) Dependence on timely approvals and infrastructure support from CGK.
c) Long wait period (10 years) required to recoup investment in case of early termination.

Opportunities and Benefits

a) Establishment of a regional pharmaceutical hub.
b) Enhancement of healthcare access and affordability.
c) Job creation and industrial skills transfer in Kisumu.
d) Alignment with national development and healthcare priorities.

PROCUREMENT OF LAND FOR DEVELOPMENT PARTNERSHIP BETWEEN COUNTY GOVERNMENT OF KISUMU AND MED-ADITUS.

Mr. Speaker and Honourable members, the project requires acquisition of 10 acres of land currently held by Tropical Institute of Community Health and Development (TICH) in trust for GLUK. This procurement falls under the projects planned and budgeted for in the Financial Year 2023/2024. The amount that was in the budget was Kshs. 25,000,000.

The procurement method applied is Direct Procurement as stipulated in Sections 103 and 104 of the Public Procurement and Asset Disposal Act, 2015 (PPADA) and Regulation 90 of the 2020 Regulations. The justification for using direct procurement included:

a) The land is part of a contiguous parcel already committed to the project.
b) No alternative land provider exists for the required adjacent portion.
c) The transaction is based on a unique development context involving a private-public partnership.

The County Government sought and received professional advice and concurrence from its internal finance offices and requested formal guidance from the Public Procurement Regulatory Authority (PPRA).

Due Diligence and Legal Compliance
All requisite due diligence was conducted:

a) GLUK and TICH officially consented to the sale.
b) Documentation supporting the transaction included meeting minutes, letters of consent, valuation reports, the title deed, and official land search results.

Procurement Process
The procurement followed the appropriate legal steps:

a) The user department raised a requisition approved in line with Section 53(8) of the PPADA.

b) The bidder (GLUK via TICH) was invited under Direct Procurement in accordance with Section 103.
c) Both opening and evaluation committees were formed and executed their roles under Sections 78, 48, and 80 of the Act

The evaluation was guided by:

a) Mandatory statutory and technical requirements.
b) Financial evaluation ensuring quotations fell within the approved budget estimate.

Award recommendation was based on a County Government valuation report and confirmed availability of funds.

Committee Observations

1. That all legal frameworks ranging from the Constitution of Kenya, the Land Act, to the Special Economic Zones Act were adhered to. The procurement of the 10-acre parcel followed due process as per the Public Procurement and Asset Disposal Act 2015, including justifiable application of direct procurement due to the unique nature and strategic location of the land.
2. That the County Government of Kisumu has fulfilled all preliminary statutory obligations. The land in question adjacent to the Great Lakes University of Kisumu has been verified, and legal documents have been provided and scrutinized.
3. That Community engagement was conducted comprehensively, with diverse views captured and incorporated. This demonstrates adherence to Article 10 of the Constitution and Section 115 of the County Governments Act.
4. That the project aligns with Kisumu County's industrialization and economic development agenda, Universal Health Coverage (UHC) efforts and Vision 2030's goal of promoting Special Economic Zones.
5. That the project promises to enhance access to affordable, high-quality medicine, create jobs and vocational training opportunities, spur local entrepreneurship and industrial innovation and position Kisumu as a pharmaceutical hub in East Africa.
6. That an amount of Kshs. 25,000,000 was allocated in the department of Lands, Physical Planning, Housing and Urban Development during the Financial Year 2024/2025 for acquisition of Land. The actual procurement was successfully completed at a cost of Kshs. 22 million

Committee Recommendation

Mr. Speaker and Honourable members, having reviewed the legal, technical, financial, and stakeholder dimensions of the proposed sub-lease of land to Med Aditus Kenya for the establishment of a pharmaceutical manufacturing facility in Kisumu County, the Sectoral

Committee on Lands, Physical Planning, Housing, and Urban Development hereby makes the following recommendation:

That this House APPROVES the proposed sub-lease of ten (10) acres of land (LR No. Miwani/Miwani/12/2) to Med Aditus Kenya for the development of a pharmaceutical manufacturing plant and conversion of the area into a Special Economic Zone (SEZ), subject to the following conditions:

1. That the County Executive fast-tracks the submission of the full SEZ gazettement application to the Special Economic Zones Authority (SEZA), including the feasibility study, environmental approvals, and master plan, within the stipulated timelines in the concession agreement.
2. Submission of quarterly reports to the County Assembly, detailing the progress of the project implementation, community engagement efforts, SEZ application milestones, and compliance with the concession terms.

