



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Thursday, 12th June, 2014

The House met at 2.30 p.m.

(Mr. Speaker in the Chair)

PRAYERS

NOTICES OF MOTION

Hon. Speaker (Mr. Alex Ole Magelo): Hon. Ochar.

REPORT ON BOWLING GREEN RESTAURANT

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Thank you, Mr. Speaker. Mr. Speaker, I wish to withdraw a Motion. Mr. Speaker sir I am rising pursuant to Standing Order No. 48 (1) to withdraw a Notice of Motion on the First Assembly, Second Session Report on the inquiry into the contested ownership of the former Bowling Green Restaurant and now currently Safari Social Club. Thank you, Mr. Speaker.

Hon. Speaker: Very well.

(Motion on the report on Bowling Green Restaurant withdrawn)

(Clerk and the Speaker consult)

Hon. Speaker: Hon. Members it is in order. The Committee has withdrawn so that they can Table a Motion which has the views from the County Secretary and therefore yes, it is in order. And when can we have the report, Hon. Chairperson?

Hon. Maxwell Ochar: Mr. Speaker we are ready and by next week we shall be here on the floor.

Hon. Speaker: Very well.

Hon. Maxwell Ochar: Thank you.

STATEMENTS

Hon. Speaker: Next order--- Hon. Rachael Kamweru, this is request for Statements.

REQUEST- STATEMENT ON PROPOSED POWER PLANT TO BE BUILT IN DANDORA

Hon. Rachael Kamweru (Nominated Member from Embakasi West): Thank you, Mr. Speaker. Hon. Speaker pursuant to Standing Order No. 41(2c); I wish to request for a Statement from the Chairperson Sectoral Committee on Agriculture, Environment and Natural Resources regarding the proposed power plant to be built in Dandora. Hon. Speaker the power plant is to build by a German firm by the name of Sustainable Energy Management Limited. The management of the said plant intends to use 2,000 tonnes of waste every day to generate per day 70 megawatts of electricity to the National grid which will cost approximately 34.4 billion. Mr. Speaker, this was seen in the newspapers last Friday.

Hon. Speaker, in the Statement the Chairperson should enquire into and report on:

1. The technology proposed to be deployed in order to exploit the resource of the land gas to generate 70 megawatts. Mr. Speaker keeping in mind this is methane gas, how are we going to come up with 70,000 megawatts of electricity;
2. Measures taken to include the people currently conducting business on the site;
3. The anticipated monthly profit and how long to break even and the benefit to this County Assembly;
4. Criteria to be used to employ the employees, Mr. Speaker having said they are going to employ 1,000 people and we know we have 85 Wards, how will we distribute these jobs across all the Wards?
5. Mr. Speaker, are there grants included in this project, we need to understand; and
6. How much and how are we going to benefit as a County, as a Ward and every Nairobiian represented.

Thank you.

Hon. Speaker: The Hon. Chair for Agriculture, Environment and Natural Resources---

Hon. Member for Viwandani Ward (Mr. Samuel Nyang'wara): On behalf of the Chair for Agriculture and Natural Resources, Thursday next week is the appropriate time.

Hon. Speaker: Very well. Hon. Thuo---

REQUEST - STATEMENT ON GRABBING OF LAND LR 121297/1 IN RUAI BY A PRIVATE DEVELOPER

Hon. Member for Karura Ward (Mr. Stephen Kamau Thuo): This is on behalf of Hon. Thuo Charles from Dandora III. Pursuant to Standing Order 41(2c); I wish to request for a Statement from the Chairperson of Sectoral Committee on Planning and Housing regarding the grabbing of public land by private developers. Hon. Speaker, the parcel of land numbered L.R 121297/1 in Ruai Ward which belongs to the Nairobi County has now been grabbed by a private developer and divided into three parcels LR 12979/1, the second one is LR 12979/3 and the third one is LR 12979/4. The said parcels have ownership disputes between the private developer and the squatters currently occupying the land. Hon. Speaker, in the Statement the Chairperson should enquire into and report on the following:

1. Whether the Nairobi City County owns the parcel LR 12979/1;
2. List of names of owners of parcels of land L.R 12979/1, LR 12979/3 and LR 12979/4;
3. When was the subdivision done and approved; and
4. Measures being taken by the County Executive to stop further grabbing of public land in the County; before I ask mine.

Hon. Speaker: Very well, Hon. Charles Thuo---Order! Hon. Chairperson of Lands, Planning or whatever it is, this issue of land as we agreed the other day is actually at the heart of our Members of the Assembly being representatives of the people. This Statement; this requests should be taken very seriously. Hon. Members, as you are aware the other day you saw in the papers the Maasai being put on buses and send back to Oloitoktok having been brought to bring chaos on the innocent people of Nairobi, where the Minister and the Hon. Katoo had to put them in buses to take them back. So, Hon. Chairperson please bring us a concrete report on this Statement sought by Hon. Charles Thuo.

Hon. Maxwell Ochar: Mr. Speaker, looking at the seriousness of the issue we had requested for two weeks because we want to take the Hon. Members for a site visit so that we can see for ourselves.

