



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Second Session

Thursday, 13<sup>th</sup> February, 2014

The House met at 2.30 p.m

*(Mr. Deputy Speaker in the Chair)*

#### PRAYERS

**Hon. Deputy Speaker** (Mr. Kennedy Okeyo Ngondi): Hon. Members, Hon. Warutere.

**Hon. Member for Roysambu Ward** (Mr. Peter Muriithi Warutere): Hon. Chair, Hon. Deputy Speaker, observe if we have the Quorum and confirm.

**Hon. Deputy Speaker:** The Clerk, can you confirm whether we have the Quorum in the House? Okay the Hon. Serjeant-At-Arms, can you ring the bell for 10 minutes.

*(Quorum Bell was rung)*

**Hon. Deputy Speaker:** Hon. Serjeant-At-Arms people are not supposed to leave the House when the bell is ringing! Close that door and allow only incoming Members.

*(Quorum Bell ringing)*

**Hon. Deputy Speaker:** Order Members, Hon. Masiga.

**Hon. Member for Eastleigh South Ward** (Mr. Nelson Marakalu Masiga): Thank you, Mr. Speaker Sir, I think the House has the Quorum to go on with the business.

**Hon. Deputy Speaker:** Clerk can you confirm?

*(The Clerk confirms the Quorum)*

### COMMUNICATION FROM THE CHAIR

**Hon. Deputy Speaker:** Okay, Hon. Members, I am glad to welcome you for the Second Session of our sitting. As you are aware, Hon. Members, we just received the Governor yesterday and had a lot of interesting and elaborate plans for Nairobi as a County and the entire Country. Hon. Members, I would like to bring to your attention that under Standing Order No. 25, you are privileged to have four days to discuss the speech of the Governor. So the next business from today- that is Thursday, next week on Tuesday, Wednesday; you will be discussing the speech of the Governor.

Hon. Members, from the Chair, it is so upsetting for a Hon. Member, to circulate what is related to hate speech and serious defamation of our officers. If you have a negative attitude towards certain officers, you are privileged through your Committee to raise your concerns other than spreading papers in the toilet of the Assembly.

Hon. Members, it is in the knowledge of the Speaker that two Hon. Members of the Assembly, were seen today, sneaking in the hate speech papers in regard to the nominees for the position of Finance and Budget. I am not going to read the contents but I thought it is wise to bring to the attention of Members that someone has decided to pick and settle scores with one Jim Kiamba.

Please, Hon. Members, I am repeating that you have a privilege to register your dissatisfaction with the committee, that is Budget and Appropriation Committee or you can as well swear an affidavit if you have something against Mr. Jimmy Kiamba other than doing it in this petty and cheap way of doing things. Thank you Hon. Members.

**Clerk (Ms. Monica Muthami):** Order No. 3; Messages, Order No. 4; petitions, Order No. 5; Papers, Order No. 6; Notices of Motion.

### NOTICES OF MOTION

**Hon. Deputy Speaker:** Hon. Manoah, I have just gone through your Notice of Motion and I don't find it fit for you to communicate to the Assembly in the manner that you have addressed the said notice of motion. So maybe you redraft it again and bring it on Tuesday. Notices of Motion; I have been made to understand that we have two Notices of Motion. Thank you. Hon. Kitavi.

### NOTICE – MOTION ON EARLY CHILDHOOD EDUCATION TEACHERS

**Hon. Member for Laini Saba Ward (Mr. Boniface Kitavi David):** Thank you, Hon. Speaker. I beg to give Notice of the following Motion, that **AWARE** that Article 62 of the Constitution recognizes that National and County Government are distinct and are interdependent and devolution is an important principle in the new structure of Governance; further **AWARE** that recognizing the fundamental role of

Education worldwide in fostering Economic and Social transformation has prompted Government to create specialized agencies to among other functions; regulate the training, registration, recruitment and deployment of teachers; **NOTING** that the function of pre-primary education is vested in the County Government pursuant to the 4th Schedule of the Constitution and the County has inadequate teachers in pre-primary level; this Assembly urges the County Government of Nairobi to employ enough teachers in ECD education.