Conclusion

Mr. Speaker and Honourable members, I hereby request that this House adopt this report of the Sectoral Committee on Lands, Physical Planning, Housing and Urban Development on the proposed sub-lease of Land to Med Aditus for establishment of a pharmaceutical manufacturing plant in Kisumu and Support for its conversion to A Special Economic Zone. May I now call upon Honourable Tom Nyaoke to second. Thank you, Honourable Speaker.

(Change of Chair, the Speaker, Hon. Oraro left (Hon. Okumu) in the Chair)

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, Honourable Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Thank you, Mr. Speaker. Before I go to the substantive responsibility of seconding the motion, there are three items that during the deliberations of the House Committees that we had regarding the same as very important and that is what is also making us have this final decision for this approval.

Mr. Speaker, if you look at the observations that have been provided, particularly number two, three and four, those are some of the fine take-home points that are very important to draw the attention of this House. Mr. Speaker, just to mention, number two, which is talking about that the County Government of Kisumu has fulfilled all Preliminary Statutory Obligations. This is a very vital thing that we had to exercise a lot of due diligence to make sure that the Preliminary Statutory Obligations are met, in the acquisition of the land.

Secondly, Mr. Speaker, the community engagement was conducted comprehensively with diverse views captured and incorporated. That is in line with the provisions of Article 10 of the Constitution of Kenya and section 115 of the County government Act, 2012. That was, that issue was taken care of.

Thirdly, is that the project aligns with Kisumu County's Industrialization and Economic Development Agenda, Universal Health Care, efforts and Vision 2030 Goal of Promoting Special Economic Zones.

Mr. Speaker, these are some of the things that our able Governor has been saying all through. That, at the end of his term, he will have left for us quite a number of Special Zones that are going to ensure to generate opportunities for our youth, our women, and even for some of our strong fathers who might still be available and looking forward to earn a living from those areas. Mr. Speaker, with that few remarks, I beg to second.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Thank you, Honourable Members. Now that a motion has been moved on the adoption of the report of the Departmental Committee on Land, Physical Planning, Housing and Urban Development on the Proposed Sub-lease of Land to *Med Aditus* for Establishment of Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone. A motion moved by the Chairperson, the Honourable Boitone Ratib and seconded by the Honourable Tom Nyaoke. Now I propose to put a question that we open this motion for debate.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, Honourable Moses Ochele.

Hon. Ochele (MCA, East Kano Wawidhi): Thank you very much Mr. Speaker. May I take this opportunity to welcome you back from your personal recess. As a member of this House Committee, I rise to second or to support the report as it is.

Mr. Speaker, we are praying as citizens of Kisumu County that our county be industrialized, and there are so many benefits that come with industrialization. We have employment opportunities; we will have opened up of that area in terms of infrastructural development. Mr. Speaker, being a pharmaceutical company and in close proximity to Great Lakes University, it can enhance training opportunities for those students taking medical courses where they can have hands-on experience and also get opportunity nearby to do industrial attachments. In addition, Mr. Speaker, by having such companies around, we also convince other interested investors that indeed Kisumu County is an industrial hub and they can show interest in investing in Kisumu. Therefore, we invite all like-minded investors to approach the County Government Executive and their Assembly to help infrastructure investment opportunities.

Mr. Speaker, as much as I support and as much as I am a member of this House Committee, I have a few reservation to make. There are times these investors come in opaque manner. They do not come as a transparent entity. They come in a very opaque manner, because this *Med Aditus* is a company. As a House Committee, we are giving them land, but as people tasked with oversighting and actually scrutinizing their existence, we do not have anything indicating that it is a company existing anywhere. What we have is a request which they made to the County Government of Kisumu and the request sent to the Assembly for approving such land.

So, this opaqueness, sometimes it is demoralizing. We might be having a good idea, but when a company like this comes forth to get a piece of land within the county, Mr. Speaker, I believe that, it is in order that such companies indicate their Certificate of Registration, indicate where they are based currently, because it must be existing somewhere. Where is it existing? And what works has it done before? But, if it is a company which is just to start afresh, it is different from this one which is existing elsewhere. So, lack of proper documentation sometimes hinders our approvals.