Hon. Speaker: Correct.

Hon. Maxwell Ochar: It is the same piece of land which you saw on the newspaper; it is the same piece of land which the Hon. Member is asking the question about.

Hon. Speaker: Hon. Chair, make arrangement to make sure the Members of the County Assembly move to inspect the site. Hon. Kamau Thuo, now. Hon Alex hold on for now because yours is coming.

REQUEST - STATEMENT ON GRABBED LAND LR NO. 91/56 THAT WAS RESERVED FOR ESTABLISHMENT OF FIRE STATION IN GIGIRI, KARURA WARD

Hon. Stephen Kamau Thuo: Pursuant to Standing Order 41 (2C) I wish to request for a Statement from the Chairperson, Sectoral Committee on Planning and Housing regarding the grabbed plot LR No. 91/56 in Gigiri, this is UNEP, Karura Ward. Hon. Speaker the aforementioned plot is a public utility that was reserved for establishment of a fire station and has been grabbed by a private developer. Hon. Speaker, in the Statement the Chairperson should enquire into and report on the following:

1. How the land was transferred to the private developer;
2. The officers involved in the illegal allocation of public lands to private individuals;
3. Listed owners of the land after the transfer;
4. When the land was registered at the County and land rates paid;
5. Whether the County government is aware of the illegal transfer of land L.R No. 91/56; and
6. Measures being put in place by the County government to recover this particular public utility and others within Runda and Karura Ward that have been illegally transferred.

Thank you.

Hon. Speaker: Hon. Ochar and before you do that I would want to ask the Leader of Majority who represents the government or the Executive in this Assembly; may it be known we are watching very carefully in regard to questions and Statements sought by Members so we would like you to take that to the Executive because we want answers on this floor. We don't want a scenario where the Members are going to be taken for a ride. Hon. Ochar---

Hon. Maxwell Ochar: Mr. Speaker sir, I would request for two weeks because we have to go to the site visit also, and on the last one Mr. Speaker, it would be a little bit difficult unless the Hon. Member points out which other grabbed plots because that one will make my work easier so we bring concrete answers to this House, Mr. Speaker.

Hon. Speaker: Very well. Hon. Members, Standing Order 41(1b) the Leader of the Majority party and the Leader of the Minority party as the case may be or their designees may make a statement relating to their responsibilities or activities of a Committee. The Hon. Leader of Majority---

REQUEST – PERSONAL STATEMENT ON BORHA PRIMARY SCHOOL IN WESTLANDS

Hon. Leader of the Majority (Mr. Elias Otieno): Thank you, Mr. Speaker for giving me this opportunity. First, I have a Personal Statement directed to Planning department concerning a certain school in Westlands, Bohra Primary School. Mr. Speaker, I think sometimes back early last year 2013, somebody grabbed the Bohra Primary School fence and was constructing a wall which was demolished by the former MP for Embakasi, Ferdinand Waititu. So, Mr. Speaker, I am just requesting the Department of Planning whose Chairman is Jairus Asitiba Atinya to give us concrete answers on this because there is no way we are just going to allow people to take properties; public utilities like that one, because somebody with the name Asha is the one who is constructing the fence of that school. So, Mr. Speaker, I just beg we can get an answer for that.

Hon. Speaker: Hon. Majority is the construction ongoing now?

Hon. Leader of the Majority: Yes, Mr. Speaker, I think it was demolished and right now I heard they are back again they want to construct. So, before they do it, Mr. Speaker, prevention is better than cure. So let us do something about it.

Hon. Speaker: Hon. Chairperson that is immediate.

Hon Stephen Kamau Thuo: is it Embakasi or Westlands?

Hon. Speaker: Westlands.

Hon. Maxwell Ochar: Mr. Speaker, I have taken note of what the Majority Leader is saying but I would request the Majority Leader to put that in writing so that it gives me an easy time.

Hon. Speaker: Get it from the HANSARD. Furthermore if you can move yourselves tomorrow with your Members if they are available and go site seeing then you can mobilize those of us who are here so that we can stop that thing.

Hon Stephen Kamau Thuo: Thank you, Mr. Speaker. But Waititu has never been a Member of Parliament. Did I hear it correctly?

Hon. Speaker: Hon. Thuo, actually the thing is, he is the one who demolished the wall that was being built. So that is already clear. There is a response—Hon Chairperson for Water, Hon Alex.

RESPONSE - STATEMENT ON SUPPLY OF WATER TO KIBRA CONSTITUENCY

Hon. Member for Mugumoini Ward (Mr. Alex Ouda): Thank you, Mr. Speaker sir, I rise to respond to a Statement requested by Hon Alhad A. Adam, MCA, Makina Ward. Mr. Speaker sir, on Wednesday, 26th March 2014, the Hon. Alhad A. Adam MCA rose on the floor of the Assembly pursuant to Standing Order 41(2c) and requested the Chairperson of Water & Sanitation Committee for a Statement. In the Statement, the Member sought a reply on the following:

