

**REPUBLIC OF KENYA**  
**UASIN GISHU COUNTY ASSEMBLY**

**THE HANSARD**

Wednesday, 4<sup>th</sup> July, 2018

The House Met at 3:06 PM

*[Temporary Speaker (Hon. Amos Kiptanui) in the Chair]*

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**Temporary Speaker (Hon. Amos Kiptanui):** Honourable Members, I have two Communications to make.

**NHIF BIOMETRIC REGISTRATION**

This one is just a reminder that there is a request from the Human Resource Department to all Honourable Members and staff of this County Assembly, that within our premises we have National Health Insurance Fund (NHIF) staff who are doing biometric registration exercise. I am reliably informed that today is their last day and we are all requested that it is good that you take advantage of their presence here, and what you are required to have is your original identification card and the NHIF card if you have. Even if you don't have your NHIF card, they can at least retrieve from the system.

**THE UASIN GISHU COUNTY INTEGRATED DEVELOPMENT PLAN (CIDP) 2018 – 2022**

Secondly, Honourable Members, yesterday we committed the Uasin Gishu County Integrated Development Plan (CIDP) 2018 – 2022 to the Committee of budget and now, the Chairs of different sectoral committees are requested to go and collect a copy of the CIDP from the registry of the County Assembly. So, all Chairs are requested to go and pick a copy because every sectoral committee will be required to consider their respective departments.

Thank you.

**NOTICE OF MOTION**

**REMOVAL OF TREES THAT POSE DANGER TO ROAD USERS ALONG ALL ROADS IN ELDORET TOWN AND OTHER URBAN AREAS IN THE COUNTY**

*(Hon. Julius Sang – MCA Megun Ward)*

**Temporary Speaker:** Hon. Julius Sang, Member representing Megun Ward.

**Hon. Sang, J:** Thank you so much, Mr. Speaker. I beg to give notice of the following Motion:

**Aware that** there are many incidents of trees falling on buildings and roads in Eldoret town and other urban areas in the County; **Further Aware that** these incidents have in some instances led to loss of life and much property; **Concerned that** there are many old trees

along many roads that continue to pose danger to pedestrians, vehicles and even business premises; **Noting that** all urban areas should always be safe for all users: This County Assembly urges the County Government of Uasin Gishu through the department of Water, Environment, Natural Resources and Wildlife Management to remove trees along all roads in Eldoret town and other urban areas in the County that pose danger to road users.

Thank you, Mr. Speaker.

**Temporary Speaker:** Thank you very much.

Next order!

**Temporary Speaker:** Honourable Members, let us go to the supplementary orders of the day in the next page.

Clerk!

## MOTION

### REMOVAL OF TREES THAT POSE DANGER TO ROAD USERS ALONG ALL ROADS IN ELDORET TOWN AND OTHER URBAN AREAS IN THE COUNTY

*(Hon. Julius Sang – MCA Megun Ward)*

**Temporary Speaker:** Honourable Julius Sang!

**Hon. Sang, K:** Thank you, Mr. Speaker, for giving me this opportunity to give the following Motion:

**Aware that** there are many incidents of trees falling on buildings and roads in Eldoret town and other urban areas in the County; **Further Aware that** these incidents have in some instances led to loss of life and much property; **Concerned that** there are many old trees along many roads that continue to pose danger to pedestrians, vehicles and even business premises; **Noting that** all urban areas should always be safe for all users: this County Assembly urges the County Government of Uasin Gishu through the department of Water, Environment, Natural Resources and Wildlife management to remove trees along all roads in Eldoret town and other urban areas in the County that pose danger to road users.

Mr. Speaker, I want to thank you for giving me this opportunity this afternoon to bring forth this Motion that I know is a touchy subject that we are bringing to the House. We know that trees are an important resource in the economy of the country; it is a resource that adds value to the environment, and it brings beautification to the environment. However, Mr. Speaker, some trees have overgrown, some trees are very old and they are susceptible to falling and causing danger to people. I am particularly worried about the trees that are growing along the roads especially in our town, especially in our urban centres. Mr. Speaker, some trees have grown over time and when you look at them from the face value, they look healthy, they look good but inside they may have overtime got rotten from inside and thus they pose danger because when strong winds come, when heavy rains that we are witnessing currently come, they are likely to fall and cause danger to the pedestrians, motorists and road users.

