

THE NAIROBI CITY COUNTY GOVERNMENT



*Paper laid by the
Chairperson Trade
Committee (Mr. Thuo
on wed 13/6/2018
AAOmy
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THE NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – SECOND SESSION

CLERK
NAIROBI CITY
COUNTY ASSEMBLY
P. O. Box 45844-00100
NAIROBI

THE SECOND REPORT OF THE SECTORAL COMMITTEE ON TRADE, TOURISM
AND CO-OPERATIVES

ON

THE INDUCTION WORKSHOP OF MEMEBRS AND CAPACITY BUILDING WITH
THE COUNTY EXECUTIVE SECTOR ON COMMERCE, TOURISM AND
COOPERATIVES HELD 24TH TO 27TH JANUARY, 2018 AT THE SAI ROCK HOTEL,
MOMBASA COUNTY

Induction and capacity building report

Clerk's Chambers,
CITY HALL,
NAIROBI.

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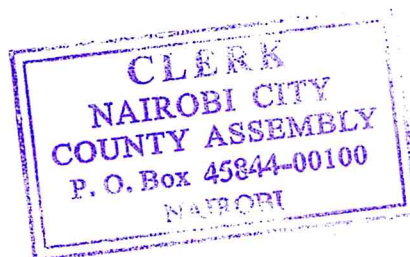
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PREFACE

Establishment and Mandate

Hon. Speaker,

The Sectoral Committee on Trade, Tourism and Cooperatives is established pursuant to the Standing Order 203, the Committee's mandate amongst others, as outlined under Standing Orders 203 (6) is to:

- a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b. study the programme and policy objectives of departments and the effectiveness of the implementation;
- c. study and review all county legislation referred to it;
- d. study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e. investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f. to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196 (Committee on Appointments); and
- g. make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Committee Membership

The Committee Membership comprises of:

1. Hon. Charles Thuo Wakarindi, MCA – Chairperson
2. Hon. Lawrence Otieno Odhiambo, MCA – Vice-Chairperson
3. Hon. Samuel Ng'ang'a Mwangi, MCA
4. Hon. Paul Ndung'u Irungu, MCA
5. Hon. Jayendra Virchand Malde, MCA
6. Hon. Maurice Ochieng Onyango, MCA
7. Hon. Naftaly Wagura Mathenge, MCA
8. Hon. Wilson Ongele Ochola, MCA
9. Hon. Benson Mwangi Macharia, MCA
10. Hon. Millicent Wambui Mugadi, MCA
11. Hon. Wilfred Oluoch Odalo, MCA
12. Hon. Redson Otieno Onyango, MCA
13. Hon. James Mwangi Wambui, MCA
14. Hon. Doris Ngoyo Kanario, MCA
15. Hon. Jacinta Wanjiru, MCA

16. Hon. Mary Njuguna Njambi, MCA
17. Hon. Emily Odeje Oduor, MCA
18. Hon. Eve Malenya, MCA
19. Hon. Jane Muasya, MCA

Hon. Speaker,

The Committee exercises its oversight role on the work and administration of the Commerce, Tourism and Cooperative Sector.

In accordance with the Third Schedule of the Standing Orders, the Committee is mandated to consider all matters relating to: - *“trade development and regulation, including markets, trade licenses (excluding regulation of professions), fair trading practices, local tourism and cooperative societies; Betting and Casinos and other forms of Gambling and Liquor Licensing.*

Hon. Speaker,

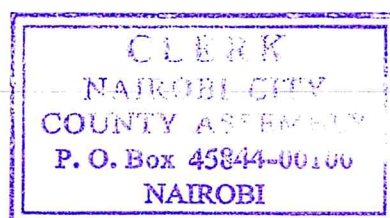
Pursuant to the provisions of Standing Order 203 (6) (a), (b), (c), (d) and (e), the Sectoral Committee on Trade, Tourism and Cooperatives is supposed to inquire into all matters relating to the mandate, management, activities, administration and operations of the Commerce, Tourism and Cooperatives Sector; study the programme and policy of the Sector and the effectiveness of the implementation; study, assess, and analyze the success of the departments as measured by the results obtained; and inquire into all matters relating to the Sector.

In this regard, the Committee in conjunction with the County Executive Sector on Commerce, Tourism and Cooperatives organized an induction workshop with the objective of considering the following amongst others;

- a. The Committee to acquaint itself with the structure, management, administration and operations of the Commerce, Tourism and Cooperatives Sector;
- b. Deliberate on implementation of the Sector projects for the financial years 2016/17 and 2017/18;
- c. Deliberate on plans and programmes for the Sector of Commerce, Tourism and Cooperatives; and
- d. Deliberate on existing and proposed policies and legislations in the Sector

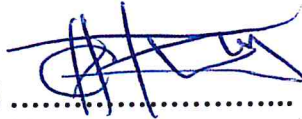
Acknowledgement

Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker, the Clerk of the County Assembly and the County Executive for the support extended to the Committee to facilitate its induction and capacity building workshop with the County Executive Commerce, Tourism and Cooperatives Sector.



Finally, much thanks to the Members of the Committee and the Secretariat for their dedication, untiring commitment and valuable contributions during the induction workshop.