1. The reasons for lack of water supply to the residents of Kibra constituency;
2. How long the residents of the constituency will experience water shortage; and
3. The plans the NW&S Company has to ensure that the residents of the constituency receive enough water supply.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Water, Energy and Natural Resources on 31st March 2014 requesting to be furnished with a written response to the Statement sought by the Hon. Member. In this regard, Mr. Speaker sir, I wish to report to the Assembly as follows:-

Introduction

Kibra constituency is one of the 17 constituencies in Nairobi County and includes the following Wards and population:

	<u>Ward</u>	<u>Population</u>
1.	Laini Saba Ward	28,182
2.	Lindi Ward	35,158
3.	Makina Ward	25,242
4.	Woodley Ward	35,355
5.	Sarang'ombe Ward	54,347

Mr. Speaker, with the exception of Woodley Ward, the other Wards consist of informal settlements with no defined land tenure. The lack of land tenure has presented serious challenges in planning for service provision such as water supply, sewerage, roads, and drainage. The construction of the basic infrastructure had until recently been left to the Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs) operating in the Wards. The provision of the services was also in the hands of CBOs with no regulations.

Mr. Speaker over the last ten years the Nairobi Water and Sewerage (NW& S) Company in conjunction with Athi Water Services Board have invested heavily in the provision of water services in the informal settlements of Nairobi generally and Kibra in particular. Among the measures taken include:

- a) Establishment of an informal settlement department at the Water Company so as to provide focused pro-poor services in the County. The company has formulated a strategy for provision of services in the informal settlement.
- b) Allocation of funds from both internal and external resources targeting specific informal settlements;
- c) Accelerated the construction of water supply distribution pipelines and sewer extension to the informal settlements;
- d) Construction of ablution blocks with amenities in all the informal settlements so as to improve the sanitation and reduce environmental pollution;
- e) Ensuring that water is equitably supplied to all residents including the informal settlements, subject to bulk water transfer constraints.

Recent Interventions

- a) Extension of 150mm pipeline from Kenya Science to Telkom House
- b) Construction of 11.5 km of DN 50-160 water distribution pipeline in Soweto East, Silanga and Laini Saba.
- c) Construction of 2.95 km of DN 450 and 375 sewer lines in the above villages
- d) Construction 9 ablution blocks in Soweto East, Silanga, Laini Saba, Mashimoni and Toi Market.

On-going Interventions

- a) Construction of two ablution blocks in Mashimoni
- b) Construction of 800 m of DN 375 sewer pipe in Mashimoni
- c) Construction of 1.3 km of DN 80 GI water pipelines in Mashimoni

Mr. Speaker sir, Nairobi City County experiences a water deficit of about 120,000 cubic meters a day with most of the deficit being in the western side of the city where Kibra Constituency is located. The supply to the area only meets 43% of the demand. Whereas measures are underway to redress the supply deficit through the implementation of the Northern Collector Tunnel and the deep wells in Kiambu and Murang'a i.e. by 2017 and subsequently the second phase of the Northern Collector Tunnel by 2035 demand; the company has been forced to undertake rigorous equitable water distribution measures to ensure that every resident gets a fair share of available water. This is however subject to constraints such as bulk water transfer capacity as well as the local storage and distribution network condition.

Mr. Speaker sir, the water supply schedule for Wards in Kibra Constituency is tabulated and contained in an annex that has been forward to Hon. Ahad Adam. However the challenges have been enumerated as follows:

1. Sabotage by vendor cartels
2. Illegal connections to the main pipes
3. High elevation leading to low pressure

The bulk water transfer from Gigiri reservoir to Kabete Water Works will shortly be augmented after commissioning of the Gigiri pumps and pipeline by the end of April 2014.

Mr. Speaker, the last question; how long do the residents of the Constituency will experience the water shortages:

Mr. Speaker sir, as I stated above, the NW&S Company in conjunction with the Athi Water Services Board are undertaking the following measures:

1. Duplication of the Gigiri-Kabete pipeline and installation of additional pumps at Gigiri to enhance the bulk water transfer capacity from 48,000 a day to 90,000 cubic mm a day. This will result to increased water supply hours to the western side of the city;
2. Drilling of deep wells at Kiunyu and Ruiru to produce an extra 15,000 cubic mm per day of water. These works are expected to be completed by July 2017;
3. Construction of Northern Collector Phase I, transmission pipelines and treatment works at Kigoro to meet the demand up to the year 2018. These works will be completed by January 2020.
4. Construction of Northern Collector Phase II and associated works to meet the demand up to the year 2035. The government is sourcing for funds.

Mr. Speaker sir, in light of the above, the equitable water supply regime will persist in the city generally and Kibra Constituency in particular will ease over time. In the meantime the residents are encouraged to conserve water and report any leaks and illegal activities to the Nairobi Water and Sewerage Company offices at Woodley. Mr. Speaker sir, I beg to lay this response on the Table.

Mr. Speaker sir, the said report was discussed with the Member concerned and before we report the technicians are already on the ground and they have been working and the Member is convinced on what is going on. So, I hope Hon. Alhad unfortunately he is not around, but we needed to confirm if the report was discussed with him and he was in agreement. Thank you, Mr. Speaker.

