

NAIROBI CITY COUNTY GOVERNMENT



**NAIROBI CITY COUNTY ASSEMBLY
(SECOND ASSEMBLY- SECOND SESSION)**

SECTORAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

**PROGRESS REPORT TO THE SELECT COMMITTEE ON LIAISON
(JANUARY TO DECEMBER, 2018)**

**Clerks Chambers
Nairobi City County Assembly
City Hall Buildings
NAIROBI**

DECEMBER, 2018

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1.0. PREFACE

Hon. Chair,

The Sectoral Committee on Environment and Natural Resources is established under Standing Order No. 203, and its mandate amongst others, as outlined under the third under schedule includes *“implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and refuse removal, refuse dumps and solid waste disposal.”*

Membership

01. The Committee on Environment and Natural Resources was constituted by the Assembly on 5th October, 2017 comprising of the following Members:-

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| 1. Hon. John Kamau, MCA | Chairperson |
| 2. Hon. Fredrick Onyango Okeyo, MCA | Vice-Chairperson |
| 3. Hon. John Kamangu, MCA | |
| 4. Hon. Peter Imwatok, MCA | |
| 5. Hon. James Mwangi Wambui, MCA | |
| 6. Hon. Peter Wahinya Njau, MCA | |
| 7. Hon. Laura Mwendu, MCA | |
| 8. Hon. Joyce Muthoni, MCA | |
| 9. Hon. Muchene Kabiru, MCA | |
| 10. Hon. Jeremiah Themendu, MCA | |
| 11. Hon. Susan Makungu, MCA | |
| 12. Hon. Silas Ongwae, MCA | |
| 13. Hon. Mwaura Samora, MCA | |
| 14. Hon. Jared Ondieki Akama, MCA | |
| 15. Hon. Emily Wanjiku Waithaka, MCA | |
| 16. Hon. Rose Masitsa, MCA | |

17. Hon. Francis Otieno Ngesa, MCA
18. Hon. Solomon Magembe, MCA
19. Hon. Jairus Amukhoye Omayo, MCA

Secretariat

02. The Committee Secretariat comprised of the following officers:-

- i) Ms. Rose Edna Kanana (Clerk Assistant)
- ii) Ms. Hellen Mutie (Clerk Assistant)-
- iii) Ms. Edith Wanyama (Office Assistant)

Committee progress

03. Standing Order 192 requires Sectoral Committee on Environment and Natural Resources to prepare and submit to the select committee on Liaison progress report. It against this backdrop that the Committee developed the progress report for the year 2018. During the period under review, the Committee set three (3) priorities which it aimed to achieve. These included; finalizing of pending business especially statement requests, site inspection visits and bills.
04. This report contains what the Committee has been able to accomplish during the period January, 2018 to December, 2018 in its bid to achieve the aforementioned priorities.

Appreciation

05. The Committee wishes to thank the offices of the Speaker and the Clerk of the County Assembly for enabling the Committee to carry out its plans. On behalf of the Committee, I wish to present the progress report for the Sectoral Committee on Environment and Natural Resources for the period January to December 2018 to the Liaison Committee for consideration.

SIGNED

HON. JOHN KAMAU

(CHAIRMAN)

DATE 24/01/19

2.0. INTRODUCTION

06. The progress report of the Sectoral Committee on Environment and Natural Resources is anchored on the provisions of Standing Order 192 which requires Sectoral Committees to prepare and submit to the select committee on Liaison progress reports.

07. In order to achieve its objectives, the Committee through a consultative approach developed a work plan running from January, 2018 to December 2018. The Committee used various tools under its disposal to achieve its set goals. This included; meeting/engaging with the County Executive Members and other stakeholders, consideration of the sector's budget estimates, and conducting site visits.

08. Despite not having achieved all its objectives, the Committee can report to have accomplished a few of its set goals, this include; finalizing over 90% of the pending statements, preparing reports on all site inspection visit and ensuring that the Public Nuisance legislative proposal is geared to publications and later enacted into law.

