



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Wednesday 13th August, 2014

The House met at 2.30 p.m.

(Hon. Speaker Mr. Alex Ole Magelo in the Chair)

PRAYERS

Hon. Speaker (Mr. Alex Ole Magelo): Good afternoon, Members. Hon. Wamari.

FORMATION OF AN AD HOC COMMITTEE TO INVESTIGATE ALLEGATIONS OF LAND GRABBING IN RUIAI

Hon. Member for Ruai(Hon. Daniel Mari): I rise on Standing Order number 80 to request your direction. On July 16th, you gave direction concerning the formation of an Ad Hoc Committee to investigate and to report to this Assembly concerning grabbed land in Ruai. To date, that Committee has never been formed and so I am seeking your direction to give the people of Ruai rest. This issue of land grabbing in Ruai, especially parcel number 12979/3 has cause a lot of turmoil and threats and as---

Hon. Speaker: Hon. Wamari, please be very clear, you are not audible on what you are saying.

Hon. Daniel Mari: On 16th July, Hon. Gathundo, the MCA for Dandora, rose up and requested a Statement from the Chairman of Planning concerning, I think, three parcels of land. You gave a direction on that date that the Majority and Minority Leader should come up with an Ad Hoc Committee to investigate and to report in this Assembly on the same. Up to date, it is nearly a month now, nothing has happened..... I promised my people that soon they will get an answer and a way forward from this House. What we are receiving are threats. In fact if you go ahead with this investigation we will see who will emerge the winner.

However, as leaders we cannot be cowed by land grabbers, we cannot be cowed by cheap politics. I am strong enough and I am going to fight this battle to the end. I am requesting your indulgence in this matter and that you give a direction today and we dispense of this matter once and for all. On one particular parcel especially I have been receiving a lot of threats - that is LR 12979/3 - which I believe has a lot of irregularities. Mr. Speaker sir, I seek your advice and guidance to give us a way forward for the formation of the said Committee. Thank you.

Hon. Speaker: Hon. Ngaruiya and then Hon. Nyangwara.

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya): Thank you, Mr. Speaker. Whatever Hon. Wamari is saying is in order. I think this is an issue that we deliberated on and we agreed that this House forms an Ad Hoc Committee to look into that issue. That issue is very emotive and I believe this is the only House that can come back with an answer. Hon. Wamari is really in need of that particular answer. If this House cannot give direction I do not think there is any other House that can give direction on that. It is now upon us, both sides of this House, to move with speed even if it is by the end of the day, to come up with that Committee and do the investigations then we get a report even by the end of this week, so that we know what we can do about it. Thank you, Mr. Speaker.

Hon. Speaker: Thank you Hon. Ngaruiya. Hon. Nyangwara.

Hon. Member for Viwandani Ward (Mr. Samuel Nyangwara): Mr. Speaker, indeed if that is the situation Hon. Wamari is undergoing, I really sympathize with him. However, this is a House of rules and procedures. We have the National Lands Commission and if there is any query--- I don't think at this time we can form an Ad Hoc Committee to investigate the same. We have the Lands Commission where all queries are supposed to be channeled to handle this particular issue. Mr. Speaker, land matters were not devolved to counties. On the same, I am reminding that as you are giving direction on Wamari's issue, you had also promised to give direction on mine.

I had requested that the names of the Deputy President and Hon. Jirongo be expunged from the record. They were mentioned on 12th and 16th of the same month. Mr. Speaker, as you are aware we are not allowed to mention names on the floor of this House as per the Standing Orders without a substantive Motion.

Hon. Speaker: Thank you. Hon. Nyangwara.

Hon. Member for Karura Ward (Mr. Kamau Thuo): Thank you, Hon. Speaker for the opportunity. Indeed, when matters of land are mentioned you are sure that the matter is going to be emotive. This particular matter that my brother has touched on is equally emotive and I would want to agree to some extent with what Hon. Nyangwara has said. Indeed we have the Lands Commission but they do not represent this House. Even if we have the Lands Commission that deals with land matters, that does not mean this House cannot act because we have an Assembly Committee that deals with these particular matters.