Hon. Speaker: Very well, Hon. Chairperson. Hon. Ngaruiya---

Hon. Speaker: Very well Hon. Chairperson. Hon. Ngaruiya.

Hon. Member for Kahawa West Ward (Mr. Patrick Chege Ngaruiya): Thank you, Mr. Speaker, I want to thank the Chairman for Water for the good work. I wish that that one is covered in the whole of Nairobi so that we can have a comprehensive report because it is not only in Kibra and Lang'ata where we have slums. We have slums in other areas although it was asked by the MCA from that particular area so the work was well done. Last week, on Wednesday, the Chairman for Labor asked a report to be produced today about two employees that were sacked by the County Assembly Service Board. I wish the chairman has the report and it will be necessary if it is produced.

Hon. Speaker: Which one is that?

Hon. Chege Ngaruiya: It is with Ochola the MCA---

Hon. Speaker: Order! Order! Order, Hon. Chairperson! Clerk is it on our order paper? It's not on our order paper. But you have not brought it here.

Hon. Chege Ngaruiya: Mr. Speaker, there was a report that he is supposed to present about that.

Hon. Speaker: Order! Order! Order!

Hon. Stephen Thuo Kamau: It was scheduled for today.

Hon. Speaker: Order! Order! I am consulting. I am consulting, Members.

Hon. Alex Ouda Otieno: Thank you, the Hon. Mwalimu and I hope---

(Hon. Speaker consults with the Clerk)

Thank you, Hon. Mwalimu and as you are aware we as Water Committee have been trying and we normally make such visits and your Ward also is among the Wards to be visited *Mheshimiwa*. So, very soon we'll let you know when the Committee will be visiting your Ward. Our main objective is to make sure that there is a little bit of improvement, thank you.

Hon. Speaker: Hon. Members, I'll have to consult the Deputy Speaker who was seated on that day because it is not in these papers and we cannot bring--- I'll give that report on Tuesday 2.30 p.m. Hon. Chairperson, you are the Chairperson of Labour. If something is not--- if an item is not here we cannot

really discuss because where will you be discussing from? Furthermore, to the best of my knowledge it never passed my office, so I'll have to consult with the Deputy Speaker who actually was on the Chair on that particular day. Tuesday 2.30 p.m. I'll bring you the report.

We cannot allow a question because it is not in the order paper; it is not on Statements. How do I allow a question, Hon. Ngaruiya. Hon. Ngaruiya order! How do we start an item here which is not in the order paper surely?

Hon. Stephen Thuo Kamau: This is a House of order.

Hon. Speaker: Yes, please, order! Hon. Chairperson, stop misleading the House! Stop misleading the House! Stop misleading the House, Hon. Ochola! This is a House of rules and regulations and Standing Orders. Will it be too much to ask to wait for 2.30 p.m. on Tuesday? Thank you very much.

Next order? Order, Hon. Chairperson! What is the problem? Who called you? Who called you? Where is his Statement? He is answering a Statement or he is giving? A Statement requested by Hon. Peter Migwi Gichohi from Chairperson Labour? Yes, Hon. Ochola.

RESPONSE - STATEMENT ON EMPLOYMENT IN THE NAIROBI CITY COUNTY PUBLIC SERVICE

Hon. Wilson Ochola: Thank you, Mr. Speaker sir, for giving me this opportunity. The Statement which I want to read here is a Statement which was here sometimes back and it was not accepted. I think today my Statement will be accepted, Mr. Speaker. Response to Statement requested by the Hon. Osman Adow Ibrahim MCA Member for Eastleigh North Ward from the Chairperson Sectoral Committee on Labor.

On Wednesday 26th March, 2014 the Hon. Osman Adow Ibrahim MCA rose on the floor of the Assembly pursuant to Standing Order number 41(2c) and requested the Chairperson of Labor and Social Welfare Committee for a Statement regarding employment by the Nairobi County Public Service Board. According to the Member it is alleged that there is regional and gender bias with the employment within the Nairobi City County Public Service Board for the different posts in the County Government.

The Member further asked the Chairperson to enquire into and Table a report on the employment of the public officers of the County showing their name, gender and tribe. Mr. Speaker sir, the Committee wrote to the Nairobi City County Public Service Board Secretary on 19th of May, 2014 in a letter ref. LSW 17th 2014 requesting to be furnished with the written response to the Statement by Hon. Osman Adow Ibrahim. In this regard Mr. Speaker sir, I wish to report to the Assembly as follows---

Hon. Speaker: Order, Hon. Chairperson! Order!

Hon. Wilson Ochola: Yes.

Hon. Speaker: First of all you have read--- why don't you first all find out whether the Member who asked you for the Statement is there---

Hon. Stephen Thuo Kamau: The Member is absent.

Hon. Speaker: He is absent?

Hon. Wilson Ochola: Osman Adow is there, Mr. Speaker. I am talking---

Hon. Speaker: Order, Hon.!

Hon. Wilson Ochola: Yes, I have two statements; I am starting with one.

Hon. Speaker: Order, Hon. Chairperson!

Hon. Wilson Ochola: Mr. Speaker, he is misleading the House.

Hon. Speaker: Order!

Hon. Wilson Ochola: Okay.