3.0. CONSIDERED BUSINESS

09. To consider its business, the Committee held a total of **70 sittings** both within and outside the precincts of the Assembly.

10. During the period under review, the Committee considered the following business:-

a) **Committee reports**

The Committee considered four (4) reports as follows:-

No.	Report	Status	Key recommendations
1.	Report on the consideration of the Nairobi City CIDP for the FY 2018-2022 and ADP for the FY 2018/19	Committee report tabled and adopted	<ul style="list-style-type: none">– That under the programme on Environmental Management and Protection in the CIDP, the allocation for procurement of noise meters be reduced by Kshs. 2million and the amounts be allocated to the environmental education and

			<p>public sensitization to improve the public's perception towards environmental management. The activity be included in the ADP for the FY 2018-19;</p> <ul style="list-style-type: none"> - That the procurement of the noise meters be done in the FYs 2018-19 and 2019-2020 as proposed in the CIDP and the same be done with the remaining balance of Kshs 6.5M; - That under the programme on Environment Management and Protection the cost of procurement of additional sweeping contracts be increased by Kshs. 120 for the FY 2018-19 and the targets for the CIDP and the ADP be amended accordingly to reflect that change; - That the procurement of two pressure vehicle washing machines under Environment management and Protection programme at a cost of Kshs 10M be included in the CIDP
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			<p>and be undertaken in the FY 2018-19 as indicated in the ADP;</p> <ul style="list-style-type: none"> – That under the programme on Environment Management and Protection the allocation of Kshs. 200 million for establishment of Material Recovery Facilities (MRF) in the FY 2018-19 be deleted and spread in the five FYs as indicated in the CIDP.
2.	Report on the consideration of the Nairobi City County supplementary estimates FY 2018/19.	Committee report tabled and adopted.	<ul style="list-style-type: none"> – That the Kshs 5M under the sub-programme on advertising ,awareness and public campaigns(2210504) be increased with Kshs 5M totaling to Kshs 10M; – That the sub-programme on contracted guards and cleaning services (2211305) be revised from Kshs 752,134,000 to Kshs 1B; – That the Kshs 11,250,000 under the project of procurement of 68 skips (sub-programme of solid waste management

			<p>1002035310) be reverted. On the same sub-programme, the Committee further requests for addition of Kshs 31M making a total of Kshs 42,250,000;</p> <ul style="list-style-type: none"> – Routine maintenance approval was Kshs 10,372,000 but was revised to Kshs 308,500. The Committee recommends that this figure be revised to Kshs 42,308,500; – That a provision of Kshs 206,480,000 for purchase of trucks and trailers be retained.
3.	Report on the consideration of the Nairobi City County budget estimates FY 2018/19.	Committee report tabled and adopted	<ul style="list-style-type: none"> – That Committee while scrutinizing the budget estimates should be alive to the following factors; – Improvement of solid waste management through provision of efficient waste management services; from source to site, through implementation and review of Integrated Solid Waste Management Plan(ISWMP) and development

			<p>of solid waste management policy</p> <ul style="list-style-type: none"> – Efficient waste collection and transportation through zoning
			<p>of waste collection operation areas, introduction of formal contracts between private waste collectors, CBO's on solid waste management and awareness creation and public participation in environment matters to Nairobi residents.</p> <ul style="list-style-type: none"> – Youth empowerment programme that will work to empower the youth in solid waste management, enactment and enforcement of solid waste management Act, environmental laws enhanced, and waste energy initiative launched. – Environmental landscaping programme through routine maintenance of ornamental plant, flowers and grass, management of parks, planting of tree seedlings and establishment of new gardens.

