



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Fifth Session

Tuesday 12<sup>th</sup> October 2021

The House met at 2.30 p.m.

*[Hon. Temporary Deputy Speaker (Ms Immapet Kemunto) in the Chair]*

PRAYERS

QUORUM

**Hon. Temporary Deputy Speaker:** Clerk, confirm whether we have the quorum.

*(Clerk-at-the-Table confirmed there was no quorum)*

We are lacking quorum, Serjeant-at-Arms, ring the bell for five minutes. Whips, emphasize to members to log in through Zoom.

*(Quorum bell was rang for ten minutes)*

Clerk, proceed.

#### NOTICES OF MOTION

**Hon. Temporary Speaker:** Hon. Ariviza.

##### ALLOCATION OF BUSINESS SPACES TO PERSONS WITH DISABILITIES

**Hon. Mary Mwami:** Thank you very much, Madam Speaker. I beg to give notice of the following motion:

THAT, aware that Article 27 of the Constitution of Kenya, 2010 provides the citizens of this republic comprehensive equality and freedom from discrimination where every person is equal before the law and has the right to equal protection and benefit of the law; further aware that Article 56 of the Constitution provides that the State shall put in place affirmative action programmes designed to ensure that minorities and marginalized groups are provided special opportunities in economic fields and are provided special

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opportunities for access to employment; concerned that people living with disabilities have not been given priority in allocation of business space within the Nairobi City County; further concerned that few traders who managed to secure a space have faced harassment from County Government officers which has led to protests by such traders; noting that there are many persons with disability with potential to do business effectively without depending on well-wishers across the County; acknowledging that Article 27 (6) of the Constitution requires the State to take legislative and other measures including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination; this Assembly urges the County Government to set aside at least five percent of all business spaces within the Central Business District (CBD), specific points in the City streets, County markets and trading centers for people living with disability and ensure adherence to the provisions of the Constitution, the Persons with Disabilities Act, 2003 and the Nairobi City County Persons with Disabilities Act, 2015 on the rights of persons with disability.

Thank you Madam Speaker.

**Hon. Temporary Speaker:** Hon. Mbugua Kabiro from Zoom?

#### AUDIT OF COUNTY ROADS WITH A VIEW TO INCREASE THE U-TURN POINTS

**Hon. Kabiro Mbugua:** Hon. Speaker, I beg to give Notice of the following motion:

THAT, aware that Article 186 (1) of the Constitution of Kenya, 2010 and the Fourth Schedule, the functions and powers of the County Government among others, covers county transport, including county roads, lighting, public roads, transport, traffic and parking; further aware that the city designated perennials preferential U-turns throughout the City County roads; noting that recent years have witnessed mass increase in the number of vehicles plying various routes in the County; concerned that most County roads have limited marked U-turns, which have led to the use of pedestrian walkways and unmarked areas along various County roads being illegally turned into U-turn points by not only the public service vehicles but also private vehicles, this has led to increased traffic congestion and accidents including deaths to pedestrians; further noting that the few available U-turn points were done years ago with few vehicles available; acknowledging that to access some places within the Central Business District (CBD), motorists have to cover longer distances to get to a U-turn, which consumes extra fuel despite the increase in prices; this Assembly urges the County Executive in conjunction with the Nairobi Metropolitan Services, to undertake the audit of County roads with a view to increase the U-turn points where necessary in the County roads and rehabilitate the existing ones with visible signs to ease traffic flow across all County roads.

Thank you very much.

#### STATEMENTS

#### REQUEST FOR A STATEMENT REGARDING USAGE OF THE BURSARY FUNDS FOR THE YEAR 2021/2022

**Hon. Jared Akama:** Thank you very much, Madam Speaker. Pursuant to Standing Order No. 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Children, Early Childhood Education and Vocational training regarding usage of the bursary funds for the year 2021-2022.

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Hon. Speaker, the Nairobi City County Bursary intervention is an important programme that over the last few years assisted many less privileged pupils and students. This mechanism helps to ensure seamless academic progression of needy students in the County and mitigate against interruptions due to lack of funds for their fees over a time.

The County Assembly has been appropriating funds towards ensuring that this programme runs efficiently and effectively, including the financial year 2021-2022. However, there have been delays in disbursing the same given that schools have opened and many parents in the County are facing hard times to pay school fees due to the COVID 19 pandemic and the demanding academic calendar.