Also, just to inform Hon. Nyangwara here that the counties are supposed to come up with the County Land Board. At the moment we do not have such a Board. In particular I would like to get information on this particular parcel of land and that is LR No. 12979/3. If you can form an Ad Hoc Committee to investigate particularly that parcel of land---

Hon. Speaker: Which one, Hon. Thuo?

Hon. Kamau Thuo: This is L.R No.12979/3, Mr. Speaker. This is 66.02 hectares. If you are able to give direction on that matter then a Motion is brought here, we can have an Ad Hoc Committee. The findings that Committee will get can also help the National Lands Commission on this particular matter. So I am for the Ad Hoc Committee that will go out there and investigate and the information that they get will go a long way to complement what the County Board will come to do. With those few remarks I support the Ad Hoc Committee in this particular matter. I know in this House Ad Hoc Committees has been given a bad name, but we can have an Ad Hoc Committee that will give a substantive report, Mr. Speaker. Thank you.

Hon. Speaker: Hon. Thuo, can I have what you have just been reading so that I can give a direction. Hon. Chairperson for Labour.

Hon. Member for Utalii Ward(Mr. Wilson Ochola): Thank you, Mr. Speaker sir, for giving me this opportunity. Since I am an interested party of that parcel of land in Ruai, I would like to give the direction---

Hon. Speaker: Order! Order Member!

Hon. Wilson Ochola: No Mr. Speaker I would--- You know very well that the County does not solve the land---

Hon. Speaker: Order! Order Hon. Member!

Hon. Wilson Ochola: Let me just continue I beg you, for only one minute. The land was given to the people of Mathare 4A. It was there some times back, 20 years back, including the people of Ruai. Therefore, I think the people who are there, even if we form the Ad Hoc Committee it will not make any sense. We are the people who are there. Thank you.

Hon. Speaker: Hon. Ochar.

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Thank you, Mr. Speaker, for giving me this opportunity. Mr. Speaker, I can remember well that this question was asked before this House. We as the Committee of Planning, Housing and Lands Committee were given a chance to go and look into this and the House debated on this matter on that day and you made your ruling. We cannot overturn your ruling for an Ad Hoc Committee; your ruling stands so that we can go deeper into this. Mr. Speaker, I can remember very well that the National Assembly has the Land Committee and the Commission of Land is also there. They can go deep into what the Land Commissioner has done or not dealt with and they come up with a resolution. So, as I said and I will remain firm on this, the Ad Hoc Committee must be as per your ruling on that day. Mr. Speaker, thank you.

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I want to thank you for your lively contributions. In regard to Hon. Thuo of Dandora who asked for the Statement; indeed we got a report on several parcels of land--- Hon. Members, you are aware of the Standing Orders, that we cannot discuss even a Member of the County Assembly without bringing a substantive Motion. I will therefore ask the Hansard, in regards to His Excellency the Deputy President and Mr. Cyrus Jirongo, their names be expunged from our records unless somebody has a substantive Motion which is also allowed. So that is clear.

Point number two. I want to remind Members that land issues of the County are for the County and indeed--- *(Applause)* We were sent a letter from the Secretary of the County Land Commission which we are going to reject because all the Members of the Nairobi Land Commission will have to be approved by you. *(Applause)*. So, Hon. Nyangwara, this is just to inform you that you will be receiving the names on this floor to appoint the Nairobi Land Commission. After I got a letter from H.E. Hon. Dr. Kidero in regard to the appointment of the Nairobi Land Commission, I wrote a letter in which I have rejected the nominees because they have not come through the Assembly.

(Applause)

Secondly, I ask Dr. Kidero to have the Secretary of the Land Commission, who is based in Nairobi, here at the City Hall, to be removed with immediate effect. Thirdly, by tomorrow, 2.30 p.m., I want a Motion to form the Ad Hoc Committee on the floor of the County Assembly. Indeed, what we said three weeks ago stands, an Ad Hoc Committee must go there and investigate this issue of land. Before I left for the USA I was confronted outside in the car park by people who claimed to be the owners of Ruai Farms, or Ruai Settlement. I want to again remind you, even some of us who have been here from time immemorial, during the last term as Councillors, we all know whose land the 1000 acres is and because of the development of Mathare 4A we took the people to Ruai.