*(Applause)*

**Hon. Deputy Speaker:** Thank you Hon. Member we will allocate time for that. Thank you. Hon. Akuk...

### STATEMENTS

**Hon. Deputy Speaker:** Hon. Members we have two committees to make statements, if you are ready you can proceed, but before that may be Hon. Member please; Hon. Akuk had some Notice of Motion.

*(Clerk Consults with Speaker)*

Hon. Members we are in Order Paper No. 7; Statements.

**Hon. Bonface Kitavi:** Hon. Speaker, I would like to request the following statement: Pursuant to Standing Order No. 41(2C); I wish to request for a statement from the Chairperson of the Sectorial Committee on Budget and Appropriations regarding monies allocated for bursaries that were to be disbursed by November last year but have not been disbursed to date.

Hon Speaker, this August Assembly, during its deliberations for 2013-14 budget allocated 1.5 million Kenya shillings per Ward for bursaries to assist needy students with high school education. However, the monies meant for the noble cause remains undisbursed up to date. This has greatly affected the beneficiaries who had hoped to benefit from the said monies. Hon. Speaker, in the statement the chairperson should enquire into and report on the following:

1. Reasons for the delay in disbursing the bursary money despite the Assembly having made allocation for the same in the 2013-14 budget
2. Provide timelines when the bursary monies for the 2nd and 3rd term will be disbursed.

**Hon. Deputy Speaker:** Thank you, Hon. Akuk

**Hon. Member for Nyayo Highrise Ward (Mr. Maurice Akuk):** Thank you, Mr. Speaker, Sir. I would like to request a statement. Hon. Speaker, pursuant to the Standing Order 41 (2C) I wish to request for a

statement from the chairperson of the committee on Implementation; there is no implementation of Motions as passed by the Assembly. Hon. Speaker, this Assembly has passed several Motions whose implementation status remains unclear. For instance, the House passed a Motion urging the Executive to control the haphazard digging of trenches to lay the fibre optic cables. However not much appears to have been done regarding the same. In the statement the chairperson should enquire into and report on:

1. Status of the implementation of the Assembly's resolutions through motions
2. Measures being taken by the Executive to prevent the haphazard digging of trenches

Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Member. Clerk, can you observe whether we have the Chairman for Implementation? He is in? Implementation? Granted.

**Hon. Member for Ngara Ward (Mr. James Chege Mwaura):** Thank you, Mr. Speaker. Well, I can see very clearly the Chairman of Implementation. Mr. Speaker, I can see that you do not wear spectacles and he is big enough to be seen where he is.

*(Laughter)*

Anyway, that was on a lighter note. Mr. Speaker, there is a Member, the Chairman of Education, asking on the issue of bursaries and I also note that that there is the Chairman of Budget here. To me, that is a very weighty matter and before we take it to the committee to ask the questions, Mr. Speaker this House must be taken very seriously by the Executive.

We need I think by your permission to have some time to discuss that issue because it is very weighty and some of us are in very deep problems in our Wards regarding the same bursary situation. So, Mr. Speaker, I would request through your indulgence, if you find some time today, even before the chairman takes it up, because it is going to take probably a week or two and I believe there was a Committee meeting that they had and they had called a Minister and I happened to pass by and at that time the Minister had talked of two weeks which was two weeks ago and currently nothing has happened.

Before we take it back to the Committee, can we get the status report of what is happening now and what needs to happen before the Committee can take it up because it looks like the Executive is joking with this House, Mr. Speaker. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Member.

**Hon. Deputy Speaker:** Hon. Members, under the powers vested upon the office of the Speaker, I grant leave of the House that we discuss this pertinent issue, as requested by the Hon. Member, for 20

minutes. Can the Chairman of Education get on his feet again so that he can refresh the minds of the Hon. Members on what is supposed to be discussed? Thank you.