Hon. Speaker, it is therefore my pleasant duty and privilege, on behalf of the Members of the Sectoral Committee on Trade, Tourism and Cooperatives to table the report of the Committee on the induction workshop held from 24th to 27th January, 2018, at Sai Rock Beach Hotel, Mombasa County.



Signed
Hon. Charles Thuo Wakarindi, MCA
Chairperson

Date 07/06/2018

1.0 INTRODUCTION

The Constitution has powered the County Assembly to exercise oversight over the County Executive Committee and any other County Executive organ. The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary. Following the constitution of County Assembly Committees and the approval of the County Executive Committee Members by the County Assembly, the Sectoral Committee on Trade, Tourism and Cooperatives undertook its induction workshop with the County Executive Commerce, Tourism and Cooperative Sector from 24th to 27th January, 2018 at Sai Rock Beach Hotel, Mombasa County.

The workshop entailed the overview on devolution and the role of the County Government; structure, management, administration and operations of the Commerce, Tourism and Cooperatives Sector; status of the budget implementation of the projects under the Sector the financial years 2016/17 and 2017/18; and deliberation on existing and proposed policies and legislations under the Sector. The presentations were made by the various departments of the Sector of Commerce, Tourism and Cooperatives.

1.1 Official Opening

The Chairperson opened the meeting and after a word of prayer, welcomed Members to the workshop. He then invited the Members, County Executive Officials and the Secretariat to introduce themselves. In his introductory remarks, the Chairperson urged Members to actively participate in the proceedings to enable them grasp the basics on the establishment, management and operations of the Sector.

In his opening remarks, the Director in charge of Trade Licensing informed the Committee on the following as the objectives of the workshop;

- a. The Committee to acquaint itself with the structure, management, administration and operations of the Commerce, Tourism and Cooperatives Sector;
- b. Deliberate on implementation of the Sector projects for the financial years 2016/17 and 2017/18;
- c. Deliberate on plans and programmes for the Sector of Commerce, Tourism and Cooperatives; and
- d. Deliberate on existing and proposed policies and legislations in the Sector.

1.2 Adoption of the programme

The programme for the workshop was adopted for discussion as proposed by Hon. Paul Ndung'u and seconded by Hon. Doris Kanario. Thereafter, the Chairperson invited County Executive Officials to take Members through the programme.

2.0 PRESENTATION

The presentations were made by various heads of directorates in the Sector of Commerce, Tourism and Cooperatives. That is, overview of demolition and role of the County Government; structure, management, administration and operations of the Sector; Annual Development Plan of the Sector; Plans and programmes of the various directorates and units; implementation of projects under the directorates and the existing policies and proposed legislations in each directorate.

3.0 OVERVIEW OF DEVOLUTION AND ROLE OF THE COUNTY GOVERNMENT

3.1 Overview of Devolution

The Constitution of Kenya 2010 breathes life into devolution and has given the Kenyan people the power to govern themselves and participate in all major decisions that affect them. Article 200 of the Constitution has granted Parliament the power to enact legislation that is necessary for devolution to take place. E.g. County Governments Act, 2012; Chapter Eleven and Articles 174 and 175 of the Constitution highlight the objects of Devolution and principles of devolved governments respectively.

3.2 Role of the County Government

Article 176 of the Constitution that “there shall be a county government for each county, consisting of a county assembly and a county executive” and that “every county government shall decentralise its functions and the provision of its services to the extent that it is efficient and practicable to do so. Section 5 of the County Governments Act, 2012 provides for the responsibility of the County Government; Part Two of the Fourth schedule to the Constitutions provides the functions and powers of the County Government.

3.2.1 Role of the County Executive

Pursuant to Article 179 of the Constitution , the executive authority of the county is vested in, and exercised by, a county executive committee which consist of the county governor and the deputy county governor; and members appointed by the county governor, with the approval of the assembly, from among persons who are not members of the assembly.

Article 183 of the Constitution provides for the functions of the County Executive which include;

- ✓ Implementation county legislation;
- ✓ Implementation of national legislation within the County to the extent that the legislation so requires;
- ✓ management and coordination of the functions of the county administration and its departments; and

- ✓ Perform any other functions conferred on it by the Constitution or national legislation.

A county executive committee may prepare proposed legislation for consideration by the county assembly.

The county executive committee shall provide the county assembly with full and regular reports on matters relating to the county.

3.2.2 Role of the County Assembly

County Assembly plays three major roles in the County Government; that is

- ✓ Legislation;
- ✓ Oversight; and
- ✓ Representation

Exercise legislative Authority (Art. 185 (1&2)); scrutinize and monitor the actions of the executive (Art. 185 (3)); vet and approve key county government appointees; ensure the laws and budgets it has approved are being properly implemented; subject executive plans, policies and actions to public debate and hearings, ((Art. 185 (4), 196); and approve the budget, expenditure and borrowing of the county government. Section 8 of the County Governments Act, 2012.

4.0 STRUCTURE AND OPERATION OF THE COMMERCE, TOURISM AND COOPERATIVES SECTOR

The Commerce, Tourism and Cooperatives Sector is headed by the County Executive Committee Members, follow by the County Chief Officer in charge of the Sector and then Directors heading various directorates. The Sector comprises of six directorates as follows;

- General Administration, Planning and Support Services;
- Tourism;
- Trade and Industrialization;
- Cooperatives;
- Licensing; and
- Weights and Measures

The directorates are further broken-down into units; that are Cooperative Development, Cooperative Audit, Weights and Measures, Getting and Gaming, Liquor Licensing and Regulation, Markets, Trade Licensing, Trade and Enterprises Development and Investment and Micro Enterprises.