			<ul style="list-style-type: none"> – Pollution control programme to be implemented in collaboration with other partners. – Regeneration Nairobi rivers project with emphasis on rehabilitation of the riparian reserve through reforestation, recovery and protection, removal and – should be aware of the provisions of the PFM Regulations which limit any alterations of the budget estimates by 1% of the approved CFSP ceilings. Finalization of any roll over projects should be given utmost priority in the coming financial year as resolved by the County Assembly during approval of the CFSP.
4.	Report on the consideration of the County Fiscal Strategy Paper FYI 2018/2019.	Committee report tabled and adopted	<ul style="list-style-type: none"> – That Kshs 3.5M be allocated for procurement of a specialized pick-up for the Environment Monitoring and Compliance Enforcement (EMCE); – That recurrent expenditure ceiling to be maintained at Kshs 1,329

			Billion and that of the development expenditure be increased from Kshs 700 Million to Kshs 1,577 Billion
5.	Report on the consideration of the ADP for the FY 2019/2020	Committee report tabled and adopted	<ul style="list-style-type: none"> – That under the programme Beautification, Recreation and Greening Services, the allocation for Landscaping & beautification of Medians & shoulders roundabouts & other open spaces be maintained at Kshs 30M as proposed in the CIDP and the ADP be amended accordingly to reflect that change; – That procurement of additional sweeping contracts for areas outside CBD involving the Youths with a budget of Kshs2,160M be included in the ADP and the same be implemented as proposed; – That the procurement of the noise meters be done in the current Financial Year since it wasn't done in the FY 2017/18; – That Kshs 40M be allocated for the Environment Management and Protection programme as per the CIDP and the ADP be amend-

			<p>ed accordingly to reflect that change;</p> <ul style="list-style-type: none"> – That procurement of bulldozers and compactors at a budget of Kshs.50M each be done in the current Financial Year
6.	Report on the status of waste disposal mechanisms of Neema live-stock slaughtering & investment ltd and Kiamaiko abattoirs.	Committee report tabled. Pending deliberation and adoption by the Assembly.	<ul style="list-style-type: none"> – Abattoirs located within densely populated areas/slums should be re-located, to other spacious sites, for instance Kiamaiko abattoir, to enable proper enforcement of requisite environmental and food safety standards. – The abattoirs should work hand in hand with other sectors like water and sanitation to maintain good and healthy environment to avoid outbreak of some diseases like Cholera and other related diseases.
7.	Report on the Committee's retreat on Strategic planning	Committee report tabled and adopted	<ul style="list-style-type: none"> – That the committee to follow-laid down The Strategic Planning Process – Key Concepts <ul style="list-style-type: none"> o the Vision, Mission and Core Values for the Committee

8.	Report on the Committee retreat to equip Members with the knowledge of the	Committee report not yet tabled	—
	law making process		
9.	Report on the Committee retreat to equip the Members with the knowledge of the Budget Making Process and also to understand the Budget Documents	Committee report not yet tabled	—

b) Retreats/Workshops

The Committee held four (4) retreats as follows:-

NO.	DATE	PURPOSE	VENUE	REPORT
1.	Thursday 22 nd to Monday 26 th February, 2018	Enable the Committee to be taken through Strategic Plan Development	Masada, Naivasha	Workshop report tabled
2.	Sunday 11 th to Sunday 18 th March, 2018	Induction of the committee with the environment and Natural Resources Sub-sector.	Flamingo Beach Hotel.	Committee report tabled and adopted
3.	Thursday 14 th to	Committee Progress	Travellers Beach	Workshop report

	Sunday 17 th June, 2018	review.	Hotel, Mombasa.	to be tabled
4.	Thursday 18 th to Sunday 21 st October, 2018	Equip Members with the knowledge of the law making process	Travellers Beach Hotel, Mombasa.	Workshop report to be tabled
5.	Thursday 6 th to Sunday 9 th June, 2018	Equip the Members with the knowledge of the Budget Making Process and also to understand the Budget Documents	Pride Inn Hotel, Mombasa	Workshop report to be tabled

c) Statements

During the period under review, eleven (11) statement requests were directed to the Committee of which nine (9) have since been responded to while two (2) are still pending. The Committee has also been able to clear a backlog of four(4) pending statements carried over from the previous Calendar year due to incomplete information amongst others.