**Hon. Boniface Kitavi:** Thank you very much, Mr. Speaker. As we are all aware the process of awarding bursaries to needy students began in earnest in August last year just before November and the Committee on Education did what was necessary to come up with modalities of ensuring that bursaries are disbursed in a timely manner. Members were furnished with the required documents i.e. the forms for filling and we have had a couple of meetings in our committee discussing that particular issue.

I have raised the concern that the Members are having with regard to the delay of the bursaries. I took up this matter and even reported to the Committee on Implementation which is supposed to be overseeing how motions passed here are implemented. As well I have taken this matter up with the Committee on Budget and Appropriations where we had a couple of meetings and it has been minuted that bursaries were to be issued. There were some problems in terms of legalities but we were advised accordingly. A cabinet meeting was held and a resolution was made that bursaries should be given out. When we had a meeting with the last Committee of Budget and Appropriations it was confirmed to us that we give time to the officers, who are given the mandate, to work out the issues of bursaries.

However, in our own role as Committee Members it has come to our attention that very little has been done with regard to this matter. I have information that only one file was touched with regard to the issue of the cheques and there are still problems even in that one particular file, which they purport to have worked on. I would like to report to the House that I am prying into some information that probably the money allocated to the bursaries could have been transferred to the Ward Development Fund.

Now that could have complicated all the matters because as we stand now children are waiting for bursaries. Although I note that, that is the right direction to take, given the time that we now have, this is quite an urgent issue that needs to be addressed and addressed very urgently. That is why I requested for that statement that is going to give us some guidelines on how we are going to proceed and that Members can have clear information on how we are going to communicate with the beneficiaries who have applied for the same. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you very much. Chairman, Budget, please can you shed some light on the issue of bursaries allocation?

**Hon. Member for Embakasi Ward (Mr. Michael Ogada):** Thank you, Mr. Speaker Sir. I think what the Chairman is raising is quite pertinent. It is quite a concern to many or to nearly all the Members of this House. They have been in consultation with the chairman but it seems there is a little bit of confusion because actually the money was set aside for the purposes of issuing but when the issue of ward development fund came in, they are now saying that it is now supposed to be given through the Ward Development Fund of which now I was requesting, Mr. Speaker, that you allow me time on Tuesday, so

that I can come with a comprehensive and conclusive statement about the same because I am equally concerned and also my people are also suffering.

**Hon. Speaker:** Thank you, chairman. Hon. from Reuben Ward—

**Hon. Member for Kwa Reuben Ward (Mr. Elkana Mauti):** Thank you, Mr. Speaker, sir. It is very much embarrassing--- (*Loud consultations*)

**Hon. Deputy Speaker:** Order! Order Members!

**Hon. Elkana Mauti:** It is quite embarrassing that now it is two terms in a row minus the bursaries and this was not within the public works it was within the education and on its own; and I wonder when they now say that the Ward Development Fund has accompanied the bursaries yet it was budgeted for! What I can advise the House Budget and Appropriation Committee to do is to go to the County Secretary to sign for us the cheque of 180 million which was given out; to sign for the accounts or accountants to start writing the cheques. The problem is that the County Secretary has not signed or given an authority for officers to work on that cheque.

Finally, I think this is 2014 and not 2013; we want to change; (*Applause*) we want to start work. We want to condemn the officers who are lying idle without knowing that this is the time when we are very busy; we don't want to waste time here and there. Chairman of Education, if the problem is with the Secretary of Education, bring that name here we start to discuss it, because we want to show them what they are supposed to do. *Ahsante. (Applause)*

**Hon. Deputy Speaker:** Thank you Hon. Member. Hon. *Mwalimu hapa....*

**Hon. Member for Kahawa West Ward (Mr. Chege Ngaruya):** Thank you, Mr. Speaker. I had requested you earlier to grant me some time to speak because I know this is a very weighty issue and what is happening on the ground as we are speaking is not something which should be taken lightly. We issued these forms last year; there have been issues to do with the bursaries; we have visited those offices; we have summoned those chief officers to come and explain what has been happening and they have been changing goal posts now and then.