Under the general administration, planning and support services, the Sector is made up of two Chief Administrative Officers. One in charge of Licensing, Markets, Trade Development, Tourism, the CECM's office and the Chief Officer's office; and the other one is in charge of Cooperatives, Weights and Measures and Gaming and Betting.

5.0 ANNUAL WORK PLAN AND PROGRAMMES OF THE SECTOR

The Chairperson of the Sector working group, Mr. Raphael Nderui informed that Committee that the Sector is made up of 10 Sub-Sectors. However, for the purposes of planning and budgeting, the sub-sectors are condensed into five main programmes with specific objectives. He further informed the Members on the annual development plans and programme in summary as the same was being handled by the respective directors. He stated that the Sector is projected to bring in approximately 24 percent of the County's internally generated revenue. He highlighted some of the revenue sources under the Sector, that is, Single Business Permit; Betting and Gaming; Liquor; Weights and Measures; Co-operative Development; Cooperative Audit and Markets.

6.0 MARKETS AND TRADING SERVICES DEPARTMENT

Mandate

The mandate of the department is to manage various county markets ranging from rental, tenant purchase, site and service schemes and open air markets. The county currently has 43 existing markets.

The Department's specific mandate include:-

- To identify and set aside land for development of Public Markets;
- To solicit for funds both from within and outside (from donors) for development of markets;
- To streamline and regulate the establishment of markets within the City's area of jurisdiction;
- To enhance poverty alleviation through creation of self-employment by provision of more trading services within the city to accommodate small scale traders;
- To increase the proportion of the County's allocation of funds for establishment and maintenance of markets;
- To co-ordinate and enhance revenue collection for the County;
- To improve infrastructural facilities in all the markets;
- To improve the quality of existing markets;

Services

The Department provides trading premises in the following forms:-

- Wholesale Market
- Rental Markets
- Site and Service Markets
- Tenant Purchase Scheme Markets
- Open Air Markets

The programmes and plans of the department

These are continuous undertakings to improve on service delivery. They include but not limited to: - cleaning all the market facilities; revenue collection; sensitization of clientele/stakeholders; markets data collection; regular updating of the market policies;

maintenance and repairs of all market facilities to the required public health standards and market conflict resolution.

Implementation of projects under the markets department

While briefing the Committee on the implementation of projects under markets, the Director in charge of Markets informed as follows;

- That building, painting and re-roofing of Quarry road market is estimated at Kshs. 130,529,840 and tender was awarded to LATON Engineering Company;
- That a new market was to be constructed at Mwariro at a total of Kshs 431,821,633 from World Bank via Namsip and tender was awarded to County Builders;
- That a new market was to be constructed at Karandini Mugomoini at a total of Kshs 342,998,058 from World Bank via Namsip and tender was awarded to DIWAFI Investment Limited;
- That new market (New Wakulima Market) to be constructed in Mowlem at a total of Kshs. 868,215,196.07. This is ADB project through KURA and the contractor is on site;
- That reconstruction of burnt market stalls in Karen market at a cost of Kshs. 20,025,277 had stalled;
- That reconstruction of burnt stalls in Muthurwa Market by World Bank through Namsip had political interference;
- That reconstruction of burnt stalls in City Park market at a cost of Kshs. 251,477,033.6 had stalled;
- That the rehabilitation of Makina market at a cost of Kshs. 42 million had stalled;
- That the rehabilitation of Shauri Moyo- Burma market at a cost of Kshs. 21.9million had stalled;
- That the rehabilitation of Kahawa West market at a cost of Kshs. 15 million had stalled, the County Government has spent Kshs 14million on the market so far;
- That the construction of new market in Ngumba at a cost of 60.5 million had stalled after the County Government spent Kshs. 4 million;
- That construction of new market – jogoo road in Makadara funded by the World Bank had political interference;
- That rehabilitation of Kariokor market on drainage and parking area at a cost of 19.4 million and tender was awarded;
- That there was proposed construction of modern kiosks in different Wards at a cost of kshs. 15 million;
- That rehabilitation of Old Ngara market at a cost of Kshs. 15 million was on tendering stage; and
- That re-construction of the burnt block at Quarry road market at a tentative cost of Kshs 700 million by the National Government;

During his presentations, the Director informed the Committee and all County Markets had no title deeds making them prone to grabbing by unscrupulous persons.

7.0 TOURISM DEPARTMENT

7.1 mandate and functions

The Deputy Director in charge of tourism department informed the Committee on its mandate which include to develop, market and manage the tourism in a sustainable way that ensures increased earnings, wealth creation and the maintenance of Nairobi's heritage for prosperity. The Department functions include;

- Overall Co-ordination: liaise and coordinate with international, regional and local institutions on tourism issues;
- Resource Mobilization: internal and external resource mobilization in consultation with the County Treasury for the development of tourism;
- Marketing: undertaking and facilitating of domestic and international tourism marketing activities in collaboration with stakeholders;
- Product Development and Diversification: development of viable tourism products and promotion and community participation in tourism.