	Request by	Subject of statement	Status
i.	Hon. Nicholas Okumu, MCA,	Statement regarding Illegal dumping of solid wastes and raw sewerage at Jacaranda Gardens on the night of 27 th November, 2017	Responded on 19/02/2018
ii	Hon. Nicholas Okumu, MCA.	Statement regarding Piled garbage waste	Responded on 19/02/2018

		besides Ngong river, along Embakasi- Soweto bridge	
iii	Hon. Mwaura Samora, MCA	Illegal dumping of	Responded on
		solid waste in Clay City Ward.	11/04/2018
iv	Hon. Abraham Njihia, MCA	Garbage collection in Toi market in Woodley Ward.	Responded on 19/02/2018
v	Hon. Mwaura Samora, MCA	The dumping of raw human waste in a residential area in Njiru Ward	Responded on 24/07/2018
vi	Hon. Nicholas Okumu, MCA	Dumping of soil and garbage along Ngon'g river.	Response deliberated on 28/03/2018 Committee to conduct an inspection visit and come up with a comprehensive report
vii	Hon. Jayendra Malde, MCA	The status of garbage collection within Parklands/Highridge Ward	Responded on 11/04/2018
viii	Hon. J.M. Komu, MCA	The emptying of raw sewer into Kiu River in Kahawa Ward.	Responded on 17/07/2018
ix	Hon. Kennedy Oyugi. MCA	The status of discharge of	Responded on 25/07/2018

		industrial effluent in the County	
x	Hon. Patrick Karani, MCA	Illegal excavation and dumping done at Utawala.	Responded on 24/07/2018
xi	Hon. Kennedy Oyugi. MCA	Air pollution in the County	Response deliberated on 04/12/2018 and found unsatisfactory

d) Site visits

To fulfill its mandate, the Committee held **three (3)** fact finding site visits -

NO.	DATE	ISSUES FOR CLARIFICATIONS	VENUE/SITES
1.	16/04/2018	Ascertain the allegations of emptying of raw sewer into Kiu River in Kahawa Ward.	-Kiu River, Kahawa Ward
2.	27/03/2018	Inspect the waste disposal mechanisms used by Neema livestock slaughtering Investment.	-Neema livestock Slaughtering Investment
3.	04/05/2018	Inspect the waste disposal mechanisms used by Kiamaiko Abattoir	-Kiamaiko Abattoir

4.0. PENDING BUSINESS

11. The following business is still under consideration by the Committee:-

Business	Status	Remarks
i.) Legislative proposal on The Nairobi City County Public Nuisance Bill, 2018	Pre-publication scrutiny	Awaiting the response from the relevant stakeholders
ii.) Inspection site visit on the dumping	Proposed to be	NA

of soil and garbage along Ngon'g river, the County leading to loss of public funds.	conducted in January 2019	
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5.0. CHALLENGES

12. The Committee experienced the following challenges:-

- i.) Delay by the Executive to respond to Committee requests, especially statement requests by Hon. MCAs. Some questions are responded to when matters have been overtaken by events.
- ii.) Many a times recommendations made by the Committee are never implemented by the Executive as it only implements what is favorable to it and disregards most of what the Committee recommends.
- iii.) Non commitment of some Members towards Committee work.
- iv.) Failure to adhere to the committee work plans due to upcoming business in between the stipulated time.

6.0. CONCLUSION

The Committee notes that the period under review has been marked with a lot of activities aimed at enhancing oversight mandate of the Committee. Most of the activities carried out were oversight in nature and the Committee can report to have been instrumental in addressing issues affecting the residents.

