



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (FOURTH SESSION)

ORDERS OF THE DAY

TUESDAY, SEPTEMBER 22, 2020 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement
8. ***MOTION – HON. SILAS MATARA ONGWAE, MCA**

Subject: Management and sharing Revenue from the Nairobi National Park.

THAT, aware that under the Article 186 (1) of the Constitution of Kenya, and Fourth Schedule, the functions and powers of County Government, among others, covers Cultural activities, public entertainment and public amenities, including county parks and recreation facilities; further aware that paragraph 7 of the Fourth Schedule provides for the function County Government which include regulation of local tourism; acknowledging that the Nairobi National Park has attracted tourists both locally and internationally because of its strategic place and richness in various species of wildlife; concerned that despite the park being located in the County, the management and operations of the park are under the National Government which is against the spirit of the Fourth Schedule to the Constitution; further concerned that the County does not share any revenue from the Park; noting that the Intergovernmental Relations Act, 2012 provides for the establishment the National and County Government Co-coordinating Summit which provide forum for consultation and co-operation between the two levels of governments, this Assembly urges the County

Executive to engage the National Government with the view to jointly managing the operations of the Nairobi National Park and sharing of revenue from the Park between the National Government and the County Government.

NOTICES

I. The Assembly resolved on Wednesday, 19th February, 2020 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

* Denotes Orders of the Day*

NOTICE PAPER I

**Tentative business for
Thursday, 24th September, 2020 at 2.30 p.m.**

(Published pursuant to Standing Order 39(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Tuesday 24th September, 2020 at 2.30 p.m.: -

A. *MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Approval of Members to Committees

B. *MOTION – HON. ESTHER WAITHERA CHEGE, MCA

Subject: Development of Air Quality Policy and Legislation

THAT, aware that Article 42 of the Constitution 2010 provides that every person has the right to a clean and healthy environment including the right to have the environment protected for the benefit of present and future generations through legislative and other measures; **further** aware that Section 5 of the Nairobi City County Solid Waste Management Act, 2015 provides that every person within the County is entitled to a clean and healthy environment and has a duty to safeguard and enhance the quality of the environment; **cognizant** that the functions of control of air pollution are vested on county governments pursuant to Paragraph 3 of Part Two of the Fourth Schedule to the Constitution; **concerned** that air pollution is a perennial concern across the globe especially because it has the greatest environmental risk to health of vulnerable populations as shown by the studies, which have pointed out that air pollution has a negative effect on a child's neurodevelopment and is linked to some behavioral disorders such as autism and attention deficit hyperactivity disorder; **further concerned** that according to *Kenya National Bureau of Statistics* in 2014, the leading causes of morbidity and mortality among children in the County are respiratory diseases; **noting** that the *World Health Organization (WHO)* estimates shows that 90 percent of people worldwide breathe air containing high levels of pollutants where many people are exposed to fine particles in polluted air that penetrates human body system, causing respiratory and cardiovascular diseases; **acknowledging** that the County Government developed a 2019-2023 Air Quality Action Plan with the objective of building capacity to develop, implement and enforce improved policy and regulatory frameworks for air quality management in the County; this Assembly urges the County Executive in conjunction with the Nairobi Metropolitan Services to urgently develop the Air Quality Policy and Legislation to provide for mechanisms for improving air quality in the County and submit the same to the County Assembly for approval.