We took people, the Ruai squatters and another group from Embakasi and we all know this. You cannot go and turn around and tell us that--- In my mind, I think that we are talking about 12979/3 which is the bone of contention. So, I expect a Motion tomorrow and I have the leadership of the House here, Hon. Nyangwara and Hon. Ngaruiya are both here. I have also seen Hon. Millicent here today so the leadership of the House is here. We can definitely consult with the other leadership of the political parties so that we can have the Motion tomorrow and possibly continue to have the names. Let us not delay these things. When we delay, that is when we are told that we are not doing anything. I agree with Hon. Ochar that the ruling stands and the Ad Hoc Committee must go there and bring us a report. So, Hon. Wamari, indeed it is your prayer that LR 12979/3, the 1000 acres, is to be dealt with accordingly. I thank you.

(Applause)

Hon. Speaker: Hon. Mumo.

PERSONAL STATEMENT FROM LEAH MUMO**SECURITY OF THE MEMBERS**

Hon. Leah Mumo(Nominated Member for Makadara): Thank you, Hon Speaker. Pursuant to Standing Order No. 80, I wish to make a personal statement regarding the security of the Members of the County Assembly. Hon. Speaker, Article 29 of the Constitution grants every citizen of this Republic a right to freedom and security. Recent years have witnessed a marked increase of insecurity in the country and more so the Nairobi City County. Hon. Speaker, the security of the Members around the precincts of the Assembly and their homes and residences is wanting. A number of the Members in this Assembly have undergone torture in the hands of criminals.

Last week on at around 7p.m on Friday 8th August 2014, I was carjacked by unknown hoodlums at my place of residence. They robbed me of all my belongings including phones, all my jewelry, radio system for my car and cash at the bank through the ATM and held me hostage till Sunday, 10th August during morning hours. Mr. Speaker sir, I want to urge your office to take the necessary action on the issue of security of Members of both around the precincts of the Assembly and the County at large. Thank you.

(Applause)

(Hon. Ochola rises to his feet)

Hon. Speaker: Hon. Ochola you are security yourself, sit down. Hon. Members, this is a serious matter which involves one of us and these are issues that do not have to wait for another day for direction. First of all, I want to say this on behalf of the Assembly, that we are sorry. We are with you in that issue of that terrible ordeal and to be carjacked with your child is even more scaring. However, Hon. Members, I start with point number one; point number one is the precincts of the Assembly. In a short while we are closing the precincts of the Assembly.

(Applause)

If you have gone to Intercontinental Hotel or gone round the Governor's office as you come inside; you will see that we are putting stronger security barriers that will deter the intruders from entering the County. However, it will come at a price because any outsider will have to be vetted, although when we finish we will give proper guidance on entering and leaving the Assembly. Secondly, the issue of security of Members which includes the Speaker himself has not being adequately dealt with and nothing has been done in that regard.

Even us as Speakers, we were told we will be given security from the Government but up to now the Serjeant-At-Arms has been chasing the Director General of Police for the last five months to get security.

However, I am instructing the Clerk of the County Assembly to write a letter to the Senate, that the Senate raise the issue of our security so that we can get security from the Government or be allowed to employ more security in terms of Serjeant-At-Arms who can be given arms to protect us. So the direction is

the Senate, by Friday, will receive a letter from the County Assembly of Nairobi in regards to the security of Members. I thank you.

(Applause)

Hon. Member for Nairobi South(Mr. Manoah Mboku): *(Inaudible)*

Hon. Speaker: Hon. Manoah Mboku what is it?

Hon. Manoah Mboku: Mr. Speaker, there was an urgent Statement yesterday regarding the issue of Ebola.

Hon. Speaker: What Statement?