Mr. Speaker, in the future, it is my belief that this House Committee where I also sit, and I raised this in the committee meeting, that, it is important because sometime in the future, somebody will ask, as you are giving this land, did you do due diligence? Did you actually authenticate this company to be existing? And did you get the registration documents with the World Health Organization and the bodies approving pharmaceutical companies? Otherwise, I support with the reservation. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, the Honourable Member for Miwani.

Hon. Warindu (MCA, Miwani): Thank you so much Mr. Speaker. Let me also join the queue in welcoming you back from your personal recess. I would also like, being a representative of the Miwani ward, I would also like to take this opportunity to support the report which has been presented by this House Committee.

Mr. Speaker, I want to believe that if you go through the report comprehensively, you will find that unlike other leasing exercises that are taking place, at least due diligence was taken into account on this matter. Just take your time. How I wish that Members of this Honourable House took their time to attend the Public Participation that was held on the 13th of November, 2024, in Great Lakes University (GLUK). All the concerns that were being raised there were responded to adequately. Actually, the public participation and the community engagement were comprehensively done. We were there to fully understand the impact of this initiative and the advantages and the disadvantages that it will bring to the people of this region.

Mr. Speaker, those who are there were convinced that this is a noble initiative and we all need to welcome such like initiatives. Mr. Speaker, I am on my knees supporting this because of the following advantages that have also been elaborated in the report. The first one was enhancement on healthcare access and affordability, the second one was, job creation and industrial skills transfers that will be done in Kisumu and it has been ably put that since its being located near the GLUK, I want to believe the medical courses that will be taken in that University will also be enhanced. Number three, was for establishment a regional pharmaceutical hub and this will actually open our region and the ward and since the community engagement was also done and the public participation was done openly and transparently, the people of Miwani Ward and the entire Kisumu County should support this noble process and I support Mr. Speaker. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes the Honourable Leader of Majority.

Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you Honourable Speaker. Let me also not shy away from welcoming you back from your sabbatical leave. Honourable Speaker, I rise to support this report for three good reasons.

Mr. Speaker, it is not only sub leasing of this land to this company but the County Government of Kisumu is also trying to make sure that the project falls within the Special Economic Zone. Mr. Speaker, I believe that this House Committee did a good work. With the suitability of this land, I have looked at the Land area. The road network is good, the electricity is available, the fiber optic passes along that road to Chemelil, and so the land is very suitable for the project.

Mr. Speaker I wanted to look at the very important component that is, public participation engaging the locals of that area about the project and of interest is how the locals responded during the public participation exercise because the locals had to ensure that the legal basis on land use was followed properly and that was done and also promised that there will be no political interference. So many of our foreign investors have run away from taking such projects because of political interference but of interest is the concern of locals on our vocational training centers, where they encouraged for internships and collaboration with the local institution to equip the young people in our Vocational Training Centers with the skills relevant to the pharmaceutical company.

Mr. Speaker, when I look at the benefits that this project is bringing, it is my belief that, this is a report that we need to approve as fast as possible because one, there will be job creation and that is both formal and informal and of more importance is the enhanced access to quality medicine that will not just be of quality but affordable. Mr. Speaker, I hope the affordability will come as result of this project falling within the Special Economic Zone because the project will be subjected to tax exemptions.

Mr. Speaker, when the project is realized it will position Kisumu as a key place in this region in terms of pharmaceutical products. Mr. Speaker, this in the end will help the country reduce the imports of pharmaceutical commodities from countries like Egypt and South Africa that have really occupied the market in Africa. Otherwise, Mr. Speaker I support. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes Honourable Oiko.

Hon. Oiko (MCA, Kabonyo Kanyagwal): Mr. Speaker, this report is a good one for this county because we want to get…

(The Leader of Majority rises on a Point of Order)

Leader of Majority (Hon. Ooko, MCA, Ahero): Mr. Speaker I am on a point of order. Honourable Oiko Pete is going against the tradition of today of welcoming you back.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Order!! Honourable Member. Honourable Oiko please proceed.

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Mr. Speaker, I have never known you have been away, when you are away you should let Members know that you are away, or you went to see the daughter of the white man, that would be a very good credit.