Mr. Speaker, there is a case in point. Two weeks ago along this road that goes from MTRH to Mediheal to this junction that goes to Kenya Cooperative Creameries (KCC), in the afternoon when the rains were heavy, a blue gum tree fell and it almost hit a vehicle that was going past. We were following that vehicle and I was so worried, I was so worried that if we leave this to continue, it might cause danger to motorists, it might cause danger even to us as

Members of this House, Mr. Speaker. and so I come this afternoon to ask this House to pass this Motion so that all these trees that have overgrown in this town and other urban centres can be removed so that our centres and our town is safe for all the users in this town. I know, Mr. Speaker, along the highway and along the roads, we have other activities; we have the electricity line. That tree that fell that I have just said, almost hit the electricity line and you know the danger that it can cause to the consumers of electricity. We have appliances in our houses, we have computers in our offices and if a tree falls on an electricity line it can cause a lot of danger, it can even cause fire. So we are asking this afternoon the department of Water and Environment to move with speed and remove all these trees which have overgrown and, in replacement of these trees, we are asking that indigenous trees which are ornamental can be put in place so that the town is left beautiful because we are anticipating that in the near future, this town will be upgraded to a City status.

So, Mr. Speaker, with those few remarks, I want to urge this House to pass this Motion so that our town is safe and our urban centres are safe. We live in an environment that is beautiful that is envy for all of us.

With those few remarks, Mr. Speaker, I ask the Honourable Member from Tulwet/Chuiyat, the Honourable Julius Songok to second.

Thank you so much.

**Temporary Speaker:** Hon. Songok!

**Hon. Songok:** Thank you, Mr. Speaker Sir. I rise up to second this Motion moved by Honourable Member for Megun, Honourable Julius Sang, and I believe that you all understand the trees along our highways in town in our urban centres. There are trees that are of pre-colonial era that have stayed for long and they may cause a lot of harm than good because of ageing. We understand that those trees also affect our power lines, we have our sewerage systems inside the root that penetrate in the sewerage systems, we have the water lines, we even have the optical fibers that are being moved along the road and these trees because of the nature that they are growing, the roots go farther damaging those lines. All of us have expensive vehicles; we just park our vehicles only to come and notice that the tree has fallen on your vehicle costing over a million or two million which is quite a loss. It is also dangerous to the lives of our people especially the pedestrians that are moving doing their businesses.

So in that case, Honourable Speaker, I just want to say that there is tree and utility conflict whereby trees are planted by Environment Department and then we have the utility businesses that are going on our day to day life. I want to say that if there is a risk assessment team which can go all over and assess these trees and give us a report that most of the trees need to be felled down because of their nature ... there are Blue gum trees, there are Gravellier trees which even the dangerous winds especially in this month of July-August may cause harm to our properties.

So, Mr. Speaker, I just wanted this Honourable House and Honourable Members to pass this Motion so that we can have our urban centres not being at risk of such trees. I stand to second. Thank you, Mr. Speaker Sir.

**Temporary Speaker:** Okay thank you very much.

Honourable Members, a Motion has been moved and seconded; now I propose the question.

*(Question proposed)*

**Temporary Speaker:** Ensuing debate!

Honourable Kesumo, nominated Member!

**Hon. Kesumo:** Thank you so much, honourable Speaker, for giving me this chance to contribute. I want to support and congratulate the mover of this Motion, Hon Sang' from Megun and his seconder Honourable Songok. I want to say this Motion has come at the right time and I am standing here to support. Personally, I witnessed and I saw the harm that was done by these old trees some years back in 2001 when an old tree along the road fell on to a professor that was coming from Rift Valley Textiles (Rivatex) and we lost a whole professor from Moi University because of an old tree that has been there for a long time and it is not being used.

Honourable Speaker, we want to request that these old trees can be felled and they can be given out to be used as firewood. They can be sold instead of leaving a tree to do damage, to kill a professor, to kill our children who are going to school, to kill our animals especially at these rains most of these trees would be falling down and would be doing a lot of damage.