7.2 programmes and plans of the department

- ✓ Development of a Tourism information Centre/ heritage gallery;
- ✓ Tourism stakeholders workshop in March
- ✓ Photo exhibition (History of Nairobi)
- ✓ Production of a documentary and other tourism publicity materials
- ✓ Training
- ✓ Exhibitions and Conferences

8.0 TRADE AND ENTERPRISE DEVELOPMENT DEPARTMENT

The Director in charge of trade and enterprise development department informed the Committee that the department was in charge of creating an enabling environment for domestic and international trade and investment for economic growth of the County.

8.1 Role of the Directorate

While briefing the Committee, the director stated that the directorate plays the following roles;

- Develop sound policy framework;
- Promote trade and investment through Information dissemination to investors, entrepreneurs, stakeholders and the public in general, (Develop an NCC investment guide) and promotion of local entrepreneurs to take advantage of export opportunities created through county, national, regional and multilateral trade agreements;
- Promote Micro-Small and Medium Enterprise (MSMEs) by providing capacity building programmes to MSMEs in conjunction with relevant stakeholders in the cottage industry (Jua Kali, retail & wholesale trade) and financial accessibility to MSME through disbursement of loans (Nairobi City County Special loans scheme)

8.2 Programmes and plans

The Director stated the following as the programmes and plans of the department;

- ❖ Establishment of a special loans revolving fund at a cost of Kshs. 100million;
- ❖ Disbursement of loans to traders – targeting a total of 1400 traders;
- ❖ Holding investments stakeholders for a – four events in a year;
- ❖ Creating partnerships through holding business investment conference with stakeholders- one conference in a year;
- ❖ Creating market linkages by holding stakeholders exhibition at a cost of Kshs. 10million;
- ❖ Develop Training of Trainers manual for Micro Small Medium Enterprises training at a cost of kshs. 5 million; and
- ❖ Micro Small Medium Enterprises training and development for 1000 traders

8.3 projects

The Director informed the Committee that the department intends to undertake the following projects;

- ✓ Establish business information centres at a cost of 30 million to promote international investment;
- ✓ establish incubation centres, cottage industry (jua kali) parks, one village one product initiatives to create employment, promote innovation and local investment thus encouraging economic growth in the County; and
- ✓ census to create database of all investors, youth, cottage industry to aid in planning

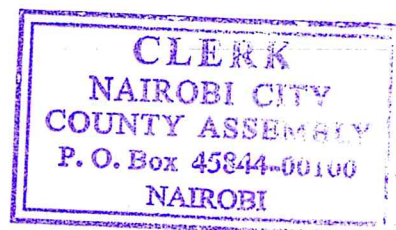
8.4 proposed policies and legislations

1. Nairobi City County Special Loans scheme Bill - existing NCCSLB initiated in 1954 was suspended in October 2016. It had over 2,000 beneficiaries; estimated fund of Kshs 10million. Process for transition to the county prematurely disrupted after end of the transition authority term
2. National Trade policy 2016 – Requires policy framework for operationalizing trade in the County

9.0 WEIGHTS AND MEASURES DEPARTMENT

The Director in charge on Weights and Measure took the Members through the programmes and plans for the unit. He stated that the function of Weights and Measures was partially devolved to the County Government, thus the unit uses the National Legislation to undertake its operations. The objectives of the unit include the following;

- ✓ To ensure traceability of measurements within the County;
- ✓ To promote fair trade practices and consumers protection against false trade descriptions;



- ✓ To formulate County Legal metrology policy and legislation to ensure an effective County Weights and Measures service;
- ✓ To ensure publicity of the Weights and Measures service;
- ✓ To improve the capacity of the Weights and Measures Department for effective service delivery.

Projects under the unit are as follows;

- Establishment of weighing Centres;
- Establishment of weights and Measures Laboratory;
- Procure working equipment for weights and Measures Department;

10.0 TRADE LICENSING

While briefing the Committee, the Director in charge of Trade Licensing informed that the Nairobi City County Government introduced a Unified Business Permit (UBP), which consolidates all the requirements for running a business within the County. This is a one-stop source whereby, after acquiring your UBP, you will have paid for Single business permit, fire Clearance Certificate, Advertising Signage (300 mm by 600 mm or less), Health Certificate, and Food Hygiene. He added that Unified Business Permit (UBP) is issued by Nairobi City County to allow individuals or companies to conduct business within its jurisdiction. It is an authorization to start a business by the County Government.

UBP is made up of the following Certificates /categories:-

Type of Certificates	Issued by
➤ Single business permit	– Trade Licensing revenue stream.
➤ Fire Clearance Certificate	– Fire Department revenue stream.
➤ Signage Certificate	– Planning Department revenue stream.
➤ Food Hygiene Certificate	– Public Health Department revenue stream.
➤ Medical Health Certificate	– Public Health Department revenue stream.

10.1 Programmes and Plans

a) At the Licensing Secretariat Office

- Approval of application forms for new applicants;
- Capturing data & Invoicing clients based on details provided in the application forms;
- Identifying training needs of staff, develop a training manual, develop M&E program and identify staff with urgent training needs;
- Arrests and prosecution;
- Sensitize operation teams, prepare tools of trade and conduct a licensing week activity to mobilize revenue collection;
- Identify sources of problems - provide solutions to complaints and maintain a customer desk for all enquiries and instant solutions;
- Collect data on all liquor outlets;
- Vetting and inspection of Liquor outlets.

b) At both the Ward & Sub County Offices

- Inspection of business to ensure that clients pay the correct fee; and
- After inspection to update the register to reflect the current status of businesses.