Hon. Speaker: Is the Hon. Migwi Charles no Gichohi in?

Hon. Wilson Ochola: No. I am not reading the Gichohi Statement; I have two statements.

Hon. Speaker: Order, Hon. Member, please. Chairperson! Wait for a response for the Members in regard to the first question. In the--- no, no, no, this is the property of the House. It's not the property of Gichohi. Hon. Members on the issue of the closure of Housing Development Department the Statement by Peter Gichohi Migwi.

Hon. Members: The Hon. Member is not in.

Hon. Speaker: Members, you are satisfied, we can do away with it until Tuesday 2.30?

Hon. Members: Yes.

Hon. Speaker: Remember what you have read there is not correct. I want to warn you that when you come on Tuesday 2.30 p.m. come with proper information. Come and tell us who is heading Housing Development Department (HDD) now. Bring us information, don't bring us half-baked information.

Hon. Wilson Ochola: That's not true Mr. Speaker, in fact I was----

Hon. Speaker: Okay, go ahead.

Hon. Wilson Ochola: I am the Chairman, Mr. Speaker.

Hon. Speaker: Yes, I know.

(Laughter)

Hon. Wilson Ochola: Gender and tribe in the Public Service Office; Mr. Speaker, I would like to go straight away to the point Mr. Speaker. I am not going to waste any time. The Nairobi City County Public Service Board's responded through a letter ref: NCPSB/28th May, 2014 on the matter. According to the Public Service Board Secretary; the name, position, gender and ethnic groups for all the employed persons by the board since its inception in July 2013 are profiled. In the report the summary of the response under each office level is tabulated below: Sub County Administrator position currently has 17 employed Sub County Administrators. Gender: 12 male, 5 female, Luo 4, Kamba 3, Luhya 2, Kikuyu 3, Embu 1, Kalenjin 1, Maasai 1, Kisii 2.

Mr. Speaker on the same note the summary of the Ward Administrators as per the Hon. Member's request is as follows---

Hon. Speaker: Hon. Chairperson---

Hon. Wilson Ochola: Yes, Mr. Speaker.

Hon. Speaker: Are you reading to us those that were employed recently or what was---

Hon. Wilson Ochola: According to the question which was requested, Mr. Speaker, he wanted to know the gender, the tribe and that's what I am saying, Mr. Speaker.

Hon. Speaker: Go ahead.

Hon. Wilson Ochola: I think I am very clear, Mr. Speaker sir.

Hon. Speaker: Go ahead.

Hon. Wilson Ochola: As you can see Luos are 4 employed, Kamba 3, Luhya 2, Kikuyu 3, Embu 1, Kalenjin1, Maasai 1, Kisii 2. On the same note the summary of the Ward Administrators as per what the Hon. Member Adow requested on Ward Administrators; there are 61 existing Ward Administrators. Total gender: 47 male, 17 female. Ethnic groups:

(Loud consultations)

I am there, I am the Chairman just give me--- can you protect me, Mr. Speaker?

Hon. Speaker: Order, Hon. Members! Go on.

Hon. Wilson Ochola: Yes, Luo 14, Kamba10, Luhya 7, Kikuyu 10, Embu 2, Kalenjin 6, Maasai 2, Kisii 6, Somali 1, Borana 1. So, those are falling in the same category. They are 2, Mr. Speaker.

Hon. Speaker: Where is this report?

Hon. Wilson Ochola: The gender and ethnicity of the Chief Officers of the Department, Directors and other Executive Officers are as indicated below; County Secretary Chief Executive Officer's Department Directors, they are fifteen, Mr. Speaker; 8 male, 7 female. Ethnic groups: Luo 5, Kamba 2, Luhya 1, Kikuyu 5, Maasai1, Kisii 1. I beg to lay this response. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Chairperson, order! Order, Hon. Mr---! This is from the County Service Board or these are the previous holders of the defunct City Council?

Hon. Wilson Ochola: These are all the existing ones, Mr. Speaker. What the Member requested, those who are currently employed. This is what I am trying to give out.

Hon. Speaker: The current employed ones?

Hon. Wilson Ochola: The current officers employed by the Executive since inception, Mr. Speaker.

Hon. Speaker: Why don't we have their names---?

Hon. Wilson Ochola: Of course yes, they are on the Table, Mr. Speaker, alongside their ethnic groups, tribe and religion. Yes. *Si mnipigie makofi, bwana.*

(Applause)

Hon. Speaker: Hon. Members thank you very much but as we--- order, Hon. Chairperson! Thank you. As we discuss this issue, it is an issue that I do not want ethnic emotions brought in. Discuss these as employees of the County Government properly vetted and properly employed by the County.

Hon. Wilson Ochola: Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members, thank you. Hon. Adow.

Hon. Wilson Ochola: Yes, before he comes, Mr. Speaker, remember this statement was here before and it was not the way it is now. Now, I think Hon. Adow is going to comment on it. Thank you. I beg to lay this.