So I want to seek and request this House to pass this Motion to safeguard our children, to save lives in our County and also assist in being used in other areas because these trees can be used as firewood. So I want to thank you, Mr. Speaker Sir, and the whole House at large and to request and to say, let us pass this Motion as at now.

Thank you so much.

**Temporary Speaker:** Thank you so much.

Honourable Edward Yego, Member representing Segero Barsombe!

**Hon. Yego:** Thank you, Mr. Speaker Sir, for giving me this opportunity to put my input in this Motion. I wish to say that the Motion is timely and I have some one or two observations to make before I determine my fate.

I wish to say that according to the Motion, the mover was very concerned of the lives and property. What poses danger always is not an accident. We cannot actually prepare us to face an accident but it occurs automatically. Mr. Speaker Sir, I wish to say that. Let us say ... two weeks ago, we passed a Motion in which we requesting the residents of Uasin Gishu to give us an area at least 10 percent of their land for tree planting. In this Motion, it seems it is intending to cancel the Motion that we previously passed. In essence, how can we determine the age of a tree? How can we predict that a given tree is likely to pose danger in the near future?

Mr. Speaker Sir, the prayer of the Motion is specifically to remove all those trees that pose danger to road users, but it is actually difficult to predict and determine the age of a tree. So in that connection, I stand to oppose the Motion. Thank you, Mr. Speaker Sir.

**Temporary Speaker:** Thank you.

Honourable Mary Gorreti Boroswa!

**Hon. Boroswa:** Thank you, Mr. Speaker Sir. I stand to oppose the Motion and support the Honourable Member who has just been on the Floor because, one; for sure it was the other day when we passed the Motion to say that each and every person in Uasin Gishu County should be encouraged to plant a tree.

Secondly, Mr. Speaker Sir, we cannot live in a bare city where there are no trees. In fact, I wish if the mover of the Motion would have said we replace those trees with those other trees that are not very tall rather than saying we do away with all the trees. Remember we have old trees that are currently historical and we can have them as even museum kind of trees. There are some trees that even our own children have never seen elsewhere, and because they are old enough, they can be used even to attract tourists in our city. I want to say that, maybe the mover of the Motion was not there when we were having the other Motion over planting of trees and that is why he has come up with the same Motion, Mr. Speaker Sir...

*(Point of Order)*

**Temporary Speaker:** What is the point of order, Honourable Keitany?

**Hon. Keitany:** Thank you, Mr. Speaker Sir. I think the Honourable Member who is on the Floor is not serious because the mover of the Motion says what he is after is the removal of old trees. That automatically tells us that the mover of the Motion is not even after getting away with all trees but the old trees along the road.

**Temporary Speaker:** What is out of order now at that point?

**Hon. Keitany:** It was just a point of information; I just wanted to inform the Honourable Member.

**Temporary Speaker:** Okay thank you.

Proceed!

**Hon. Boroswa:** Thank you, Mr. Speaker, and protect me kindly. What we are saying as Honourable Members is that, as a County, we should have our trees. An accident can occur anywhere; even in our roads we have accidents. You could be driving without any other vehicle on the road but you find yourself, because of the heavy rains, going to the ditch. So, would we say we do away with the roads, Mr. Speaker Sir? Therefore, what I am saying is that as a County we need to retain our beauty and the only thing we can do is to assess these old trees to check how strong they are and especially how firm the roots are because that one can be checked, and if you see any tree that is posing danger, then you can remove the branches. But doing away with the old trees for sure is like we telling ourselves we do away with the old men and women.

Thank you, Mr. Speaker Sir.

**Temporary Speaker:** Thank you so much.

Hon. Edwin Korir, Member representing Kapseret/Simat!

**Hon. Korir, E. K:** Thank you, Mr. Speaker, for this opportunity. *Mheshimiwa* Speaker, I stand to support this Motion and the Member who has just been on the Floor has refused to read this good Motion. Mr. Speaker, this Motion is referring to trees along our highways, our roads and even trees that are within the town centre. Mr. Speaker, I have a cousin who three months ago was driving heading to his home and since along the roads we have trees, his car actually missed the road and actually hit a tree and he is still under medication. I actually wanted to come with a power saw and fell those trees because actually as a family, we had a challenge concerning that and I want to thank Honourable Member Julius Sang for coming in today to this Honourable House with this good Motion.