Mr. Speaker, this is a very good report because we want to have a pharmaceutical company in Kisumu that will produce medicine for our people and export to other countries. It will create employment to our people and will bring economic empowerment to the County Government of Kisumu. A very good credit, Mr. Speaker. We hope this succeeds. And this will be a good legacy for Governor Nyongó of Kisumu County.

However, Mr. Speaker, when we look at this report, on page 17, I am seeing some letters were written by the Governor asking for authority for the land, the Minister of Health to give their node on this project. That is wonderful, Mr. Speaker.

Additionally, Mr. Speaker, when you go through this report, and I want the Chairperson of this House Committee to be very keen when highlighting these points.

First paragraph on page 19, the Parcel of Land is referred to Kibos 654 Stoke 45. Grant number that. When we go further on this report, the Parcel No. on the letter written to the Clerk and Assembly by the County Executive Committee Member for Medical Services and Sanitation, when you look at the last paragraph, when you look down, the letter from County Executive Committee for Medical Services and Sanitation is referring to the parcel number. Kisumu-

Miwani Land Registration Number Miwani 12/2. Chair, I want you to be keen on that because we are going to give approval. And we must give approval to a specific Parcel Number.

Mr. Speaker, when we also go to the letter written by the Head of Survey Section, Kisumu County, and this parcel number is also 654/45. Then, there is also a letter written by the Governor of Kisumu to the Acting Chief Executive Officer of Special Economic Zones Authority. That one also, the parcel numbers read 654/16, 654/17. The letters written are from Special Economic Zones Authority. And it is talking about a total of 50 acres as Special Economic Zone. Just move towards the end you will find it. You have seen them. So, on the parcel number issue, we must be given a specific parcel number to approve.

Mr. Speaker, the other matter I want to raise is the allocation of Kshs 25 million for the Acquisition of Land. This land is being acquired at Kshs 25 million and finally the cost was Kshs 22 million. Was Kisumu County buying this land for the pharmaceutical company? That must come out very clear. What was this money for? And if it was for the acquisition, the land was acquired from whom and to whom? And the title is in whose name? Well I do not want to dwell a lot on what Honourable Ochele raised, we must, and the pharmaceutical company must be fully identified to this assembly with documents, so that we also know the Directors and where they are registered. This is because at the end of it, we may find that it is just only John Onyango that we approved this land for.

Mr. Speaker I am raising that because when you go through this report, there is another institution called TICH that is being claimed was owning this land before this land is transferred to the pharmaceutical company. Let me take time and look at that page. It is on page 22. The project requires acquisition of 10 acres of land currently held by Tropical Institute of Community Health and Development, TICH, in trust for Great Lakes University of Kisumu. Let us get the explanation. With this kind of information, Mr. Speaker, as much as members have praised the implementation of this project, which will be a good legacy for our Governor and a very good project for our county, but, the questions we need to ask, was the land owned by another institution? Was this land owned by the national government then transferred to Kisumu government? The County Government of Kisumu is now transferring it to the pharmaceutical company. These are matters that this House Committee must address, so that when we give our approval, and later on, we can defend from the record presented to us in this Assembly. Mr. Speaker, sir, I beg to contribute and get clearance on those matters that I have raised. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, Honourable Samuel Dede.

Hon. Dede (MCA, Kisumu North): Thank you, Mr. Speaker. I also rise to give my sentiment concerning the motion on the Floor.

Mr. Speaker, being that Med Aditus are now coming close to us, there will be a clear picture that the drugs will now be produced within the locality. Even though the supply, which is being done to our counties, comes directly from the KEMSA, the drugs will be produced locally, then given to KEMSA, then they provide us with the drugs directly.

Mr. Speaker, we will be getting more advantages from having the Med Aditus in our location, there will be job creation and our people will be employed. Mr. Speaker, as we discuss the Med Aditus project, one key question we must ask is: What percentage of the job opportunities created will benefit our local people? It would be prudent for us to emphasize that a significant portion of employment opportunities especially those arising from within Med Aditus should be reserved for residents of the region, considering this project is being established right here with us.

Beyond employment, Mr. Speaker, we must also appreciate the potential ripple effects this investment will have. The establishment of Med Aditus in Miwani will undoubtedly stimulate local economic growth. Businesses surrounding the area, including small and medium enterprises, will expand due to increased activity. This will open up even more job opportunities for our people, Mr. Speaker.