As *Mheshimiwa* from Kwa Reuben has said, I think we were in Form One, now we have entered Form Two and it is for these Hon. Members to know that in Form Two is where you either go to Form Three and Four, or you refuse to continue with your studies. In Form Two this is where most of the students riot because of the issues and they get expelled. And I don't think we are going to reach that point. We are asking for what is rightfully ours.

The Ward Development Fund was passed just the other day; and this is just shifting of goal posts! I think, Hon. Members, we should wake up and tell the Executive instead of shifting goal posts they tell us where the problem is. If today we form the Committees for Ward Development Fund, does it mean if we open an account tomorrow for the Ward Development Fund they are going to transfer that money to those particular accounts? Or are we late?

Then we are hearing that there are some issues to do with the Ward Development Fund. Hon. Members, I think you are suffering the same way I am suffering. Remember the Members of Parliament have issued forms they are also issuing cheques, isn't it? And here we are, we started before them, thinking that we were going to be far much ahead of them. What is happening is that these particular forms cannot be signed; this particular cheques--- the other day we summoned the Chief Officers and they said they are only going to give Hon. Members a dummy cheque and the list of the beneficiaries so that Members can go and pin in their Ward offices.

That one, as the Education Committee we refused and also in the Budget Committee, we also said that cannot happen. What we need to do is that--- I think we need to pull up our socks; we need to start doing or playing our role as Hon. Members, if we are yet to remain relevant especially in the Wards we represent, because as we are speaking right now we are not relevant. How can you tell somebody that you are going to give him a bursary and yet the bursary that you issued, you have not converted it into money? It has come to a particular moment in time that we need to pull up our socks and we need to tell the executive that now our issues should come first and their issues should come later, and if we do this, these guys are going to respect us. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you Hon. Member. Hon. Kiswahili. *(Laughter)*

**Hon. Member for Eastleigh South Ward (Mr. Nelson Masiga):** *Bwana Spika, shukrani kwa kunipatia fursa hii. Kwanza ningeanza kwa kusema ya kwamba, bunge hili limeweza kupakwa mafuta kwa mgongo wa chupa! Nikisema hivi namaanisha ya kwamba tumeweza kuhadaiwa; tumeweza kuhujumiwa na ni hujuma mbaya sana kama wana Nairobi wanaweza kuhujumiwa katika hali hii. Nasema ya kwamba, kule nitokako sasa hivi, ni wengi wameweza kupiga porojo na siasa mbaya juu ya mambo ya bursary. Na kwa nini nasema hivi, ni kwa sababu wanasema ya kwamba wakichukua zile fomu, sisi tuko hapa kufanya biashara na wao. Inatuhujumu kwa njia nyingine na pia ni hujuma kwa wanafunzi ambao waliweza kujiandikisha kuweza kupatiwa fursa hii.*

*Hivyo basi nauliza tuweze kujitokeza na mikakati kamili tujue jinsi na vipi tunaweza kukabili na swala hili. Na hili swala si la mchezo kwa sababu msemu unasema kwamba ukitaka kuishi maisha mafupi, basi panda mpunga ukitaka kuishi kwa miaka kumi basi panda miti. Na ukitaka kuishi zaidi ya kame basi elimisha mwanafunzi ama watoto. Basi mbona tuchukue swala hili kwa mzaha? Kwa sababu twataka kuona kwamba nchi hii inastawi katika nyanja zote; hivyo basi nauliza kamati husika iweze---*



*(Hon. Chief Whip of Majority- Mr. David Mberia walks in without bowing)*

**Hon. Deputy Speaker:** Order! Order! Order Hon. Member! Majority whip, can you get out? Hon. Member can you get out and come back in the House properly. Proceed. *(Chief Whip, Hon. David Mberia leaves the House).*