Mr. Speaker, if we want to do beautification of our Eldoret town, which will become a city soon, we cannot use trees ...

*(Point of Order)*

**Hon. Boroswa:** Point of order, Mr. Speaker!

**Temporary Speaker:** What out of order, Honourable Mary Gorreti?

**Hon. Boroswa:** Mr. Speaker Sir, is the Member on the Floor in order to tell us a cousin of his was driving and he missed the road and he went to hit a tree along the road and not on the road? Is he in order to tell us that we should fell that tree instead of that person being taken to a driving school to learn how to drive safely on the road?

Thank you, Mr. Speaker Sir.

**Hon. Korir, E. K:** Thank you, Mr. Speaker, for your protection. You know other things as nature and we are human beings, accidents can happen anywhere. We cannot say you need to go to a driving school. However, Mr. Speaker, listening is key. I was just giving that as an example in this Honourable House and I was actually saying that we need to beautify our town which will soon become a city, and to beautify, in an area there should be small trees that serve as flowers, Mr. Speaker, and those are the trees that we need to see along our roads and not these tall trees that pose danger on the roadside.

If you also go scientifically if you plant a tree along the road, you will find that tree bending towards the road and if there are trees on both sides, you will find that these trees always bend towards the road and it is physically and scientifically ... to do that because I think it is may be gravity, that the road is busy and thus it does pose danger.

I want therefore to join hands with Honourable Members that we need to assess and fell these trees along the road and we need to plant good, short and nice flowers.

Mr. Speaker, with that I stand to support the Motion.

**Temporary Speaker:** Thank you very much.

Honourable Keitany, Member representing Sergoit ward!

**Hon. Keitany:** Asante sana, Bwana Spika. Ninafikiri ni nafasi nzuri kwangu leo niweze hata kuchangia mjadala wa leo kwa lugha ya taifa na kabla ya hiyo, ningependa kuchukua nafasi hii kumshukuru kwanza aliyeleta mjadala wa leo ambaye ni Mheshimiwa kutoka Megun. Ningependa kumwambia yeye asante sana kwa maana mjadala wenyewe umeletwa kwa wakati ambao ulikuwa unahitajika. Kuna Mheshimiwa ambaye amesismama kuchangia mjadala huu. Mheshimiwa Goretti, ameongea na ameweza kunikumbusha wahenga walivyosema, 'Mwafrika anajua kutafuta fimbo baada ya kuumwa na nyoka', na nimeona ni ukweli kwa maana tunajaribu kuangalia na kwa kweli tulisema, 'kuzuia ni bora kuliko kuponya' na hivyo Mheshimiwa kutoka Megun, Mheshimiwa Julius Sang, ameweza kusema wacha ajitokeze ili tuweze kuzuia yale ambayo yanaweza kutokea.

Ni muhimu, Bwana Spika, kama viongozi kutoka kaunti ya Uasin Gishu kuweza kuangalia mbele na kuona yale ambayo yanaweza kutokea. Ninasema hivyo kwa maana sisi tunawakilisha watu wa jimbo hili la Uasin Gishu 450, 000 na zaidi. Hao watu ni wa maana kwetu sisi na, tukipoteza mmoja kwa sababu ya miti ambayo imeanguka kwa barabara na naweza kutoa mfano. Kuna mwaka kulikuwa na shida katika njia ya kuelekea Kapsabet kuja Eldoret. Kuna watu walipoteza maisha, na ninashangaa kwa waheshimiwa na ni makosa mno

tukisema tusikate miti ambayo iko kando ya barabara. Sisi tunapenda miti na mimi mwenyewe nikiwa Mheshimiwa wa Sergoit, ningependa kumwambia Mheshimiwa akitembea kwangu niko na zaidi ya hekari mbili ya miti ndani ya shamba la hekari tatu.