Hon. Manoah Mboku: The issue of Ebola.

(Applause)

Hon. Speaker: Have you come with the answer?

Hon. Manoah Mboku: That's why I am standing here, Mr. Speaker.

RESPONSE TO REQUEST FOR STATEMENT ON PREPAREDNESS OF HEALTH DEPARTMENT IN CASE OF AN EBOLA OUTBREAK

Hon. Speaker: Okay it is important. Actually, to put it to Members, there are Members who took it very lightly. You saw today on 411 the World Health Organization (WHO) saying that Kenya is at risk because of laxity at Jomo Kenyatta Airport. Did you read that? Some Members here were taking it lightly yesterday. So, continue, Hon. Chairperson, Health.

Hon. Manoah Mboku: Mr. Speaker indeed we took the Statement with the seriousness it deserved. However, the confusion and wrangles within the department has made it difficult for us to get the response urgently because when the statement came---

Hon. Speaker: Order, Hon. Chairperson. What did you say?

Hon. Manoah Mboku: Mr. Speaker, there are wrangles in the department of Health. There is a new Director of Public Health who transferred staff from the department. When the Chief Officer rejected those transfers, the Director of Public Health went to the County Secretary who informed the Chief Officer that he should immediately transfer those staff. However, the Chief Officer still refused prompting the County Secretary to give the Chief Officer leave. Mr. Speaker, as we are talking right now, the Chief Officer is on compulsory leave for 15 days.

Hon. Speaker: Hon. Chairperson, our business is not who is in the office and who is on leave. What we want to know is the preparedness of the Nairobi County. That other issue of wrangles, you can bring it in a way that we can discuss it in the House. However, we do not want to know whether or not there are transfers. Are we prepared for Ebola in case it strikes Nairobi?

Hon. Manoah Mboku: Mr. Speaker, not yet. There is no staff to answer those questions. The staff who are supposed to give such information are not there.

Hon. Speaker: Hon. Chairperson of Health, do we still have the Minister in charge of Health in Nairobi County?

Hon. Manoah Mboku: Mr. Speaker, I am telling you the truth. When we went to the Chief Officer's office on that urgent issue, he was not in the office. There was nobody to answer that question and the junior officers who are supposed to give that information have been transferred. There was nobody to give us information.

Hon. Speaker: Hon. Imwatak.

Hon. Member for Makongeni Ward (Peter Imwatak): Mr. Speaker, in fact the Chair of Health is my best friend. However, due to this emergency and the fact that Nairobi is the hub of the Country, it so disheartening. I didn't expect that this County is working without a proper channel of communication from the Health department. Mr. Speaker, I beg your indulgence. If possible the Chair should bring us the facts and figures as to what exactly is happening in this Department. It is the same Assembly that vetted the officers. It is the same Committee that vetted these officers. It is the same Committee which fails to get answers from these officers so that we know where the incompetence is coming from and we deal with it. I beg your directive to the Chair so that we know the next course of action because it is very important for this County.

Hon. Speaker: Hon. Members, before we move ahead; I am lost as the Speaker of the House because we wrote a letter as the Assembly to the CEC of Health. Anything else about who is fighting who, who is where--- We want an answer and we are not leaving here without an answer. Are we prepared? Tomorrow is Thursday, we go home on Friday, Saturday, Sunday. Monday and Tuesday we are back. Suppose somebody comes from West Africa with Ebola? What do we do when we are away for four days?

(Loud consultations)

Hon. Speake: Order! Are you tired of being in the House? Hon. Members, surely there are some things, let us discuss them. The Nairobians are listening, the Nairobians are watching us. If we rise up now, Nairobians will be told by newspapers tomorrow that Nairobi is not prepared. As the leaders of Nairobi, what have you told Nairobians? You will tell them to please forgive us we have failed? Not under my leadership. Hon. Chairperson.