10.2 proposed Legislation

- Proposed Nairobi City County Trade Licensing Bill

11.0 BETTING AND GAMING

The Director in charge of Betting and Gaming in the County informed the Committee that the Sub-Sector derives its mandate from Paragraph 4 of Part 2 of the Fourth Schedule to the Constitution of Kenya, 2010 and the Nairobi City County Betting Lotteries and Gaming Act 2014 and the Betting, Lotteries and Gaming Act Cap 131 of the Laws of Kenya. He further informed that the daily programmes of the Sub-Sector include the following;

- ✓ Daily supervision of casinos;
- ✓ Pool table licensing / amusement machines;
- ✓ Licensing of county lotteries;
- ✓ Licensing of prize competitions;
- ✓ Eradication of illegal gambling; and
- ✓ Procurement of staff uniforms.

He further informed that the Sub-sector has proposed a bill on County Lottery.

12.0 COOPERATIVES DEVELOPMENT

The Director in charge of Cooperatives took the Members through the plans and programmes of the department. She informed that the department was partly devolved from the National Government. The Acting Chief Officer of the Sector informed the Committee on the functions of the Department which includes the following;

- Registration of co-operative societies;
- Co-operative education and training;
- Inspections and inquiries;
- Settlement of co-operatives disputes;
- Co-operative marketing;
- Implementation of Co-operative financing policies;
- Mainstreaming good corporate governance in the co-operative sector; and
- Promotion of co-operative ventures, innovations, value addition and investments.

She informed on the plans and programmes under the Sub-sector such as raising of county revenue; promotion and registration of cooperative societies; carrying out inspections; capacity building for members, management and supervisory committees and staff; revival of dormant cooperative societies; enforcement of compliance in

remittances to cooperatives; hold consultative meetings with cooperative leaders and other stakeholders; cascade performance contract to individual officers among others.

She shared with the Committee on the existing and proposed policies and legislations under the department. The proposed legislations are;

- The County Co-operative Societies Act; and
- The County Co-operative Societies Rules

13.0 COOPERATIVE AUDIT

The Deputy Director in charge on Co-operative Audit briefed the Committee on the operations of the unit highlighting on the plans and programmes of the unit. She informed that during the financial year 2016/17, the unit had audited 724 Co-operative Societies raising total revenue of Kshs 14 million. She stated that a Circular was issued during the transition period on sharing of revenue between the National Government and the County Government at the ratio of 30 percent to 70 percent; however, the circular had not been implemented by the County Government of Nairobi.

14.0 CHALLENGES

During the presentations, each department had its own unique challenges. However, most challenges were crosscutting in the Sectors. Some of the challenges included the following;

a) Sub-Sector of Markets

The following are the challenges bedeviling the operations of the Sub-sector of the Markets as stated by the Director in charge of Markets;

- There are no supervisory vehicles thus hindering the operations of the Sub-Sector;
- there is influx of estate market
- Lean working force
- Inadequate enforcement leading to accumulation of rent arrears;
- Campaign declaration and promises
- lack of appropriate knowledge by traders hampers the implementation of e-payment)
- Cartels and illegal gangs in cess points hinders collection of revenue
- Lack of working data to aid in accuracy of information
- Outdated policies (sale of liquor in stalls)
- Poor communication strategies within the Sector resulting in
- Lean budget for development
- Shortage of sub-staff/cleaners in the department
- Non-payment of contractor leading to stalled projects

b) Trade Licensing Sub-Sector

The following are the challenges hampering the operations of the Sub-sector of the Trade Licensing as stated by the Director;

- Slow procurement process for Departmental requirements;
- Insufficient funds to finance the departmental budget;
- Lack of a unified business permit Act on compliance hinders the enforcement of unified business permit;
- Lack of information technology infrastructure at the Sub-County and Ward levels to enhance service delivery to the public;
- Poor organization structure in decentralization leading to conflict of interest between sub-county finance officers, sub-county licensing officers and Ward licensing officers;
- Discomfort among some of the traders due to the use of the ordinary A4 photocopying paper without any security features resulting to some institutions rejecting the permits on the grounds that they are not genuine;
- Poor record keeping of business registers at the Ward level to record all businesses to establish revenue potential for the respective Wards;
- Lack of vehicles to facilitate inspections at the Sub-County and Ward level. Some Sub-County and Wards are quite expansive and inspecting businesses for compliance becomes a big problem;
- Lack of the required training for Ward Licensing Officers and their field officers in assessment of businesses and good customer care;
- Lack of facilitation in terms of Ward offices, furniture, computers, fueling of enforcement vehicles etc. leading to low staff morale.

c) Sub-sector of Betting and Gaming

The following are the challenges hindering the operations of the Sub-sector of the Betting and Gaming as stated by the Director;

- ❖ The National Government has not released all the gaming & betting functions to the county. E.g prize competition, licensing of amusement machines, licensing of county lotteries;
- ❖ Inadequate staff due to non-replacement of exiting staff;
- ❖ Lack of specific permit for pool tables;
- ❖ Demotivated staff due to stagnation;
- ❖ Delayed payment of meals/extraneous allowances to gaming staff;
- ❖ County Betting Board operations not yet reactivated.