However, Mr. Speaker, I must express my deep concern regarding how swiftly the land transaction for this project was executed particularly by the Department of Lands. When you compare the speed to the numerous unresolved land issues within the county, the disparity is glaring. For instance, the Nyahera Sub-County Hospital, which was budgeted for a long time ago, remains unpaid and has since been pushed to pending bills. Yet in this case, Mr. Speaker, payment was made promptly, and now this House is being asked to approve a transaction that has already been completed specifically of Ksh 25 million payments. This leads me to question whether this House is being reduced to a rubber stamp on approving matters after the fact rather than having meaningful input before execution. Why is this House Committee urging us to approve something that's already been paid for? That, Mr. Speaker, is my central concern with this matter.

Mr. Speaker, if the Department of Lands, Physical planning, Housing and Urban Development can act with such urgency and precision in this case, why haven't they applied the same level of efficiency to other critical land matters? Facilities such as Kianja ECD School and Nyahera Sub-County Hospital which should rightfully be owned by the county government are still pending formal transfer. I urge that the same focus and speed applied to the Med Aditus land issue be extended to those important community assets.

Mr. Speaker, I do not intend to say much, however I wish to caution this House: while we welcome investments, we must also remain mindful of our people and their unresolved grievances particularly when it comes to delayed payments and stalled projects. As we deliberate

on this Ksh 25 million land approval today, let us not forget that there are cases within the Department of Medical Services where landowners have refused access to county projects due to lack of compensation. For example, fencing for a health facility, which had been budgeted for over Ksh 1 million, cannot proceed because the land has not been paid for. And yet, in this case, we are being asked to approve a payment already made in record time. Mr. Speaker that is all I had to say. Thank you.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, Honourable Peter Obaso.

Hon. Obaso (Nominated Member): Thank you Mr. Speaker. Please allow me to begin by welcoming you back. It has been quite some time, and we truly missed your presence. Welcome back.

Secondly, I would like to add my voice to the on-going discussion regarding this report. Honourable Oiko Pete has raised critical issues that should not be taken lightly like the issues that are of serious concern not only to this Assembly but also to the public at large.

While it is true that such investments can bring significant benefits to our county, such as employment opportunities for our youth and overall economic growth, we must also remain vigilant about the challenges and potential risks they carry.

Foremost is the issue of land acquisition and the transparency of the procurement process. These must be above board and beyond reproach to maintain public trust.

Secondly, environmental conservation is another key concern. As much as we welcome development, we must ensure that it does not come at the cost of environmental degradation. The long-term wellbeing of our communities depends on how well we safeguard our natural resources today. Mr. Speaker, while we support growth and investment, it is important that this matter be approached with caution and diligence to avoid future complications. Thank you, Mr. Speaker. I support.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Yes, Honourable Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you, Mr. Speaker. Mr. Speaker, may I ask the mover to reply.

The Temporary Speaker (Hon. Okumu (MCA, East Seme): Honourable Ratib.

Hon. Ratib (MCA, Nyalenda "A"): Thank you, Mr. Speaker. I would like to extend my gratitude to this Honourable House for the interactive and constructive session we've had today. I believe all the concerns raised by members have been duly noted, and I trust that when this report is

submitted to the County Executive, the Hansard record of today's deliberations will also accompany it to reflect the depth of the discussion.

One of the most critical issues highlighted is the existence and status of the pharmaceutical plant. It is indeed concerning that the company has not provided any official certification or registration documents to validate its operations. I strongly believe that before this process is finalized; such documentation must be availed to this House for scrutiny.

Mr. Speaker, it was also noted that public participation was conducted and well received by the local community, which is encouraging. Additionally, members emphasized key benefits such as the availability of essential drugs, job creation, and internship opportunities for students, and overall enhancement of healthcare delivery in the region. Without a doubt, this initiative has the potential to stand out as one of the most significant legacies of Governor Professor Peter Anyang' Nyongó.

Mr. Speaker, reference was made—particularly by Honourable Oiko Pete while making reference to page 19 of the report, where the initial engagement referenced Kibos Block 654/45. However, upon review of the Gazette Notice declaring that area a Special Economic Zone, the Executive appears to have shifted focus to Miwani, which is where the current project is now situated. As such, the annex provided seems to be out-dated or misplaced. We should have received an annex pertaining specifically to Miwani, whose ILR number is already indicated in the report.