Hon. Manoah Mboku: Mr. Speaker, indeed with your guidance and indulgence we will be able to respond to issues in this Assembly the way it is required. Mr. Speaker, honestly the Chief Executive of Health has got a business out there, he is running a private clinic. He is never in the office, Mr. Speaker. If you go to this office it is always the Chief Officer who responds, the CEC is---

Hon. Speaker: Hon Members, I want you to listen here very carefully, there is time to play and there is time to do serious business. As a Nairobiian, I Alex Ole Magelo, I am going to leave this House knowing that Nairobi is not prepared for an Ebola epidemic. The Committee of Health, you have had more than 48 hours to bring us an answer, a very simple answer. If Ebola comes and hits Mukuru kwa Njenga, Mathare Valley, Kayole, apart from what we have heard from the central Government, do we have the force to fight or to combat the Ebola epidemic? That is point number one.

Point number two. I said yesterday we need to go and see for ourselves rooms like the ones where a patient can be taken. We want to know if today Ebola comes, where will our staff of health assemble in Nairobi? Come on, you people travel out of the country and you understand these things. This is not a new thing. Thirdly, the issue of infighting in the Health department or the CEC doing business outside, even some of the CEC officers who are lawyers run law firms; what we want to know is if our Health department is ready? If they not ready and Chairman of Public Health I want you to be very attentive; I know you have very able Committee Members here. After the rise of this House we want you to bring us a report tomorrow by 11.a.m. You bring it in my office so that when I come here by 2.30 p.m. I have an answer for these Members. I thank you.

(Applause)

Hon. Speaker: Hon. Ngaruiya.

Hon. Member for Kahawa West Ward(Mr. Ngaruiya Chege): On the same, Mr. Speaker, I think this issue should not be taken lightly. Mr. Speaker, when wrangles are there I don't see how it affects---

(Loud consultations)

Hon. Speaker: He knows, he is a senior Member of this House.

Hon. Ngaruiya Chege: I know, I just want to drive the point home. That if somebody is sleeping on the job we need to take action. Mr. Speaker, we cannot as a House always be talking and nothing is being done. We have the CEC in charge of the Health department, we have the Chief Officer, we have personnel in that department, and we don't want to know what business they are running. Mr. Speaker if there is somebody who is taking his job lightly then this Assembly has the right to do something either to send him packing or to bring his name here in this particular assembly and we discuss his conduct, something should be done Mr. Speaker, because we cannot allow---

Hon. Speaker: Very well. Next order. Hon. Members, as you have seen in the business of the day, there were two Statements which I am told that there will be more information provided which will be available to us by tomorrow's sitting. So we have been asked by the Chairperson and the Members that there is information from the Audit Department which should be compiled and ready for tomorrow at 2.30 pm. So that is on behalf of the Chairperson who personally came to my office to ask the Members to bear with him until tomorrow 2.30 p.m. I thank you.

Hon. Member for Mugumoini Ward (Mr. Alex Otieno): Thank you, Mr. Speaker. Today you have acted like three Speakers. Today was your day, Mr. Speaker, and thank you for that.

Hon. Speaker: Thank you.

MOTION

ADOPTION OF THE REPORT ON THE SITE INSPECTION TO KAWANGWARE AND KABIRO VISIT TO ASSESS WATER AND SANITATION

Hon. Alex Otieno: Mr. Speaker, I beg to move the following Motion. **That** this Assembly adopts the report of the Sectoral Committee on Water and Sanitation on the site inspection to Kawangware and Kabiro Ward laid on the table of the Assembly on Thursday 24th July, 2014.

Mr. Speaker sir, the Sectoral Committee on Water and Sanitation made a resolution at the start of this Assembly that it will conduct inspection visits to Wards within the County to assess water and Sewerage related aspects in the exercise of its mandate. In pursuance of this resolution the Committee conducted an inspection visit to Kabiro and Kawangware Ward on 13th June, 2014. The Committee compiled a report out of the visit containing recommendations as they are contained in the said report.