d) Tourism Sub-sector

The following are the challenges hindering the operations of the Sub-sector of Tourism as stated by the Director;

- ✦ Inadequate personnel;
- ✦ Dependence on other department to achieve our objectives e.g. Procurement, finance, Legal, and communication departments;

✚ Lack of facilitation – the Sub-sector has a limited budget to operate with

e) Trade and Enterprise Development Sub-sector

The following are the challenges encumbering the operations of the Sub-sector of Trade and Enterprise Development as stated by the Director;

- Inadequate and untimely disbursement of funds;
- Inadequate number of staff;
- Lack of vehicles;
- Lack relevant policies;
- Disconnect between policy makers and policy implementers;
- Poor financial planning resulting in stalled projects;
- Poor organizational structure with inappropriate placements

f) Weights and Measures Sub-sector

The following are the challenges encumbering the operations of the Sub-sector of Weights and Measures as stated by the Director;

- Inadequate human resource capacity;
- Inadequate transport;
- Inadequate standards, testing equipment and tools;
- Lack of a county legal metrology policy;
- Inadequate legal metrology legislation;
- Inadequate public awareness of the functions of the weights and Measures Service;

g) Cooperative Development Sub-sector

The following are the challenges encumbering the operations of the Sub-sector of Cooperative Development as stated by the Director;

- Inadequate staff;
- Lack of transport for field officers;
- Inadequate ICT and other working facilities;
- Inadequate furniture;
- Inadequate office accommodation.

h) Cooperatives Audit Sub-sector

The following are the challenges bedeviling the operations of the Sub-sector of Cooperative Development as stated by the Director;

- Shortage of technical staff due to retirement and transfers to central government;
- Office space;
- Lack of internet in the office;
- Demotivated staff due to stagnation in one job group;
- Lack of facilitation for office operation;
- Allowance for working during weekends

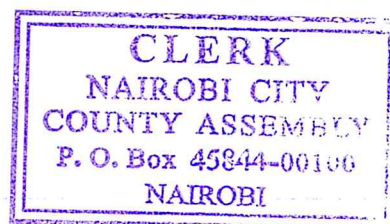
Summary of the main challenges

- ✓ Inadequate legal framework; some of the Sector's departments are bogged down by inadequacy of legal framework when it comes to execution of their mandates;
- ✓ Inadequate funding; funding in the Sector is inadequate despite the critical services expected to be provided by the Sector; which has led to stalled projects under the Sector;
- ✓ Payment and procurement process; it normally takes a lot of time to process a payment and procure an item. This hinders the Sector from delivering within its work plan leading to low performance;
- ✓ Inadequate staffing; the Sector is highly affected by understaffing especially for the technical staff; most technical staff are at the retirement age and other have been transferred to the national Government;
- ✓ demotivated staff due to stagnation in one job group for a long period of time without promotion;
- ✓ Lack of clear separation in some of the roles between the National Government and the County Government. The National Government has not released all the gaming & betting functions to the County. E.g prize competition, licensing of amusement machines, licensing of County lotteries;
- ✓ Transport; the Sector experiences some difficulties in monitoring its programmes and projects due to lack of transport means;

15.0 WAY FORWARD AND CONCLUSION

Following the presentations by the various directorates of the County Executive Sector on Commerce, Tourism and Cooperatives, the Committee committed to follow up on the following;

- ✓ That policies and legislations to strengthen the Sector be enacted for the effective operation of the Sector;
- ✓ That County Markets do acquire title deeds to avoid grabbing of market lands by private developers;
- ✓ That the Sector to employ more manpower to address the issue of inadequate personnel which is a challenge in all the directorates of the Sector;
- ✓ That County fleet management to consider having a policy on the management of County vehicles – to specify which officers were supposed to use County official vehicle;



THE NAIROBI CITY COUNTY GOVERNMENT

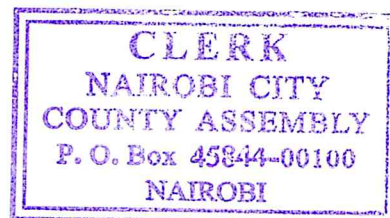


COMMERCE, TOURISM AND COOPERATIVES

**THE SECTORAL COMMITTEE ON TRADE, TOURISM AND CO-OPERATIVES
PROGRAMME FOR THE INDUCTION OF MEMBERS AND CAPACITY BUILDING WITH
THE COUNTY EXECUTIVE SECTOR ON COMMERCE, TOURISM AND COOPERATIVES
AT SAI ROCK HOTEL, MOMBASA COUNTY**

23RD TO 27TH JANUARY, 2018

VENUE: SAI ROCK BEACH HOTEL, MOMBASA COUNTY



DAY 1: Tuesday 23rd January, 2018

Arrival at the Venue

DAY 2: Wednesday 24th January, 2018

8.30 – 9.00am **Registration**
Caroline Ouma & Esther Gatumbi

SESSION ONE: OFFICIAL OPENING

Session Chair: Hon. Charles Thuo, MCA – Chairperson

9.00-9.10am -Prayers
-Introductions
-Adoption of the programme
-Objectives of the Workshop – Dolphine Aremo Ag. CCO