Kwa hivyo, ningependa kumwambia Mheshimiwa, tuungane pamoja tusaidiane ili hoja ambayo imeletwa kwa siku ya leo na Mheshimiwa kutoka Megun, tuweze kuikubali na tuambie serikali ya Uasin Gishu waweze kufanya hivyo mara moja. Ninasema mara moja kwa maana eneo langu - na ninafikiri unapajua pale ukielekea upande wa Iten pale Chepkanga - leo asubuhi nilipokuwa nikitembea, kuna miti ambayo imeshaanguka na nilikuwa nikisema wacha niombe Mungu kuwa hakuna aliyejeruhiwa ama hakuna aliyepoteza maisha. Kwa hoja au mjadala kama huu, sioni ni kwa nini Mheshimiwa ambaye anawakilisha watu wa Uasin Gishu kaunti kusimana kusema hoja hii sio nzuri.

Bwana Spika, nafikiri ni hayo tu na ninafiiri wale waliokuwa wamejitokeza kupinga mjadala wa leo wanaweza kubadilisha nia na kuweza kukubaliana na sisi.

Asante sana, Bwana Spika.

**Temporary Speaker:** Honourable Noah Lelei, Member representing Kamagut!

**Hon. Lelei:** Thank you. Honourable Speaker, you always forget my name. I am Nicholas Lelei. I stand to support this Motion and I want to congratulate the mover of this Motion and he has stated well that all trees along many roads to be cut down. He has not said that we don't allow trees to be planted; he said old trees to be felled and this encourages residents of Uasin Gishu or the leadership of this County to plant new trees along the roads. So, it is very dangerous... Honourable Speaker, if we still remember an incident that occurred at Serena Hotel at the car park where there was a tree that fell down and really damaged a lot of vehicles and we always say that prevention is better than cure. Therefore, I want to say, Honourable Speaker, that I support this Motion a 100 percent and it is good that we cut down all the trees along the road, and also if it is possible, we also cut down all the trees that are within the institutions because sometimes it is very dangerous to even our children who are at schools. The structures are always close to these trees, so it is good actually that we cut down so that our children also can be safe.

So Honourable Speaker, I support this Motion a 100 percent.

**Temporary Speaker:** Thank you very much.

Honourable Noah Kemboi, Member representing Moiben ward.

**Hon Kemboi, N:** Thank you very much, Mr. Speaker, for having given me this opportunity to also contribute.

I rise to support this Motion and first and foremost, I want to thank the mover of this Motion who has just come in handy. I happen to be a teacher and an English teacher for that case, and having analyzed some wordings in this Motion I am left with no doubt other than to support this Motion because the prayer of this Motion, as given by Honourable Julius Sang, is that there are some old trees along the highway and he is very categorical here that we are talking about the old trees, and surely something that is old - and I was even wondering somebody was comparing a tree with a human being, then I wondered surely where are we on earth Surely, for people to compare a tree with a human being?

Mr. Speaker, I want to say that these trees that are along the way and especially at this time where we have a lot of rains, storms you find the way our town is also very much congested; sometimes such a thing can happen and can cause a lot of calamities.

So, Mr. Speaker, as our old adage says, prevention is better than cure, it is important that these old trees are removed and more especially at this ...

Number two is that, sometimes when you are driving you find that it is difficult for you to judge a vehicle especially along a bent because the trees might be hindering you to judge the correct position of the vehicle and that is also another point where I come in to support that this Motion should be adopted.

Mr. Speaker, sometimes you also find that along the highway especially in the evening, you find that these gangs would like hibernating and staying along those trees so that they at least use to snipe and at least hit on us. That is the place these gunmen stay before they hit our people.

So, I stand to request this House that before we have big calamities happening, I want to request my colleagues, Honourable Members, that we support this Motion and it is implemented even tomorrow.

Thank you, Mr. Speaker, for having given me this opportunity.

**Temporary Speaker:** Honourable Members, a Motion has been duly moved and seconded and now I want to put the question.

*(Question Put and agreed to)*

**Temporary Speaker:** The Motion has been approved by the majority.

## **ADJOURNMENT**

**Temporary Speaker:** Since there is no other business, this House stands adjourned until tomorrow at 2:30 PM.

The House Rose at 3:43PM