In the statement, the Chairperson should inquire into and report on:

1. Provide a status report on the disbursement of bursary for the financial year 2021-2022; and
2. Status of formulation of the amendments to Nairobi City County Bursary Scholarship Fund regulations as one of the measures to achieve expected and timely bursary disbursement going forward.

Thank you, Madam Speaker.

**Hon. Temporary Deputy Speaker:** Chairperson, Education? Hon. Ariviza, are you a member of Education Committee?

**Hon. Mary Mwami:** Thank you, Madam Speaker. I request the Hon Member to give us two weeks.

**Hon. Temporary Deputy Speaker:** Hon. Akama, are you okay with it?

**Hon. Jared Akama:** Madam Speaker, from the statement, it is clear that my request – and this a very humble request because of what the parents, especially in this era of the COVID 19 pandemic, are going through – Therefore, I am requesting that this matter be treated with urgency. Now that schools have opened, there are some students who are stranded. Just imagine that we are going to wait for two weeks to get a response, it means that perhaps we are going to keep these students longer waiting. If we get this response, may be it can contribute towards ensuring that the students will go to school in time. Thank you.

**Hon. Temporary Deputy Speaker:** So, are you comfortable with the two weeks?

**Hon. Jared Akama:** I am requesting if you can give them one week. I know it is the tradition of this House for Members giving two weeks, but we can break that tradition and take a week or so based on the urgency. This requires your wisdom, and I believe you are going to guide this properly. Thank you, Madam Speaker.

**Hon. Temporary Deputy Speaker:** Hon. Ariviza, bear in mind that we might be going on recess any time, so, give a comfortable date for him.

**Hon. Mary Mwami:** I think the recess is this Thursday. Today being Tuesday, and there will be holiday, it is difficult to give one week. Unless the Hon Member can appear in the committee over the holiday because committee meetings will be ongoing. So, the response can come before we resume. Give us two weeks but will try to work much quicker.

**Hon. Jared Akama:** Thank you, Madam Speaker. When Mheshimiwa Ariviza rose up, I know she is an academic giant, a believer in academics and a teacher who has passion in education, I was hoping that she would even suggest three days. I am requesting, based on the urgency and seriousness of this matter, let us give them eight days. Thank you.

**Hon. Mary Mwami:** Thank you, Madam Speaker. Eight days is okay because committee meetings will be ongoing during recess. You will be invited to the committee. Thank you.

**Hon. Benson Mwangi:** Thank you, Madam Speaker. I wish to request for a statement pursuant to Standing Order 45(2) (c), from the Chairperson of Sectoral Committee on Transport and Public works regarding mushrooming of illegal bus stages and terminus across all roads in the County especially CBD.

Hon. Speaker, in the recent past the residents of Nairobi City have witnessed an increase in mushrooming illegal bus stages across City County. The City has a designated preferential bus stops throughout the city-county roads and the presence of illegal bus stages resulting in traffic snarl-up in various roads due to reckless picking and dropping of passengers by the public service vehicles.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

1. Measures the County Executive and Nairobi Metropolitan Services are taking to stop the mushrooming of illegal bus stages across the roads in the County and establish modern and cleared marked bus stages to ease traffic and to minimize road accidents in the County.

Thank you, Madam Speaker.

**Hon. Temporary Deputy Speaker:** Chair, Transport Committee or any Member from Transport who can stand in for the committee?

**Hon. Peter Wanyoike:** Thank you, Madam Speaker I request for two weeks.

**Hon. Temporary Deputy Speaker:** Hon. Benson Mwangi, is two weeks okay with you?

**Hon. Benson Mwangi:** Yes, I am comfortable, Madam Speaker.

## BILL

### *Second Reading*

THE NAIROBI CITY COUNTY PLASTIC CONTROL (AMENDMENT) BILL, 2021 (ASSEMBLY BILL NO. 6 OF 2021)

**Hon. Temporary Deputy Speaker:** Mover, Hon. Charles Thuo Wakarindi, Chair of Environment? Since he is not around, I will defer it. It will be taken to House Business Committee for it to be rescheduled again.

*(Bill dropped)*

## ADJOURNMENT

**Hon. Temporary Deputy Speaker:** Hon. Member, there has being no other business, the House stands adjourned until Thursday 14<sup>th</sup> October 2021 at 2:30 p.m. Thank you.

***The House rose at 3.06 p.m.***

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