

COUNTY GOVERNMENT OF TAITA TAVETA



COUNTY ASSEMBLY OF TAITA TAVETA

THIRD ASSEMBLY – THIRD SESSION

ORDER PAPER

TUESDAY, APRIL 30<sup>TH</sup>, 2024 AT 9:30 A.M.

ORDER OF BUSINESS

**PRAYERS**

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions
5. Papers; (*As listed in the appendix*)
6. Notices of Motion; (*As listed in the appendix*)
7. Statements; (*As listed in the appendix*)
8. **PROCEDURAL MOTION: PROCEDURAL RESOLUTION OF THE THIRD TAITA TAVETA COUNTY ASSEMBLY (Hon. Anthony Warighe, MCA, Bura Ward, Majority Party Leader)**

**THAT**, pursuant to the provisions of Standing Order No. 28 (3) (b), this Third County Assembly of Taita Taveta **resolves** to hold a Sitting at 1:00 pm for purposes of conducting County Assembly Business.

**APPENDICES**

**PAPERS**

1. REPORT OF THE COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE REVIEW OF AUDITOR GENERAL'S REPORT ON THE COUNTY EXECUTIVE OF TAITA TAVETA FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2022
2. REPORT OF THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE REVIEW OF AUDITOR-GENERAL'S REPORT ON THE TAITA TAVETA COUNTY EXECUTIVE STAFF CAR LOAN AND MORTGAGE REVOLVING FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2022

**NOTICES OF MOTION**

1. NOTICE OF MOTION: **ADOPTION AND APPROVAL OF THE REPORT OF THE COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE REVIEW OF AUDITOR GENERAL'S REPORT ON THE COUNTY EXECUTIVE OF TAITA TAVETA FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2022** (Hon. Amos Makalo – MCA, Kasigau Ward, Chairperson Public Accounts and Investment Committee)

**THAT**, this Third County Assembly adopts and approves the report of the Committee on County Public Accounts and Investments on the review of the Auditor General's report on County Executive of Taita Taveta for the year ended 30<sup>th</sup> June 2022 laid on the table of this house on Tuesday, 30<sup>th</sup> April, 2024 Morning Sitting No.31 and its recommendations thereof.

**2. NOTICE OF MOTION: ADOPTION AND APPROVAL OF THE REPORT OF THE COUNTY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE REVIEW OF AUDITOR-GENERAL'S REPORT ON THE TAITA TAVETA COUNTY EXECUTIVE STAFF CAR LOAN AND MORTGAGE REVOLVING FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2022 (Hon. Amos Makalo – MCA, Kasigau Ward, Chairperson Public Accounts and Investment Committee)**

**THAT**, this Third County Assembly adopts and approves the report of the Committee on County Public Accounts and Investments on the review of the Auditor General's report on the Taita Taveta County Executive Staff Car Loan and Mortgage Revolving

Fund for the year ended 30<sup>th</sup> June 2022 laid on the table of this house on Tuesday, 30<sup>th</sup> April, 2024 Morning Sitting No. 31 and its recommendations thereof.

**STATEMENT**

**1. STATEMENT: STATEMENT ON GAZETTE NOTICE NO.3052 ISSUED BY THE GOVERNOR OF TAITA TAVETA ON LAND PARCEL L/R NO 3880/3 IN MGENO (Hon. Joseph Kennedy Mwalegha, MCA, Mwatate Ward, Chairperson, Transport, Roads, Public Works, and Infrastructure Committee)**

**MR. SPEAKER, SIR**, in line with the parliamentary best practices, precedents and conventions, and pursuant to the provisions of the Taita Taveta County Assembly Standing Order No. 42(2) (c) relating to the Sitting's ORDER NO. 7 (STATEMENTS), a Member of the House can seek a statement requiring availability of information, clarification or appearance on any substantive issue, circumstances, situations and matters appertaining to the attention of County Governments, the National Government, or any Public Entity where such mandates related to the management of service and leadership to the citizens and institutions, as per the Constitution of Kenya, 2010, and our current laws are concerned;

**Mr. Speaker, Sir**, the County Governor of Taita Taveta on 13<sup>th</sup> March, 2024, through Gazette Notice No. 3052, gazetted land parcel number 3880/3 in Mgeno as Community Land, in which he indicated that the land is held by the County Government of Taita Taveta in trust of Communities represented in Mgeno Grazers Integrated Community Based Organization (CBO). The Governor further listed the members of the management Committee of Mgeno Grazers Integrated Community Based Organization in the said gazette notice.

**Mr. Speaker, Sir,** the Community Land Act of 2016, Section 6 provides that the County Government shall hold in trust all unregistered community land on behalf of the communities for which it is held and that upon the registration of any unregistered community land in accordance with the Act, the respective registered community shall, assume the management and administrative functions provided in the Act and the trustee role of the respective county government in relation to the land shall cease.

Section 7 and 8 of the same Act provides the procedure and requirements for registration of Community Lands and their management.

**MR. SPEAKER, SIR,** in view of the above, I would like the County Executive Committee Member for **Lands, Physical Planning, Mining and Energy**, through the Chairperson of the Sectoral Committee on **Lands and Human-Wildlife Conflict Resolution**, to furnish this House with the following:

1. Under which law did the Governor issue the Gazette Notice?
2. What was the purpose of the Gazette Notice?
3. What action or decision is being communicated in the Gazette Notice?
4. What is the history of the CBO and when was it registered?
5. When did the CBO form part of the Community in respect of the said land?
6. What are the implications of the Gazette Notice?
7. What is the status of the parcel of land? In whose favor is it registered and what is the size of the said parcel of land?
8. With the Gazette Notice having been issued, and given that the land is occupied, what is the fate of the people that are currently settled on that land?