I request the Members of this Hon. Assembly to support the exercise of the Committee's mandate by adopting this report so that the people can have access to improved water and sewerage services upon implementation. Mr. Speaker, I will read the Committee's recommendations; **that** the Nairobi City Water and Sewerage Company;

1. Do an overhaul of sewer reticulation in the Wards to accommodate the rising population and construction work in the long term;
2. Unblock and repair faulty sewer lines in the Ward to enable flow of sewerage without spillage that exposes residents to diseases in the short term;
3. Use meter chambers as a safe way to ensure residents access water. This will mitigate the problem of interference of meters and that the water used is paid for;
4. Use available means so as to access sewer lines on which structures have been constructed with a view of repairing and facilitating flow of sewerage.
5. Liaise with the County Government to initiate a comprehensive law that will eradicate cartel activities, vandalism of water and sewerage infrastructure and regulate water vendors.

6. Expedite projects meant to increase water volume supplied to the County so that rationing of water is mitigated to enable residents and institutions access piped water adequately;

7. Consider provision of water tanks to institutions and groups through its corporate social responsibility programme to assist in storing water.

Mr. Speaker, as the Committee of Water we are trying so much to make a visit to all Wards around Nairobi so that we can liaise with Nairobi Water and Sewerage Company to see that the Nairobian get safe and clean water. Mr. Speaker, I now call upon Hon. Kamau Thuo to second this Motion.

Hon. Speaker: Hon. Thuo.

Hon. Kamau Thuo: Thank you, Hon. Speaker and also the Hon. Member, for the opportunity. I would like to second and also support the various recommendations by the Water Committee. I believe residents of Kabiro Ward which is in this County will be happy if Nairobi Water and Sewerage Company goes ahead and executes and implements the various recommendations done by this particular Committee. Mr. Speaker, I would further want to support what the Chairman has said on the tours that the Committee should make in our various Wards.

Mr. Speaker, this is probably what the Transition Authority and Kenyans have been yearning for. This is what they were asking when they said we can also be making benchmarking tours in our Wards. Mr. Speaker, this is a good example whereby this Committee will be travelling far and wide to our various Wards and come up with a substantive report which will also be brought to this particular House. So, I am urging the rest of the Members of this Assembly to also support this particular Committee as they visit our Wards and consider the various recommendations they have done and support this particular report. With those few remarks I second the report. Thank you.

Hon. Speaker: Thank you very much, Hon. Thuo. Hon. Members, I now propose the question.

(The question is proposed)

Hon. Speaker: The Hon. Member for Kabiro and then the Hon. Member for Clay City.

Hon. Member for Kabiro Ward(Mr. Clarence Munga): Thank you, Mr. Speaker, for the opportunity. Let me start by congratulating the Committee on Water and Sanitation for a good job done by the Committee. Indeed, the came to my Ward, went round the Ward and they saw the situation, a pathetic situation that my people are going through. Mr. Speaker, let me talk about sewers. The sewer line that is passing through my Ward was done during the colonial era and up to date nothing has been done with the growing population. There was a time I was visiting a church and I went to the church only to be welcomed by sewage spilled all over the church, it was a very big shame. So, I just want to urge this House to specifically the Implementation Committee, to ensure that once this report is passed by this Assembly we implement what has been written in this report.

Another thing, women are really suffering. Mr. Speaker, you find women queuing up to midnight just to get a jerry can of clean water. Is this the situation Nairobian will be facing? Women should be doing other things no fetching water. Water is a basic need that Nairobian should be given, so I only urge the Members of this County Assembly to adopt this report so that possibly my people can enjoy life in Nairobi.

(Applause)

Hon. Speaker: Thank you, Hon. Member for Kabiro. In fact, we should have added--- The Chairperson of Health and his preparedness for the El Nino that is coming, whether we are ready for it. *(Laughter)* Hon. Member for Clay City.

(Laughter)

Hon. Member for Clay City (Mr. Erastus Muiruri): Thank you, Mr. Speaker, for this opportunity. I also want to congratulate the Chairperson of the Water Committee for that all inclusive report in regards to the various Wards the Committee managed to visit. However, I am finding it very ironical that a very able Committee like that one, in the first and the second budget allocation there was not even a single coin which was allocated to that Committee. I believe, Hon. Speaker, it is high time we rally behind the Budget Committee in the next financial year, 2015/2016, for an allocation for a certain amount of money be given to that Committee.