**Hon. Nelson Masiga:** *Hivyo basi Bwana Spika nauliza kamati husika na wale ambao wanahusika waweze kujadiliana jinsi tunaweza pata bursary hizi haraka iwezekanavyo. Shukrani.*

**Hon. Deputy Speaker:** Thank you, Hon. Member. Hon. Wahinya.

**Hon. Member for Ngando Ward (Mr. Peter Wahinya Kimuhu):** Thank you very much, Mr. Speaker. I would like to take this opportunity to register my disappointment in respect to this particular issue and what, Mr. Speaker, I believe as far as I am concerned is that anything that is contained in the budget that we passed, the Government of the County, really, has no mandate in making any changes or negotiating among themselves to make any changes on what we had already passed.

If we had passed KSh1.5 million to each Ward within Nairobi to be disbursed in the name of bursary, it is my belief that if that change ought to be done, it must be presented to the House so that it can be negotiated and passed by the House afresh. Even any additional amount, if it was to be brought to the budget it has to come through the House in the form of a supplementary budget. Mr. Speaker, negotiations are always welcome. There is really nothing wrong in making changes here and there. I have seen in certain writings that I have read, including the press, that our bursary is supposedly 17 million.

In certain cases you will read 17.5 million. I will recall earlier on, that we had initially passed a figure of about 15 million. Now if it is their desire that it becomes 17.5 and in which case we forgo the 1.5 we had passed earlier on, Mr. Speaker, to me I find nothing wrong in that. So long as it is 17.5, we are well taken care of because originally I remember it was 15. However, it is necessary that people sit down and negotiate. We have our leaders in the House who can speak to the relevant authorities within the Government of the County and therefore bring the matter so that it is recorded in a legitimate manner.

*Bwana Ogada*, the chairman of the budget, if I would like to ask, Mr. Speaker, so that we are not seen to be players here in the House, I do suggest that he summons whoever it is that has taken these changes arbitrarily without any consultation with this House. That person should be summoned to the committee which Ogada is heading and if he does not come out clean and perhaps also apologize for making any changes without our consent, I do believe that that name should be brought here in the House for deliberation as *mheshimiwa* from Reuben suggested. It is necessary, Mr. Speaker, that we demonstrate our power because we do have political power as it has been seen very recently in Embu. It is time that we use our power to forge ahead in the development of this County. Thank you, Mr. Speaker.



**Hon. Deputy Speaker:** Hon. Members, one; we are out of the 20 minutes allocated for the debate on the issue of bursary allocation. Hon. Members, we are all in agreement that the resolutions coming out of this Assembly must be taken seriously and for that reason, Hon. Members I am directing the Chairman for Implementation; the Chairman, Education; the Chairman, Budget Committee; all the three chairmen by next week on Tuesday to give a substantive position in regard to the bursary allocation issue. *(Applause)* All the three must give a report on the same. Thank you. Clerk, can we proceed?

**Clerk:** Order number 8; Motion.

**Hon. Leader of Majority (Mr. Elias Otieno):** Thank you, Mr. Speaker sir. Mr. Speaker, I beg to move the following motion; that the thanks of the County Assembly be recorded for the exposition of the public policy contained in the address of the Governor delivered on February 12<sup>th</sup>, 2014. Mr. Speaker, I know today--- I can see we don't have many Members here. I don't know why, Mr. Speaker, because you should crack the whip. Tell these people to stay in the House because we want to discuss a very important motion. What they are talking about right now, the bursary is contained in the papers laid yesterday; so if you are not here, whom do you expect to come and discuss for you?

