



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – (FIRST SESSION)

ORDERS OF THE DAY

THURSDAY, NOVEMBER 24, 2022 AT 2.30P.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. NASRA NANDA, MCA

Subject: *Closure and relocation of liquor outlets within 300 Meters from learning institutions.*

AWARE that Section 4 of the Nairobi City County Alcohol, Drinks Control and Licensing Act, 2014 establishes the Nairobi City County Alcohol Drinks Control and Licensing Board, with its main role being; control, licensing, regularization and general administration of manufacture, advertisement, sale and consumption of alcohol drinks in the County and for connected purpose; **ACKNOWLEDGING** that Section 11 of the same Act dictates *inter-alia* that the sub-county committee, through the Board, shall not grant a new license for sale of alcoholic drinks to be consumed on the premises unless the sub-county committee is satisfied that the premises in respect of which the application is made is located at least three hundred meters from any nursery, primary, secondary or other learning institutions for persons under the age of 18 years; and not grant a license for the sale of alcohol drinks in a supermarket or such other related retail chain store unless it is satisfied that the applicant has taken measures to ensure that the area in which the sale is to take place is not accessible to persons under the age of eighteen years; **DEEPLY CONCERNED** that exposure to young learners to such

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uncontrolled environment leads to early alcohol and other substance dependence, school drop outs, poor academic performance in school and risky sexual behaviors in the County; **FURTHER CONCERNED** by the findings from the 2018 and 2016 National Survey on the Status on Alcohol and Drug Abuse among Primary and Secondary schools pupils and Students by NACADA and KIPPRA which established Alcohol as the highest abused substance with the average user age being 11 years by the primary school pupils, with the lowest age being 4 years old, hence the need to mitigate; **NOWTHEREFORE**, this Assembly **RESOLVES** that the County Executive issues a ONE MONTH closure and subsequent relocation NOTICE to all Liquor outlets and Pubs operating within the Three Hundred Meters radius from any nursery, primary, secondary or other learning institutions for persons under the age of 18 years in the County; a similar ONE MONTH NOTICE to all supermarkets and other outlets stores to ensure restricted access to liquor section from persons under the age of 18; and revocation of Liquor License for non-compliance business outfits at the end of the ONE MONTH NOTICE forthwith.

NOTICES

I. The Assembly resolved on Wednesday, 26th October, 2022 as follows: -

- a) **THAT**, pursuant to the provisions of Standing Order 106(1), 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, 29th November, 2022 at 2.30p.m.**

(Published pursuant to Standing Order 41(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, 29th November, 2022 at 2.30 p.m.: -

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

Subject: *Closure and relocation of liquor outlets within 300 Meters from learning institutions.*

AWARE that Article 21 (3) of the Constitution of Kenya 2010 provides that all State organs and public officers have the duty to address the needs of vulnerable groups within the 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-alias* to free and compulsory basic education, basic nutrition, shelter and health care, protection from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment, punishment and hazardous or exploitative labour; **CONCERNED** that according to the 2019 Kenya Population and Housing Census Report for the exercise conducted in 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 aged between 10 and 34 years, and those 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 City County has increased over the years which has seen them thrust into a bleak, harsh and depraved environment often fraught with constant and imminent danger in various forms such as; Harassment, Violence, Drug abuse, trafficking, sexual exploitation, loneliness, fear, physical and emotional abuse, neglect, starvation, early pregnancy, poor hygienic and sanitation conditions; **FURTHER DISTURBED** most Street Children in the County and in particular, the Central Business District (CBD) have been subjected to socio-economic exploitation, resulting them into hawking and begging, depriving them the right to basic education; this Assembly resolves that the County Executive undertake the following measures;-

- i. Issue a one-month Public Notice be issued to the General Public on removal of all the street children dwelling and purporting to engage in socio-economic activities in the County;
- ii. Fast track the construction and equipping the of Ruai Rehabilitation Centre;
- iii. Apprehend and direct to Ruai Rehabilitation Centre any street children upon the expiry of one-month notice; and,
- iv. Develops a County Street Children exploitation prevention policy that will seek to deter street children exploitation and promotion of school enrollment forthwith.