The mandate of water in Nairobi is so big that I do not think that even Nairobi Water at this point is in a position to handle it fully. Mr. Speaker, if the Committee was to go around all the 85 Wards in Nairobi they would be shocked.

As the Hon. Member for Kabiro is saying, the work of fetching water in Nairobi is something we should have buried a long time ago. The upper Nairobians never experience a shortage of water, in formal areas shortage of water is day in, day out and we wonder. I believe a majority of the Hon. Members, that due to the shortage of water which they have been experiencing in their Wards and they have visited those offices on Kampala Road several times. There is a lot of disappointment.

You can try and follow a project for the improvement of water in your area for more than 6 months knowing that this Committee on water was allocated nothing, not even a single coin. What they are doing is paperwork and recommendations--- I would wish, Hon. Speaker, you give us a direction on this. How it is possible that a Sectoral Committee like this one for water was not even given a single coin. I support the Motion. Thank you very much.

Hon. Speaker: Hon. Member for Clay City. Are you saying that the Water Committee be given money or Nairobi Water?

Hon. Erastus Muiruri: Maybe I was not clear. The money should be given to the Water Department. I was saying that this Committee was not allocated anything, even a single coin for this financial year and the previous. So, the next financial year I propose that they may be allocated something.

Hon. Speaker: I think what the Hon. Member is saying, actually it is true, the issue of water is terrible and I am starting to get worried when I read the El Nino is around the corner. What we should now be sitting down to do is ask, does Nairobi Water have adequate funding in regards to these technical issues like sewerage and piping water. The other you ask yourself, even for the Hon. Member for Clay City saying their side has water throughout, ask yourself, where does the water for washing cars--- If you go to Embakasi you will find like 20 car washes and they have clean water.

So you should ask yourself, is the Nairobi Water unable to control that kind of water usage. You find that people go with their pickups next to the car wash and they get water from the car wash and they are charged by the same car wash and they do not even have licenses. The Nairobi County Assembly Sectoral Committee on water should come out with those modalities.

We are also in a position to assist the Nairobi Water department in regards to those kind of things, because you are the people on the ground. I remember when we were Councillors, if you touched car wash businesses in Kenyatta--- Hon. Kairu was up against the Nairobi City Council of those days. So, it also needs your efforts to stamp out that so that the residents of Nairobi do not have to have water rationed, that you will get water three days in a week while the car wash has water from Monday to Monday. I think that is what the Chairperson and his Committee should be actually doing. Hon. Adow.

Hon. Member for Eastleigh North(Mr. Ibrahim Adow): Thank you, Mr. Speaker. On the same, Nairobi Water Company does not need our assistance. I have severally reported on an illegal car wash that has not paid water for the last five years. I have even requested a statement which is overdue by a month now and nothing is happening on the ground. I have reported this to the Regional Manager, I have reported to everybody and they do not send anybody to investigate this so it looks like they do not need our help. In the Auditor General's report, if you saw, 40% of the water they produce is never billed and it is never paid for. So, there is really something wrong with the Nairobi Water Company and change is really required in that place. Thank you.

Hon. Speaker: Hon. Ochar, then we will call the mover of the Motion to reply.

Hon. Maxwell Ochar: Thank you, Mr. Speaker, for giving me this opportunity so that I can also register my concerns. Mr. Speaker, some of these sewerages were built a long time ago. Some were built as early as independence---

Hon. Speaker: Hon. Ochar---

Hon. Maxwell Ochar: Yes.

Hon. Speaker: Are you opposing or you are supporting?

Hon. Maxwell Ochar: I am supporting, Mr. Speaker---

Hon. Speaker: Very well.

