

COUNTY GOVERNMENT OF LAMU



THE COUNTY ASSEMBLY OF LAMU

THE HANSARD

Tuesday, 5th November, 2024

*The Assembly met at the
Main Chambers, at 2:30 p.m.*

[Deputy Speaker (**Honorable Paul Kimani Njuguna**) in the Chair]

PRAYERS

Deputy Speaker (Honorable Paul Kimani Njuguna): Next Order.

Clerk-at-the-Table: Papers.

PAPERS

*FINANCE, BUDGET & APPROPRIATIONS COMMITTEE REPORT ON
CONSIDERATION OF THE LAMU COUNTY ANNUAL DEVELOPMENT
PLAN 2025/26.*

MCA Deko Barisa Bana(Basuba): Thank you Mr Deputy Speaker.

Mr Deputy Speaker Sir, allow me to table the following Paper to the Floor of the House;

Mr Deputy Speaker Sir, the report on the Annual Development Plan 2025/26 has been made in line with the provisions of Article 220 (2) of the Constitution of Kenya, (2010) and Section 126 (1) of the Public Finance Management (PFM) Act, 2012, and provides what should be incorporated therein.

Mr Deputy Speaker Sir, the PFM Act 2012, Section (126) (1) requires both a long-term and medium term plan. According to the PFM Act, Every County Government shall prepare a Development Plan in accordance with Article 220(2) of the Constitution, that includes:-

- (a) Strategic priorities for the medium term that reflect the County Government's priorities and plans;
- (b) A description of how the County Government is responding to changes in the financial and economic environment;
- (c) Programmes to be delivered with details for each programme of
 - (i) The strategic priorities to which the programme will contribute;
 - (ii) The services or goods to be provided;
 - (iii) Measurable indicators of performance where feasible; and
 - (iv) The budget allocated to the programme;
- (d) Payments to be made on behalf of the County Government, including details of any grants, benefits and subsidies that are to be paid;
- (e) A description of significant capital developments;
- (f) A detailed description of proposals with respect to the development

of physical, intellectual, human and other resources of the County,

including measurable indicators where those are feasible;

(g) A summary budget in the format required by regulations; and

(h) Such other matters as may be required by the Constitution or this Act.

Mr Deputy Speaker Sir, Section 126 (3) of the PFM Act, 2012 provides that the County Executive Committee Member responsible for planning shall not later than the 1st September in each year, submit the Annual Development Plan to the County Assembly for its approval, and send a copy to the Commission on Revenue Allocation and the National Treasury.

Mr Deputy Speaker Sir, the Annual Development Plan (ADP) is a plan drawn from the County Integrated Development Plan (CIDP) and focuses on the issues of development projects in the County. It is indicative of the development priorities of the County as enshrined in the master plan (CIDP) which will inform the budget for the subsequent Financial Year.

Mr Deputy Speaker Sir, The ADP translates to the County Fiscal Strategy Paper for the subsequent Financial Year; in this case the Financial Year 2025/26 in terms of development priorities and therefore it is intended to inform the subsequent budget hence being a crucial document in the budget process.

Mr Deputy Speaker Sir, The County ADP should be a milestone that seeks to highlight County development priorities, which eventually spurs economic growth in the County. It should stress on prudent fiscal policy to reinforce the County Government's commitment to responsible financial management practices.

Mr Deputy Speaker Sir, The PFM Act, 2012 sets a minimum of 30% of total expenditure of the budget which should be set aside for development expenditure in the medium term. It is expected that once the development priorities are spelt out in the ADP 2025/26, this will enable the County to meet the threshold of the

development expenditure for Financial Year 2025/26 as stipulated in the PFM Act, (2012). Mr Deputy Speaker Sir, In the wake of the soaring wage bill and various economic challenges within the County, there is need to observe strict fiscal discipline while giving close attention to areas that will spur economic growth of the County. Key focus should be put on County priority plans and programs to ensure improved service delivery and prompt implementation of budgeted activities. Arising from limitation of resources and at the same time competition for scarce resources between a number of priorities programmes, developing a list of priority programmes and projects is essentially important to ensure that those programmes are appropriately implemented.