9.10 - 10.00am Opening remarks by the C.E.C – Commerce, Tourism and Co-operatives Sector
Opening Remarks by the Committee Chairperson (*Hon. Charles Thuo, MCA*)

10.00 - 10.30am **HEALTH BREAK AND PHOTO SESSION**
Nassir Massai

SESSION TWO: OVERVIEW ON DEVOLUTION AND THE ROLE OF THE COUNTY GOVERNMENT

Session Chair: Hon. Emily Oduor, MCA

10.30 – 12.30pm **Topic:** Overview on devolution and the role of the County Government:-
— Role of the County Executive and County Assembly - nexus between the two arms of the County Government.
— Overview of the operation of the County Executive Sector of Commerce Tourism and Cooperatives.

Presenter: Thomas Wasike

12:30 – 1:00 pm: **PLENARY**

1.00 - 2.00pm **LUNCH BREAK**

SESSION THREE: STRUCTURE AND OPERATIONS OF THE COMMERCE, TOURISM AND COOPERATIVES SECTOR

Session Chair: Hon. Naftaly Mathenge, MCA

2.00- 3.30pm: **Topic 3:** Structure, management, administration and operations of the Commerce, Tourism and Co-operatives Sector; - the various sub-sectors, directorates and units under the Sector

Presenter: Boniface Openda/Edith Ndegwa

3.30 - 4.30pm PLENARY

4.30 - 5.00pm TEA BREAK AND END OF DAY 2

DAY 3: Thursday 25th January, 2018

SESSION FOUR: CONSIDERATION OF THE ANNUAL WORK PLAN AND PROGRAMMES OF THE SECTOR FOR THE FINANCIAL YEAR 2017/2018

Session Chair: Hon. Lawrence Odhiambo, MCA – Vice-Chairperson

9.00 –10.00am **Topic 4:** Consideration of the Annual Development Plan (ADP) of the sector for the financial year 2017/2018

- Table the Sector’s ADP for the Financial Year 2017/2018
- Brief on status of budget implementation of the development expenditure for the Sector for the Financial Year 2017/2018;

Presenter: Raphael Nderui

10.00 – 10.30am TEA BREAK

SESSION FIVE: IMPLEMENTATION STATUS OF THE SUB-SECTORS’ PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18

Session Chair: Hon. Jacinta Wanjiru, MCA

10.30 - 12.30 am: **Topic5:** Markets and Trading Services department projects status report for the financial years 2016/17 and 2017/18;

- Programmes and plans under the department of Markets and Trading Services
- Deliberation on existing and proposed policies and legislations under the department

11:00 – 12:30 pm : PLENARY

Presenter: Hari Mwahari

1.00 - 2.00pm LUNCH BREAK

SESSION SIX: IMPLEMENTATION STATUS OF THE SECTOR PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18 – cont.

Session Chair: Hon. Redson Onyango, MCA

2.00- 4.00pm **Topic6:** Tourism department projects status report for the financial years 2016/17 and 2017/18;

- Programmes and plans under the tourism department
- Deliberation on existing and proposed policies and legislations under the department

4.00 – 4.30pm : PLENARY

Presenter: Susan Mukuhi

4.30pm - 5.00pm TEA BREAK AND END OF DAY 3

DAY 4: Friday 26th January, 2018

SESSION SEVEN: IMPLEMENTATION STATUS OF THE SECTOR PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18 – cont.

Session Chair: Hon. Paul Ndung'u, MCA

9.00 –10.00am **Topic 7:** Trade and Enterprise development department projects status report for the financial years 2016/17 and 2017/18;
— Programmes and plans under the trade and enterprise development department
— Deliberation on existing and proposed policies and legislations under the department

Presenter: Elizabeth Njau

10.00 – 10.30am **TEA BREAK**

SESSION EIGHT: IMPLEMENTATION STATUS OF THE SECTOR PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18 – cont.

Session Chair: Hon. Eve Malenya, MCA

10.30 – 12.30pm **Topic 8:** Weights and Measures department projects status report for the financial years 2016/17 and 2017/18;
— Programmes and plans under the Weights and Measures department
— Deliberation on existing and proposed policies and legislations under the department

12.30 – 1.00pm **: PLENARY**

Presenter: Ashford Kirunja

1.00 - 2.00pm **LUNCH BREAK**

SESSION NINE: IMPLEMENTATION STATUS OF THE SECTOR PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18 – cont.

Session Chair: Hon. Benson Mwangi, MCA

2.00– 4.00 pm **Topic 9:** Trade licensing and betting and gaming department projects status report for the financial years 2016/17 and 2017/18;
— Programmes and plans under the trade licensing department
— Deliberation on existing and proposed policies and legislations under the department

4.00– 4.30pm **: PLENARY**

Presenter: Johnson Akongo/Geofrey Muthimbu

4.15 – 4.30 pm **TEA BREAK AND END OF DAY 4**

DAY 5: Saturday 27th January, 2018

SESSION TEN: IMPLEMENTATION STATUS OF THE SECTOR PROJECTS FOR THE FINANCIAL YEARS 2016/17 AND 2017/18 – cont.