Also, Mr. Speaker, the 'thing' which people are talking about, the bursary, I know very well the cheques, are being signed right now and by next week I think they are going to be ready for people to collect for the different schools. There are about ten thousand cheques which cannot be done in a span of one or two days. You know, there are so many Members here who have not signed cheques since they were born *(Laughter)* and that is why they do not know what cheques are, that is the reason---

**Hon. Deputy Speaker:** Order! Order, Hon. Majority Leader! It has been brought to my attention that you are out of order; you are supposed to move the Motion.

**Hon. Leader of Majority:** Mr. Speaker, I have already moved the Motion.

**Hon. Deputy Speaker:** You had all the time to contribute to the bursary allocation. So, can you proceed?

**Hon. Leader of the Majority:** Mr. Speaker, I have already moved the Motion so I want somebody to second the Motion and it is none other than Mr. Warutere; with *heshima*.

**Hon. Peter Warutere:** Hon. Chair, I am glad that I have been given the honour by the Boss to come and second this very important Motion. I will not talk about the issues that I intended to because I have several issues that I need to talk about with regard to that good speech that was given yesterday. I think my only business now is to second the Motion but with some reservations. For the first time---

**Hon. Deputy Speaker:** Order! Hon. Warutere, you have the obligation to second the Motion and then build your---

**Hon. Peter Warutere:** Am I allowed to contribute at the same time?

**Hon. Deputy Speaker:** You are supposed to second and you give reason why you are seconding the Motion. Are you for the Motion or against?

**Hon. Peter Warutere:** I am for the Motion, Sir. And I think there are enough things which would motivate me and I hope I will be given time again to come and internalize this document and contribute. However, when the Governor read his Address yesterday there are a few things which caught my attention and I felt strongly that the Governor means well but it is high time now we start walking the talk. We heard a very good speech the other time, yesterday we also heard a very good speech about water; that he intends to ensure that he extends water to all the shanties within the County and he is also out to make sure that a jerry-can of water goes down in terms of costing.

**Hon. Deputy Speaker:** Order, Hon. Member! Order!

**Hon. Peter Warutere:** I think I need your protection because I am analyzing the many issues that--

*(Loud consultations)*

**Hon. Deputy Speaker:** Order! Hon. Members, please, do not highlight areas of address from the Governor. Each and every Member here knows them very well because they were present. So, please can you support the Motion or be against the Motion.

**Hon. Peter Warutere:** Okay, with those few words, although I have not been allowed to internalize the document, I second the Motion but again, I think I will need time to come and give my views and the reason as to why I am seconding the Motion.

**Hon. Deputy Speaker:** Hon. Members, before I propose the question on Motion number 8, I feel this is the humble time for all the Members who had not got the opportunity to make a maiden speech in this House and Hon. Members, it is in the common knowledge of this House that there are only a few Members who have the reservation to talk. So, I am going to take the initiative to point out each and every Member to come and contribute.

*(Laughter and applause)*

**Hon. Deputy Speaker:** Seriously, if you are not able to contribute towards the speech from the Governor---

*(Loud consultations)*

**Hon. Deputy Speaker:** Order! Troubleshooter order! It is so important because the Governor's speech addresses all the developments in your Wards and in your County. So, you must either be for the speech or against the speech in totality or at least a section of the speech. Allow me to propose the question, Hon. Members. Hon. Members, I propose the question that the thanks of the County Assembly be recorded for the exposition of the public policy contained in the address of the Governor delivered on 12<sup>th</sup> February, 2014. Welcome Members. Troubleshooter;

**Hon. Member for Makongeni Ward (Mr. Peter Imwatok):** Mr. Speaker, with all due respect I expected to at least expunge that. My name is Hon. Peter Imwatok, aka *Jateso*.

