



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

TUESDAY, SEPTEMBER 28, 2021 AT 9.30 A.M.

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

8. *MOTION – HON. ABDI I. HASSAN, MCA – MAJORITY LEADER

Subject: Renovation of Uhuru Park and Central Park.

THAT, aware that the Fourth Schedule to the Constitution under paragraph 4 provides for the functions and powers of County Governments as amongst others, Cultural activities, public entertainment and public amenities, including — county parks, beaches and recreation facilities; **RECOGNIZING** that Parks and green spaces occupy a critical place in the urban environment, providing opportunity for recreation and wellness, as well as environmental management promotion and sustainability for urban communities; **OBSERVING** that in furtherance of this critical role the Nairobi City County currently retains, operates and maintains various parks and green spaces, including Uhuru Park, Central Park, Michuki Memorial Park, Jeevanjee Gardens, Jamhuri Park, Uhuru Gardens etc.; **WELCOMING** that the rehabilitation and retrofitting of Urban Parks and Green Spaces in Nairobi City County is a Presidential Legacy project which needs the full support of the County; **REGRETING** that the status of some of the Parks and green spaces has waned over the decades as maintenance and renovation have not kept pace with growth in the urban population and demands for use of the Parks by City residents; **DEEPLY CONCERNED** that parks of historical and National significance such as Uhuru Park

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and Central Park risk losing their international appeal, recognition and status given the neglect they have suffered and the state of disrepair of facilities and amenities; **NOTING** that while the Nairobi Metropolitan Services has invested heavily in the renovation of Michuki Memorial Park, which investment has greatly boosted the usage of the Park, with ever greater numbers visiting the refurbished Park on a daily basis, the same has not materialized for Uhuru Park and Central Park which remain in a state of disrepair; **NOW THEREFORE**, disturbed that if the state of disrepair of Uhuru Park and Central Park is not remedied the Parks risk losing their appeal, historical significance and recognition; this Assembly **RESOLVES** as follows, that: -

1. the Nairobi City County Executive and the Nairobi Metropolitan Services urgently coordinate the immediate notification to the Members of the Public of the closure of Uhuru Park and Central Park for purposes of carrying out rehabilitation and retrofitting, taking into account the interests and well-being of stakeholders who carry out certain licensed activities in the Parks, with a view to restoring: -
 - a. Modern aesthetics for recreational areas;
 - b. Facilities for outdoor events;
 - c. Botanical spaces;
 - d. And all such related undertakings as are essential to return the two parks to their former glory.

9. *MOTION – HON. BENSON MWANGI MACHARIA, MCA

Subject: Establishment of a Street to School program for the street children.

AWARE that Article 21 (3) of the Constitution of Kenya 2010 provides that all State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, **children**, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities” **FURTHER AWARE** that Article 53 (1) of the same constitution dictates that every child has a right *inter-alia*;- (b) to free and compulsory basic education; (c) to basic nutrition, shelter and health care; (d) to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour; **CONCERNED** that according to the 2019 Kenya Population and Housing Census Report for the exercise conducted from 1st to 10th April, 2018 indicated that Kenya had a total of 46,639 street persons, out of whom the majority of the street persons being 21,550 were age 10 to 34 years, and below 19 years being 15,752, **FURTHER CONCERNED** that the highest concentration of street persons according to the said report was found in Nairobi (15,337 persons), Mombasa (7,529), Kisumu (2,746), Uasin

Gishu (2,147) and Nakuru (2,005). **DISTURBED** that street children population in Nairobi County has increased over the years which has seen them thrust into a bleak, harsh and depraved environment often fraught with constant and sustained danger in various forms such as; Harassment, Violence, Drug abuse and trafficking, Sexual exploitation, Loneliness and fear, Physical and emotional abuse and neglect, Starvation, Exposure to the elements, Early pregnancy and Poor hygienic and sanitation conditions; **FURTHER DISTURBED** that most of the street children lack basic needs including education despite the Government intervention towards free Education system; this Assembly therefore resolves that the County Executive undertake the following measures;-

- i. Initiate a **“Street to School”** campaign programs towards eliminating children from the streets to school with a proper guideline for the same;
- ii. The County Executive to establish a street-children rescue center for learning through a Public Private Partnership with non-state agencies and equip it with personnel;
- iii. A one-month Public Notice be issued to the General Public on removal of all homeless children from the street and enroll them on the Street to School Program forthwith; and,
- iv. Homeless children that shall upon the expiry of the removal notice be promptly nabbed and directed to Ruai Rehabilitation Center for rehabilitation and subsequently enrolled in the **“Street To School”** program.

NOTICES

I. The Assembly resolved on Tuesday, 9th February, 2021 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
Tuesday, 28th September, 2021 at 2.30p.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, 28th September, 2021 at 2.30 p.m.: -

A. *MOTION – HON. MARK MUGAMBI, MCA

Subject: Acquisition and strategic placement of towing equipment on roads in Nairobi County

THAT, aware that Part 2 of the Second Schedule to the Constitution of Kenya 2010 bestows the traffic and parking function on County Governments; **FURTHER AWARE THAT** the National Transport and Safety Authority Act Regulations mandate the authority to tow away stalled commercial vehicles on the road; **COGNIZANT THAT** the Kenya National Bureau of Statistics economic survey of 2020 pointed to an increased number of accidents of up to 10.8% between 2019 and 2020; **NOTING THAT** stalled vehicles account for a significant percentage of the accidents; **DEEPLY CONCERNED THAT** delayed towing away of stalled vehicles or vehicles involved in accidents lead to tailback of traffic jam on the affected roads and congestion on other roads compounding the existing challenge of loss of productive time in traffic jams; **OBSERVING THAT** for unknown reasons, private players in the towing sub-sector take longer time to intervene in towing away vehicles involved in accidents or stalled vehicles on roads; a combination of the foregoing factors give the public an impression of a government that is reluctant to address or mitigate existing challenges in the transport Sector, particularly, traffic management. This **ASSEMBLY URGES** the County Executive in conjunction with the Nairobi Metropolitan Services (NMS) to:

- 1) Formulate policy to regulate private operators in the towing industry; and
- 2) Acquire government owned towing equipment and strategically locate them on roads in the County for timely intervention in cases of accidents or stalled vehicles.