Session Chair: Hon. Wilfred Odalo, MCA

9.00 –10.00am **Topic 10:** Co-operatives development projects status report for the financial years 2016/17 and 2017/18;
— Programmes and plans under the Co-operatives department
— Deliberation on existing and proposed policies and legislations under the department

Presenter: Dolphine Aremo

10.00 – 10.30am **TEA BREAK**

10.30 – 11.30am **Topic 10:** Co-operative Audit department projects status report for the financial years 2016/17 and 2017/18;
— Programmes and plans under the Co-operative Audit department
— Deliberation on existing and proposed policies and legislations under the department

11.30 – 12.00pm **: PLENARY**

Presenter: Betty Rono

SESSION ELEVEN: CLOSING SESSION

Session Chair: Hon. Charles Thuo, MCA – Chairperson

12.00– 1.00 pm Way forward:

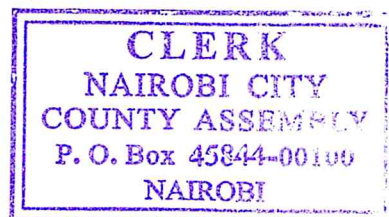
1.00 – 1.15 pm Vote of Thanks:

1.15 – pm **LUNCH BREAK AND END OF DAY 5**

Day 6: Sunday 28th January, 2018

DEPARTURES TO NAIROBI

End of Program



MINUTES OF THE 36TH SITTING OF THE NAIROBI CITY COUNTY ASSEMBLY
SECTORAL COMMITTEE ON TRADE, TOURISM AND COOPERATIVES HELD ON
TUESDAY 29TH MAY, 2018 AT 11.30 AM AT CHARTER HALL, CITY HALL BUILDINGS

PRESENT

1. Hon. Doris Ngoyo Kanario, MCA – Chairing
2. Hon. Samuel Ng’ang’a Mwangi, MCA
3. Hon. Jane Muasya, MCA
4. Hon. Jeremiah Karani Themendu, MCA
5. Hon. Mary Njuguna Njambi, MCA
6. Hon. Jacinta Wanjiru, MCA
7. Hon. Millicent Wambui Mugadi, MCA
8. Hon. Wilson Ongele Ochola, MCA
9. Hon. Jayendra Virchand Malde, MCA
10. Hon. Eve Malenya, MCA
11. Hon. Benson Mwangi Macharia, MCA

ABSENT

1. Hon. Charles Thuo Wakarindi, MCA – Chairperson
2. Hon. Paul Ndung’u Irungu, MCA
3. Hon. Wilfred Oluoch Odalo, MCA
4. Hon. Lawrence Otieno Odhiambo, MCA
5. Hon. Redson Otieno Onyango, MCA
6. Hon. Emily Ondeje Oduor, MCA
7. Hon. Maurice Ochieng Onyango, MCA
8. Hon. Naftaly Wagura Mathenge, MCA

SECRETARIAT

1. Mr. Kevin Wasike – Clerk Assistant

MIN.025/SC-TTC/MAY/2018 – PRELIMINARIES

Hon. Doris Kanario called the meeting to order 11.30 am and said the opening prayers. She then welcomed the Members present to the meeting and read the agenda of the meeting which was adopted for discussion as proposed by Hon. Wilson Ochola and seconded by Hon. Jacinta Wanjiru as follows;

1. Preliminaries (prayers & adoption of the Agenda),
2. Confirmation of minutes –35th Sitting
3. Matters Arising
4. Consideration and adoption of the draft report on the induction workshop with the County Executive Sector of commerce, Tourism and Cooperatives
5. Any Other Business
6. Adjournment

MIN.026/SC-TTC/MAY/2018 – CONFIRMATION OF MINUTES

Hon. Kanario read the Minutes of the 35th Sitting held on 16th May, 2018. The Minutes were confirmed to be true record of the proceedings as proposed by Hon. Samuel Mwangi and seconded by Hon. Jayendra Malde.

MIN.027/SC-TTC/MAY/2018

- MATTERS ARISING

Reference was made to MIN.022/SC-TTC/MAY/2018 – the Sector budget implementation report where the Committee was informed that a letter was sent to the County Executive to be furnished with the report. The Committee resolved to wait for the report as it was expected in the course of that day.

MIN.028/SC-TTC/MAY/2018

- CONSIDERATION AND ADOPTION OF THE DRAFT REPORT ON THE INDUCTION WORKSHOP WITH THE COUNTY EXECUTIVE SECTOR OF COMMERCE, TOURISM AND COOPERATIVES

The Secretariat tabled the draft report on the induction workshop with the County Executive Sector of Commerce, Tourism and Cooperatives held on 23rd to 27th January at Sai Rock Beach Hotel, Mombasa County. The Committee deliberated on the report and adopted it as proposed by Hon. Samuel Mwangi and seconded by Hon. Wilson Ochola.

MIN.029/SC-TTC/MAY/2018

- A.o.B


There was no other business.

MIN.030/SC-TTC/MAY/2018

- ADJOURNMENT

There being no other business and the time being twelve minutes past Twelve O'clock, the Chair adjourned the meeting. The next meeting was scheduled for Wednesday 30th May, 2018 at 11.30am.

CONFIRMED AS TRUE RECORD OF THE PROCEEDINGS

SIGNATURE 

(Chairperson)

DATE 31/05-2018

SIGNATURE 

(Clerk Assistant)

DATE 31/05/2018