Hon. Member for Easleigh North Ward (Mr. Osman Adow): Thank you, Mr. Speaker. I would first like to congratulate the Chairman for I think the job is well done. The Statement gives details and as I had said earlier, it is not an allegation. It is the truth and the truth has been shown in the report. So, it is no longer an allegation, but what I have been saying has been confirmed.

Although it is detailed it has left out one column which was showing religion and this is not to belittle any religion or tribe or anything but all we wanted to do was to show fairness in hiring practices of the County Public Service Board. There are two typographical errors which I can see. One which indicates somebody by the name I don't see the name here but it was showing the ethnic group as Mandera. I don't think there is an ethnic group called Mandera. The second one the names on the list of the Sub-County Administrators number 14 is shown as Somali but the name suggests otherwise. That is the only thing that I saw but the report is detailed and I am happy with it and I will take it from there. Thank you very much.

(Applause)

Hon. Speaker: Hon. Members---

Hon. Wilson Ochola: Thank you, Hon. Adow, for appreciating the report. The name Madera is not Mandera. It should be Garre. I think we have Garre in Kenya. Thank you very much.

Hon. Speaker: Yes, Hon. Thuo.

Hon. Stephen Thuo Kamau: Thank you, Mr. Speaker sir, I think this was a replica of a question I had asked a while back. I also want to point out to this House that the County Public Service Board is supposed to be furnishing this House with regular reports. I am asking this as a subsequent question to the Chairman of labor on when the County Public Service Board would be furnishing this House with a proper

report. The County Government Act provides that the body should furnish this House with regular reports on what it is doing as far as our workforce in the County is concerned. Thank you.

Hon. Speaker: Yes, Hon. you are through, go ahead and---

Hon. Stephen Thuo Kamau: Mr. Speaker, I was asking as a subsequent or consequential question to the Chairman's response bearing in mind that the County Public Service Board of this County is mandated by the County Government Act to regularly furnish this House with a report on its working, its mandate and function. It has been a year now and we have never had a report by the Board. We should also ask the Chairman who is responsible for that. What is the Board doing to furnish this House with such a report. This information is good but it is piecemeal. We need a comprehensive report on the workforce of this County so that we can be able to debate on a report that is conclusive and comprehensive, thank you.

Hon. Speaker: Hon. Thuo, thank you. To, Hon. Chairperson for Works, order Hon. Chairperson! Hon. Members, this report has come here in regard to the employment of Ward Administrators, County and Sub-County Administrators and as Kenyans we should refrain in future from asking tribe and religion of Kenyans. We do understand the marginalized will continue being marginalized. Therefore, it is a process that we need to unlock Hon. Members in future as Chairpersons especially for labour. The question of Maasai, I don't have one. I don't even know who are these Maasai? Who are these Maasai employed? But they are Kenyans and I have no problem with that. Therefore, let's not bring religion and tribe and even location of employees of the County because tomorrow one will ask, they will want to know Hon. Members where you come from and what your religion is. Therefore, I am sure you are satisfied with this and the question you have asked you will furnish us further next week. Okay, okay, Hon. Chairperson.

Hon. Wilson Ochola: Thank you, Mr. Speaker, I would like to tell the Hon. Thuo; we have given a concrete answer and Hon. Adow accepted. I don't see the reason why he is still coming back on the same question and saying he wants a concrete answer unless he has something and I am not for it, Mr. Speaker.

Hon. Speaker: Hon. Chairperson; he has a right to ask. Hon. Ngaruiya.

Hon. Patrick Chege Ngaruiya: Mr. Speaker, thank you. On the same document I think also the list is incomplete because we have 85 Wards and the number of persons that have been listed here is only 61. I believe still this is not a comprehensive document. It requires the Chairman to go back and do it again. Thank you.

Hon. Wilson Ochola: Mr. Speaker, it is true what he is saying but remember it is not complete because there are 20 more which are still coming, Mr. Speaker. They were incompetent. Now we are going to employ 20 more. We are still going to give you a concrete answer. Is that understood?

(Laughter)

(Loud consultations)

Hon. Chege Ngaruiya: Mr. Speaker, when you add twenty plus sixty one it is eighty one. So, I think what the Chairman should do--- can you listen? What the Chairman should do is that he should not give a half-baked report.

Hon. Speaker: Correct.

Hon. Chege Ngaruiya: It is very important; this document is very important. We require it because these people, these Ward administrators are going to work in our Wards. We are going to work together and therefore I don't see why the Chairman should be emotional when he is answering such kind of a question. We believe also it is important that the education background of those Ward Administrators should also be added because of the requirements so that at least we can know whether they are in tandem with the requirements. Thank you.

Hon. Speaker: Hon. Chairperson, try to find out why we don't have the twenty---

Hon. Osman Adow: They have advertised for 24, Mr. Speaker. We are giving the difference they are going to employ.

Hon. Speaker: Then if you know, that's okay. Then if you are aware of that--- order, Hon. Chairperson! Hon. Adow if we are aware of that--- if you are aware of that information you should assist the Assembly by confirming that there is more coming and so let's give the Chairman time so that they can bring the whole report as requested by Hon. Ngaruiya.