Hon. Maxwell Ochar: --because the expansion is inevitable and in fact, it is long overdue. Some of these sewerages were built a long time ago, even before some of us here were born. Mr. Speaker, by that time the population of this County was low, now the population has risen considerably and they are the same pipes which were used by our grandparents and they are the ones we are still using to date which is not practical. So, Mr. Speaker, I am supporting this seriously and as you know, water is an essential commodity which should be available for each and every person whether you are rich or poor. Mr. Speaker,

we are using a lot of water for reasons that are not practical. For instance the car wash's as you have mentioned and water is going to waste when the water pipes have burst.

Mr. Speaker, again, the water company should have a hotline whereby if there is any spilling water anywhere you can call them and they come and repair that leakage immediately. However, they will let a lot of water go to waste without repairing the pipe and the Nairobians are suffering along the line. I would urge the Committee to tell us, as Nairobians, when will all the people whether poor or rich get clean water in Nairobi? Mr. Speaker, I support this and the Committee of Water and Sanitation has done a commendable job, thank you.

Hon. Speaker: The Hon. Chairperson, the mover of the Motion to reply.

Hon. Alex Otieno: Thank you, Mr. Speaker. I would also like to thank the Member for Clay City for mentioning about the budget for the Department. The Department did a good job and we did recommend at least for each Ward, something small. We had recommended something like 3 million for each Ward. However, when it went to the Budget Committee the budget was done away with leaving the department without even a single cent. Those people who were in the Budget Committee are also members of this County and also suffering because water cuts across and some members from the Budget Committee could even afford doing away with the budget. As we all know, Nairobi Water is owned by the Nairobi County, so the Nairobi County is the Government. For the Government to make sure people have clean water they should pump in money to assist the Company.

As we have seen with Kenya Power, the Government even borrowing money on behalf of Kenya Power, we have seen for the geothermal, money coming from the Government. However, on water we are not seeing anything coming towards water and Nairobi is growing as some members have rightly said and the infrastructure remains the same. Sometimes, we might blame the Company but at times it is beyond them. Mr. Speaker, with that I think I would like to thank the Hon. Members for accepting to support the work of this Committee in its efforts to ensure that the residents of this County have access to better water and sewerage service. I want to assure Members that the Committee will follow up to ensure the implementation of the recommendations and if at all Members have an issue---

Hon. Patrick Ngaruiya: Point of Information.

Hon. Speaker: Hon. Chairperson, I am told there is information in regards to what you have just said about the budget.

Hon. Patrick Ngaruiya: Mr. Speaker, the Chairperson is lying in this House when he says that the Committee of Budget did not put money in that particular department. Mr. Speaker, in fact we added 50 million in that particular docket and we also allowed the Nairobi Water and Sewerage Co. to move in and identify those people who do not have meters and they ensure that people pay their bills. Mr. Speaker, you will also realize that Nairobi Water is losing a lot of revenue and this is because of their laziness especially when it comes to their personnel. They are not doing work like the Kenya Power and Lighting Co. and they need to visit those houses that do not have meters so that they can get money. So, I want to inform the Chair that we added 50 million to that particular docket and the other money that is going to come from their revenue collection, they can get water. Thank you, Mr. Speaker.

Hon. Speaker: Thank you for the information.

Hon. Alex Otieno: Before Mwalimu sits, Mr. Speaker, the 50 million Mwalimu is talking about was categorically meant for the Nairobi Dam not for the provision of water within Nairobi. It is in black and white in the budget, 50 million meant for the Nairobi Dam and not for the Wards. Mr. Speaker, what I wanted to say is that we as the Water Committee, we are very serious in doing whatever was entrusted to us as a Committee. If any Member feels that there is any laxity within the company then the Member can raise the matter with the Committee. We normal have Water and Sanitation Committee meeting every day to discuss the issues and we as the Committee, we have that power according to the Standing Order. We can look for ways and means of dealing with those officers that are not performing their duties, Mr. Speaker. So, with that I thank all the Members for supporting the Motion. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much, Hon. Chairperson. I now put the question.

(The question was put and agreed to)

Hon. Speaker: The House is adjourned until tomorrow, 2.30 p.m. I thank you.

The House rose at 5.30 p.m.