Mr Deputy Speaker Sir, in this spirit of ensuring that all the above matters are actually achieved and observed within the Lamu County ADP 2025/26, the Committee ventilated through the proposals and from which observations were deduced and recommendations drawn.

Mr Deputy Speaker Sir, the Finance, Budget & Appropriations Committee has therefore examined and discussed the Lamu County Annual Development Plan, 2025/26 and has made some observations & recommendations as contained in this report.

COMMITTEE MANDATE

Mr Deputy Speaker Sir, the Committee on Budget, Appropriations and Finance is established under Standing Order No. 186 and is mandated to do the following;

1. Inquire into and report on all matters related to coordination, control and monitoring of the of the County budget,
2. Discuss and review the estimates and make recommendations to the County Assembly;
3. Examine the County Budget Policy Statement presented to the County Assembly;

4. Examine Bills related to the County budget, including Appropriations Bills; and
5. Evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

COMMITTEE MEMBERSHIP

Mr Deputy Speaker Sir, the Finance, Budget and Appropriations Committee as currently constituted include the following Members:

1. MCA Barissa Deko Bana:- Chairperson
2. MCA Bwana Mohamed Bwana:- Vice Chairperson
3. MCA Francis Ngure Gakonga:- Member
4. MCA Paul Kimani Njuguna:- Member
5. MCA Aisha Ali Abdurahman:- Member
6. MCA Suleiman Farah:- Member
7. MCA Amina Hassan Bwanamkuu:- Member
8. MCA Mohamed Aboud Abubakar:- Member
9. MCA James Njaaga Kariuki:- Member

Mr Deputy Speaker Sir, in reviewing this Lamu County Annual Development Plan, 2025/26 so as to adequately satisfy and inform itself that it has observed the County development agenda for prosperity and posterity, as highlighted by the County Executive Committee Member for Finance and Economic Planning in the Lamu County Annual Development Plan 2025/26 and ensuring that it is in line with the Constitution and relevant Acts, the Committee held several meetings to consider the proposals. This Annual Development Plan 2025/26 was submitted to the County Assembly on 30th August 2024 and was subsequently tabled and committed to this Committee on 24th September 2024 for consideration and subsequent reporting

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back to the Assembly. During its sittings to consider this Annual Development Plan, the Committee considered various documents, key among them, the Constitution of Kenya, (2010), the PFM Act, (2012), the County Government Act, (2012). These documents helped inform the Committee in making key observations and consequently recommendations.

ACKNOWLEDGEMENTS

Mr Deputy Speaker Sir, first and foremost, on behalf of this Committee I wish to express our gratitude to the Office of Speaker and the Clerk for the support received as it discharged its mandate of examining the 2025-26 Lamu County Annual Development Plan.

Further, I wish to express my appreciation to the Honorable Members of the Committee who traded off their time to participate in the activities of the Committee and whose dedication and fortitude saw the completion of this report.

Special appreciation also goes to the Secretariat of the Committee who on several occasions, had to go beyond the normal call of duty. The commitment and devotion to duty of all those involved in this noble task made the work of the Committee and production of this report a success.

Finally, Mr Deputy Speaker Sir, the Committee extends its appreciation to the citizens of Lamu County for their patriotism and input in development programs and prioritization, which has really helped enhance the need for identification for the County.

Mr Deputy Speaker Sir, it is therefore my pleasant duty and privilege on behalf of the Finance, Budget & Appropriations Committee, to table this report on consideration of the Lamu County Annual Development Plan 2025-26 with the amendments contained therein and recommend it to the House for adoption.

Deputy Speaker (Honorable Paul Kimani Njuguna): Next Order.

Clerk-at-the-Table: Statements.

STATEMENTS

FARMERS AND LIVESTOCK KEEPERS CONFLICT

MCA James Njaaga Kariuki (Hindi):- Thank you Mr Deputy Speaker.