Hon. Osman Adow: We employed 61 and they have advertised for 24 more. I wanted to comment on the ruling that you gave that we should not be asking those. It pains me actually to ask that in those terms, in terms of religion and tribe. I don't want to do it myself but if the people responsible for hiring are not meeting those requirements they are then engaging in some kind of discrimination and we have to bring it out. You cannot say that we should not ask in these terms when the other side of the divide are responsible for actually making the mess that is there already.

Hon. Speaker: Very well, Hon. Adow. You are heard. Indeed the Leader of Majority who is here has heard that. Stop discriminating other tribes.

Hon. Leader of Majority: Mr. Speaker, I think our colleagues may be harbouring some mischief about this thing because this thing was in the paper, they re-advertised about 24 positions because they did not get people who met the threshold. So, that is the reason why they re-advertised again the 24 positions.

We know very well, even if the Chairman of Labour did not give you a specific number you all know very well that the jobs were re-advertised. So, let us not dwell on this too much because you want to know who is from which tribe because I do not think we are going to start looking at the names, the tribes and it is very bad if you start digging for those things because if you start digging into them we will go back into the past. When you go back into the past may be someone will say we are not going to tell, we are not going to count the tribes and it is not good. Hon. Thuo, you are still young, I do not think you should bring issues about tribes here. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Leader of Majority, for correction, it is actually the Chairperson of Labour who has brought the tribes. If I were him I would not have brought it. It must have passed my notice but in future I will not allow that to happen and when you bring it back next, do not bring those things of tribes and religion, please, because if we want to find out we will find out. Hon. Nyang'wara Nyang'wara.

Hon. Member for Viwandani Ward (Mr. Samuel Nyang'wara): Mr. Speaker, I wanted to request the Hon. Members that it is not only the Public Service Board who looks at the tribes the applicants come from. Mr. Speaker, they must meet the qualifications, so I want to bring to the attention of the Hon. Members who are questioning about discrimination that there is no discrimination at all in employing in this County as far as I am concerned at the moment compared to the previous years. Thank you.

Hon. Member for Eastleigh North (Mr. Ibrahim Adow): Is he implying that we don't have the qualifications? Is he the only one who has the qualifications? Is that what he is implying sir?

(Laughter)

Hon. Speaker: Order! Hon. Adow, order! Next Order?

MOTION

ADOPTION OF THE REPORT ON THE VISIT TO MAMA LUCY KIBAKI HOSPITAL

Hon. Speaker: The Chairperson for--- And we would like you to tell the Members what happened to the cargo you had yesterday.

Hon. Member for Nairobi South (Mr. Manoah Mboku): Thank you, Mr. Speaker. Indeed, I want to thank the Member and Hon. Thuo in particular, for noticing that there was a small box there. Mr.

Speaker, actually that small box contained some material called 'Sure' and they were on transit to our toilet facilities.

Hon. Speaker: They don't have a name?

Hon. Manoah Mboku: They are condoms, Mr. Speaker. They were on transit to our toilet facilities and as you know, I am the Chairman for Health and indeed when the Member brought in the issue of those things lacking in the toilets, Members---

Hon. Speaker: What things?

Hon. Manoah Mboku: Those condoms are not there in the toilets. Members have really taken them and I want to encourage them to use the 'Sure' method, Mr. Speaker so that we can continue having healthy Members in this Hon. House.

(Laughter)

Thank you, Mr. Speaker. I beg to move a Motion, **THAT** this Assembly adopts the report of the County Assembly Sectoral Committee on Health services on the inspection visit to Mama Lucy Kibaki Hospital laid on the Table of the Assembly on Thursday, 17th April, 2014. Mr. Speaker, the Sectoral Committee on health service made a resolution to investigate the operational conditions of Mama Lucy Kibaki Hospital on 14th February, 2014.

Following this the Committee conducted its own investigations through a tour of the hospital and holding a meeting with the hospital management team including the Superintendent. The Committee therefore compiled a report out of the investigations containing recommendations as they are detailed in the said report after several Committee meetings. I request the Members of this Hon. Assembly to adopt this report. Mr. Speaker, just to debate a little bit on it before Members deliberate on the report, the Committee observed the following:

In the accident unit, the surgical orthopedic department, the In-Charge confirmed that they were facing a shortage of staff and this was hindering the effective operation of the 24 hour system. There are only 5 staff at the Accident and Emergency Unit and there was ample equipment although not modern. For instance, they needed a motorized machine for attending to patients in this department. There were two consultations rooms that had one doctor only. Mr. Speaker, at the pediatric outpatient; here the patient/staff ratio was found wanting. There are two nurses who are overwhelmed by the high turnout of patients. For instance, by 12 noon on the material day they had seen at least 100 patients. They do not have a pediatric officer. They serve an estimated 24,000 patients in a month and about 500 children a day.