**Hon. Deputy Speaker:** Thank you, Hon. Imwatok.

**Hon. Peter Imwatok:** Thank you, Mr. Speaker. When all is said and done, I want to stand here to support the address of the Governor. In particular, I am very keen on waste management, as part of the Committee on Environment. I think the Governor means well for us and I believe the second Session of this Assembly will give us an opportunity to express ourselves in a very diligent way and at the same time in a way that will reflect who we are in this House. I thank the Governor for accepting to believe in us as the House of Nairobi County; the law making House in this city, and by acknowledging the work we have been doing since we were sworn in on 18<sup>th</sup> of April. We passed Bills and went through several Motions. Sometimes some of us got chucked out of the House and although I did not like it, all said and done, it was part of the Session for the last year.

Mr. Speaker, I want to point out, in particular, the issue of garbage collection or waste management in Nairobi. I think in as much as the Governor means well, there are some people in this County who are not serious about what the Governor wants. If I can quote, Mr. Speaker, today, this morning, I had an opportunity to look for one of the officers handling Bills of Quantities in this County, unfortunately the Bill of Quantities Officers of the entire County had been moved; for the last one week they have been in the corridors. You can imagine this is the backbone of development in Nairobi. There is great demand for the Bills of Quantities in Nairobi and we need to know what is to be done in this sector of development.

In the Department of Environment, last year when we were doing the finances, we agreed that there was need to decentralize waste management to the 85 County Wards but unfortunately it was not captured in the appropriation of funds. We had an opportunity to interact with the Department Heads on this issue. This same idea, we had in Nairobi, is now being implemented in Kisii whereby the County Government of Kisii is buying garbage waste from the youth. You can imagine what it will take if all the 85

Wards in Nairobi have youth groups who have been contracted to handle waste from whom the County Governments will buy waste. It will mean that Nairobi would be cleaner than Rwanda.

In as much as we want to emulate Rwanda, Rwanda is just like Kayole, but Kayole is even bigger than Rwanda. Nairobi is big; we have the workforce to do a proper cleanup for Nairobi. I think the Governor means well for this County but there are a few individuals here and there who do not want us to see the light of day with regard to our County's progress. It is high time that we took this House seriously through our leadership especially the implementation Chair, because it is absurd that this House makes a resolution and has to again cry for that resolution to be implemented.

It is time the Executive wing of the County knew that we are exercising our free threshold representation, oversight and legislation, in a manner that they should also implement their policy in a proper way. Mr. Speaker, I want also to acknowledge the importance that the Governor put on the issue of our social halls and village polytechnics. Today I have had the privilege to know that in Nairobi County we have only two polytechnics, one in Bahati and the other one I do not know where it is, but you can imagine how many schools we have in Nairobi; some are just lying idle; some are just being grabbed all over, but we are here saying that in Nairobi everybody should go to Kenya Polytechnic. Kenya Polytechnic is a polytechnic for the entire country; we need to look at our policies seriously when it comes to polytechnics which are under our jurisdiction as stated in the Devolution Act.

Mr. Speaker, all the same, the Governor of Nairobi spoke about the vehicle expansion rate on our roads from 300,000 to 700,000; what does this mean? It means - and this is a point I am very keen on - that the County Government maybe through this House ought to bring about legislation on the lead aspect of transport. When we have a road with 700,000 vehicles and those are the ones that are circulating in Nairobi and others in transit to Uganda or to wherever else, I think it is time as a County, we ceased to allow vehicles that are old to be driven in this County, because last night I was on Thika Road and I was surprised to see a vehicle stuck on the road and emitting a lot of lead. This is the County of Nairobi and it is no wonder that Aga Khan Hospital is now holding the biggest referral of cancer patients and most of the cancer issues are brought about by lead. Mr. Speaker, it is time the County Executive and the Hon. Members came up with a plan on how to develop Bills that deal with regulating lead emission in our County.

*(Loud consultations)*

Mr. Speaker, please protect me from the Majority Leader, I know that he is the boss of the House, but he is also noisy, sometimes.

**Hon. Deputy Speaker:** You are protected.

**Hon. Peter Imwatok:** Thank you, Majority Leader, for listening. I have two minutes to go, Mr. Speaker. I want to talk about land. I was in this House this afternoon; I had to rush to the Ministry of

Planning. The Governor spoke categorically about the issue of land in Nairobi and I think it is time that even the private parastatals and institutions should obey the laid down procedures and rules of development.