Mr Deputy Speaker Sir, I rise to seek a Statement in Pursuant to Standing Order 41 (2) (c) from the Chairperson of the Departmental Committee on Agriculture, Fisheries and Blue Economy concerning the conflicts arising between farmers and livestock keepers.

Mr Deputy Speaker Sir, currently there is a significant influx of cattle arriving in Hindi Ward from neighboring Counties, which has led to misunderstandings between the farming community and the livestock keepers.

Mr Deputy Speaker Sir, I had previously raised a similar inquiry on this matter; however, I have not yet received a response from the relevant Department. Additionally, I have concerns regarding whether these cattle have been duly registered before they are permitted to utilize our grazing lands.

Mr Deputy Speaker Sir, I therefore like to request clarity from the Chairperson of the Departmental Committee on Agriculture, Fisheries and Blue Economy on the following:-

1. What initiatives has the County planned to mitigate conflicts between farmers and livestock keepers?
2. Are there established grazing corridors in place?
3. What is the total number of cattle that have so far arrived in our County from neighboring regions?

Deputy Speaker (Honorable Paul Kimani Njuguna): Any Addition to that Statement? If there isn't, can we get a response from the Chair, Vice Chair or any Member from the Departmental Committee on Land, Physical Planning and Housing.

MCA Suleiman Mohamed Farah (Witu): Thank you Mr Deputy Speaker. Mr Deputy Speaker Sir, I request to be given a period of two weeks.

Deputy Speaker (Honorable Paul Kimani Njuguna): Honorable Njaaga, are you satisfied?

MCA James Njaaga Kariuki (Hindi): Ndio Bwana Naibu Spika nimeridhika.

Deputy Speaker (Honorable Paul Kimani Njuguna): Next Order.

Clerk-at-the-Table: Motion.

MOTION

SPECIAL KIT FOR AWER AND SANYE IN LAMU COUNTY

MCA Barisa Deko Bana (Basuba): Thank you Mr Deputy Speaker.

Mr Deputy Speaker Sir, I beg to move the following Motion on the Floor of this House:-

Mr Deputy Speaker Sir, I wish to draw attention to the Awer and Sanye Communities which are recognized as among the most marginalized groups in Lamu County, as defined by Article 260 of the Constitution. This status necessitates that their rights be afforded special consideration by the County Government.

Additionally, Article 56(1) mandates the state to implement equitable affirmative action programs designed to ensure that minorities and marginalized groups:-

1. Are provided with special opportunities in educational and economic sectors;
2. Have the means to develop their cultural values, languages and practices;

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3. Are granted reasonable access to water, health services and essential infrastructure.

It is essential to acknowledge that the Lamu County Government has established an emergency fund. Therefore, I propose that a specific sub-fund be dedicated to the Awer and Sanye Communities to address their critical needs for food and water.

I am also concerned that the Awer and Sanye who continue to rely on hunting and gathering are significantly affected by climate changes, which result in frequent food shortages and inadequate access to vital resources such as water. This situation is inconsistent with the provisions of Article 42 of the Constitution of Kenya, 2010.

I urge this House to take the following actions:

1. Establish a sub-fund for the Awer and Sanye Communities at the earliest opportunity.
2. Ensure that the allocations designated for the Awer and Sanye Communities are administered by them.
3. Publicize the allocations intended for the Awer and Sanye Communities.
4. Prepare and present a Bill aimed at safeguarding the rights of minority and marginalized groups for Assembly approval.

(Secinded)

(Motion Proposed)

Member's Contributions

MCA James Njaaga Kariuki (Hindi): Asante Bwana Naibu Spika kwa kunipa nafasi hii. Nataka kuchangia kusema kwamba mswada huu ni mswada mzuri sana na hata katika Wadi yangu ya Hindi niko na watu kutoka Jamii ya Awer na Sanye. Jamii hii ukilinganisha na jamii zingine katika Gatuzi yetu ya Lamu ni jamii ambayo inafaa

kushikwa mkono vizuri kabisa. Ningependa kusema Bwana Naibu Spika jamii hii ikiweza kushikwa mkono katika mambo ya kielimu vile Mheshimiwa wa Wadi ya Basuba amesema katika sehemu yake kuna shida ya maji. Pia wana shida ya barabara ambapo inawalazimu wanafunzi kusafiri kwa hatua kufika shuleni.