Finally, Mr. Speaker, I would like to briefly touch on the issue of procurement, which is equally important and should be handled with utmost transparency and accountability…

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Honourable Chairperson, did you mention that there are annexes included in the report tabled before this Assembly that should not have been part of it? If so, how many such annexes are currently contained in the report?

Hon. Ratib (MCA, Nyalenda "A"): Mr. Speaker, I wish to clarify that the annex showing the Miwani block should have been included in this report at the point when the procurement or payment of the said Kshs 22 million was made. Regarding the Kibos annex I referred to earlier, what I intended to convey is that it represents one of the initial engagements undertaken by the department. I hope that is now clear, Honourable Speaker.

Honourable Speaker, lastly, I would like to address the issue of Procurement. It is my belief that the department fast-tracked the procurement of this parcel of land, given the significant benefits it is expected to bring to the county. This is likely why Honourable Dede perceived the process as having been expedited. Indeed, it was accelerated in view of the substantial value the county stands to gain from this investment.

Honourable Speaker, with those many remarks, I beg to reply.

The Temporary Speaker (Hon. Okumu (MCA, East Seme): Thank you. Honourable Members, a motion was moved on adoption of the report of the Departmental Committee on Land, Physical Planning, Housing, and Urban Development Committee for the Proposed Sub-lease of Land to Med Aditus for Establishing a Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone. Honourable Members, it's time to move to put a question for adoption.

Honourable Members, before I put the question, allow me to offer a few remarks to guide your decision-making, bearing in mind that the ultimate decision rests with this Assembly, following the concerns raised by Honourable Pete and the subsequent responses from Members.

Firstly, based on the report currently before me, it is not clear who the intended recipient of the land is. There is no definitive indication as to whether the land is being allocated to an individual, a Self-help Group, a Community-based Organization (CBO), a Non-governmental Organization (NGO), a Regional Entity, or an International NGO. Even if it is indeed a pharmaceutical company, as has been suggested, there is no documentation in the report to support this claim.

Secondly, referencing the submission made by Honourable Oiko Pete, it is unclear which specific parcel of land the county government intends to convert into a Special Economic Zone, and similarly unclear which parcel is to be allocated to Med Aditus. The report references three parcels—Blocks 645/45, 645/16, and 12/2—but fails to clarify which one is under consideration for which purpose. Unfortunately, the report from the Chair also does not shed light on this.

Lastly, there is no documentation provided to confirm the current ownership of the land in question. It is not evident whether the land has been officially acquired by the County Government of Kisumu, or whether it still belongs to a private entity—be it Honourable Pete, TICH, or any other entity. The ownership status remains uncertain.

Honourable Members, the decision is now yours to make. If you choose to approve the report in its current form, that is within your discretion. My role as the Speaker is to present the question to the House; your role is to make an informed decision based on the contents of the report before you.

I felt it important to raise these concerns to ensure that your decision is made with full awareness of the available—or missing—information.

Honourable Members, up to that point, it's time for me to put a question on the adoption of the report by the Departmental Committee on Land Physical Planning, Housing, and Urban

Development on their Proposed Sub-lease of Land to Med Aditus for Establishment of Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone.

(Question put and negatived)

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Honourable member, the motion for the adoption of the report by the Departmental Committee Land Physical Planning, Housing, and Urban Development on the Proposed Sub-lease of Land to Med Aditus for the Establishment of Pharmaceutical Manufacturing Plant in Kisumu and support for its conversion to a Special Economic Zone has not been adopted.

Honourable Members, the report having been rejected by the House, I direct that this communication be forwarded to the Department of Land Physical Planning and Urban Development for their consumption as we discuss on the way forward. Members will make a decision whether to bring the motion back again. Thank you so much, Honourable Members.

The Temporary Speaker (Hon. Okumu, MCA, East Seme): Next order!

ADJOURNMENT

The Temporary Speaker (Hon. Okumu (MCA, East Seme): Honourable Members, there being no other business today, the House stands adjourned until today, Wednesday, 14th May at 2.30 p.m.

(House rose at 10.26 a.m.)

Addendum

The Hansard Team

Zablon Otiende – Assistant Director, Hansard Services

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Fanuel Okode - Chief Hansard Reporter

Edward Odanga - Senior Hansard Reporter

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