There is no way that a private developer or a parastatal then during the colonial times--- for example the Kenya Railways in particular which is in my Ward--- this is a colonial era parastatal which had big chunks of land and now they are issuing leases without conformity to the rules and procedures of the County Government. As I am speaking to you, my Area D.O (District Officer) has just arrested some people doing construction in my Ward without the City County Plan Approval. That shows what the Governor spoke about yesterday.

I can give a typical example. In Kilifi County, the ratable Houses are 417,000 compared to Nairobi where the Governor yesterday said categorically we have only 124,000 Households or Houses which are ratable. You can imagine Kilifi County; what is the size of Kilifi County? 417,000 paying rates in Kilifi but now in Nairobi we have only 124,000 rate payers! There is something which is a miss here, Mr. Speaker. I think it's time this House in conjunction with the Executive, spearheaded by the Governor should take stern action and in particular the Planning Department. We must know how many Houses are being approved each day and each month.

**Hon. Alexina Mudi** (Nominated Member from Kabiro): Point of order!

**Hon. Deputy Speaker:** Order granted.

**Hon. Alexina Mudi:** Thank you, Mr. Speaker. In as much as we want to contribute to the Governor's speech of yesterday, we don't have the Quorum to continue to discuss the speech today, Mr. Speaker Sir.

**Hon. Deputy Speaker:** Clerk, confirm whether we have the Quorum. Can the Sergeant-at-Arms ring the bell and then both Majority Whip and the Minority Whip to whip Members back into the House? It is only the Majority and Minority Whip who are allowed to leave the House.

*(Quorum bell was rang)*

*(Loud consultations)*

**Hon. Deputy Speaker:** Clerk, what is the time?

*(Loud consultations)*

**Hon. Deputy Speaker:** Order, Hon. Members, we are still in the Assembly--- *(Loud consultations)*  
Can the Luo Elder proceed to the microphone and explain why he was out during the proceedings of the session? Hon. Oscar Lore, proceed to the microphone.

**Hon. Member for Mathare North Ward (Mr. Oscar Lore):** Thank you, Mr. Speaker, Sir; I didn't know that going out for a short call is a crime.

*(Laughter)*

**Hon. Deputy Speaker:** Granted.

**Hon. Leader of Majority:** Mr. Speaker, I would like to know, or I want you to highlight--- because as far as I am concerned I don't know this Luo elder you are talking about, because for someone to be a Luo elder he must be an original Luo, 90% or 100%. There is no way you are going to be---in your house you are 90% and the remaining 10% is other tribes. So I don't want somebody to, Mr. Speaker---

**Hon. Deputy Speaker:** Order, Hon. Member! Order!

**Hon. Leader of Majority:** I don't want somebody to trade with this name of Luo Council Elder. Mr. Speaker, just take note of that. I don't want anybody to trade with that name. In any case you continue to trade with it, my learned friend, you're going to be jailed.

**Hon. Deputy Speaker:** Order Hon. Member! Order! Order Member! *(Laughs)* Standing Order number 34; *"Decorum When Quorum Not Present; When the Quorum bell is ringing, Members shall maintain order in the County Assembly and total silence"*.

*(Laughter and loud consultations)*

**Hon. Deputy Speaker:** Sergeant-at-Arms, time is over for the bell. Hon. Members, I refer to Standing Order number 32(2). *"If on the account under paragraph 1 a Quorum does not appear to be present the Speaker shall cause the Division bell to be rang as on a Division and if no Quorum is present at the expiration of the 8 minutes then the Speaker shall adjourn the County Assembly until the next sitting without putting the question."* For that reason, Hon. Members the Assembly adjourns to 2.30pm on Tuesday. Thank you.

*(The House rose at 4.00p.m)*