Naona tukiangalia mswada huu kwa kina na kuweza kuboresha zaidi itakuwa vizuri sana na wao wataweza kujihisi kama raia wengine katika Gatuzi letu.

MCA Aisha Ali Abdulrahman (Nominated): Asante Bwana Naibu Spika kwa fursa hii ili niweze kuchangia mswada ulioletwa na Mheshimiwa Deko. Kusema kweli Awer na Sanye ni jamii ndogo sana na ni watu wana uwezo mdogo hata katika elimu na wengi wao wanategemea uwindaji. Kwa hivyo naomba suala hili liweze kupewa kipaumbele na Serikali yetu ya Kaunti ili kuboresha hali yao ya maisha. Pia tukiangalia umaskini umekithiri na Serikali yetu inafaa kupeleka misaada ya aina mbali mbali ikiwemo chakula na hata mbegu za kuzalisha chakula.

MCA John Mburu Gitonga (Hongwe): Asante sana Bwana Naibu Spika. Kusema kweli hii Jamii ya Awer na Sanye, Kenya nzima hakuna kwingine wanapatikana isipokuwa Kaunti ya Lamu pekee. Kwa hivyo ni muhimu wapate elimu, ardhi na vinginevyo kama raia wengine nchini. Mwisho ningependa kumpongeza Mheshimiwa Deko kwa kuleta mswada huu muhimu kuhusu jamii ya Awer na Sanye ambao walikuwa wamesahaulika kabisa.

MCA Suleiman Mohamed Farah (Witu): Asante sana Bwana Naibu Spika na nimesismama kuunga mkono mswada huu ambao umeletwa na rafiki na shemeji yangu Mheshimiwa Deko. Bwana Naibu Spika, kusema kweli Jamii ya Awer na Sanye ni jamii ndogo sana na hata katika Wadi yangu niko na baadhi yao. Kila mmoja wetu hapa anafhamu kuwa jamii hii iko na shida, tukiangalia kitega uchumi chao tangu jadi ni uwindaji na kuvuna asali mambo ambayo kwa maisha ya sasa yamebadilika. Pia kuna jamii nyingine ya tatu ambayo inaitwa Watta hii ni jamii ndogo na wako na shida kama vile ya Awer na Sanye. Kwa hivyo nawaomba

Waheshimiwa wenzangu wauunge mkono mswada huu ili Jamii hizi zipate kusaidika.

MCA Amina Hassan Bwanamkuu(*Nominated*): Asante Bwana Naibu Spika, hata mimi nimesimama kuunga mkono mswada huu. Jamii ya Awer na Sanye wako chini sana katika maswala ya elimu na uchumi. Pia wako na shida ya maji, usafiri na kadhalika, kwa hivyo naomba Kamati husika ishughulikie jambo hili kwa haraka ili waweze kusonga mbele kiuchumi.

Mover's Response

MCA Barisa Deko Bana(*Basuba*): Asante sana Bwana Naibu Spika, pia ningependa kutoa shukrani kwa Waheshimiwa wenzangu kwa kuunga mkono mswada huu. Ni jambo la busara kabisa jamii hii ipate mswada na mimi ninafuraha sana Bwana Naibu Spika na naishukuru Ofisi yako pamoja na Ofisi ya Karani kwa usaidizi wenu.

(Question put and agreed upon)

ADJOURNMENT

[**The Deputy Speaker (Hon. Paul Kimani Njuguna)**]: Honorable Members, there being no other business, the Assembly stands adjourned until tomorrow, in the Morning at 10:30 a.m.

The Assembly rose at 4:00 p.m