Mr. Speaker, I won't read the whole thing but Members have this report. At the maternity unit due to congestion, sometimes the maternity has no option but to discharge mothers 8 hours after delivery instead of the recommended 24 hours. Mr. Speaker, this hospital has got only 1 gynecologist and they require around 4 for the unit to operate effectively. The labour ward had only 35 beds. The Committee was stunned to find the area of the maternity is just separated by a few meters from a room meant for the classroom but had been turned into a male ward. It was more disturbing to learn that this level 4 hospital had only one male ward with a bed capacity for 9 males. Mr. Speaker, there was a general ward for women without a psychiatrist and there is no functional ambulance at Mama Lucy's. The Committee also observed that there was low morale among the staff due to allegations of incompetence, harassment, tribalism and nepotism by the top management. This had been noted by the Committee and there were also allegations in the newspaper before we visited the hospital to that effect. After this, the Committee made the following recommendations, Mr. Speaker.

1. The staff of the hospital be provided with a conducive and friendly environment to work in. In addition, the top management to establish a good rapport between itself and the employees.
2. The Hospital management should be handled by a CEO and not a professional doctor who may not possess any managerial skills.

Mr. Speaker, as you can see in our observations, there was only one gynecologist and we found this gynecologist is in charge of the hospital, he is the one who is the medical superintendent yet they have only one gynecologist meaning we are wasting the profession of that gynecologist. Instead of attending to patients he is managing the institution. That is why the Committee recommended that this facility should be managed by a CEO, somebody with managerial skills and not a professional who should be handling patients in the hospital.

3. The County Government to provide Mama Lucy hospital with an ambulance.
4. 50% of the staff to be housed around the facility and the Government to acquire more land for expanding the facility and probably negotiate for a portion in the DC's adjacent land.
5. General ward for women be established in the facility.
6. The bed capacity, the Committee also recommended that it be increased.
7. An audit of the staff to be done so as to establish the authenticity of the list of staff provided by the hospital so as to probe the nepotism allegations.
8. An audit to be done on the use of budget allocated to the hospital.
9. A psychiatrist unit to be established within the facility.
10. The hospital planning to be rearranged. E.g. Maternity to be brought from the 1st floor to the ground floor and away from the men's ward, because we

realized the maternity is on the second level where pregnant mothers cannot access easily.

11. The men's ward was near the maternity which was not very encouraging
12. The Committee also recommended that there should also be a children's playground so that those who are feeling better can play there.
13. An investigation to be done on the stalled warehouse project and the use of the amount allocated initially for its construction and report on its findings and the recommendations to be tabled before the Committee.
14. Revive and fast track the construction of the hospital warehouse for safe drug custody. Funds to be provided for the same.
15. In conclusion, Mr. Speaker, the Committee recommended that the County to engage a consultant firm to investigate and dig deeper on what is ailing all the County health facilities since they are undergoing the same challenges.

Mr. Speaker, this is what the Committee recommended and I call upon Hon. Karen to second this Motion.

Hon. Speaker: Thank you very much. Did you say the maternity is next to the male ward?

Hon. Manoah Mboku: Yes, it is next to the Male ward.

Hon. Karen Githaiga (Nominate Member from Njiiru): Thank you, Mr. Speaker sir. I rise to second the Motion and as you were asking, the Male ward has 9 beds and it is immediately next to the labour ward and it is a level 4 hospital. Mr. Speaker, we visited Mama Lucy Kibaki Hospital on 14 February this year. You will note that it was a valentine day but because of the commitment of this Committee we opted to go to the Mama Lucy Hospital because of the complaints that we had heard and even the news that was in the papers.

Even the people who were around that ward wanted to demonstrate because of that hospital. Mr. Speaker sir, as a mother, I noted with a lot of concern that mothers in the maternity, because of the low bed capacity were even sleeping 3 people in one bed immediately after giving birth. This is Nairobi County and that is a level 4 hospital. That is not acceptable, Mr. Speaker, sir and it is all because of the bad management in that hospital.

Even the medical superintendent seems not to know that health is devolved, it is in the County. He kept talking about the National Government and I asked him at one point, do you really understand your mandate and he was shaking his head. Mr. Speaker sir, we are all looking up to that man to manage that hospital. As I sit down I want to conclude that we need an administrator to manage that hospital. Mama Lucy is a 24 hour hospital but at night nothing happens in Mama Lucy. About the ambulances, Mr. Speaker

sir, as our able Chairman has said, when we visited that hospital we were told that there are two ambulances but none was operating at that time and what happens at Mama Lucy especially at night is referrals to Mbagathi.

Mr. Speaker sir, if you had an accident on Kangundo Road and you are referred and there is no ambulance, you will just have to die, there is no option. As I sit down I want to ask all Members of this Assembly to support this Motion so that we can have good management in Mama Lucy Kibaki Hospital. Thank you.

Hon. Speaker: Hon. Members, thank you very much and also the Chairperson and your Committee for the wonderful job you have done. It is a sad story but it is on this floor and it is up to you Members to take this issue of Mama Lucy Kibaki Hospital together with others, keeping in mind that this is no--- From what I have read here it looks like we are talking about a clinic not a level 4 hospital. Thank you very much, Chairperson and your Committee.

Hon. Members: Propose the question.

Hon. Speaker: Oh, sorry, I beg your pardon. I am shocked to hear about men sleeping--- Hon. Members, I now propose the question that the Assembly accept the 6th report of the Sectoral Committee of Health Services on the inspection visit to Mama Kibaki Hospital. Hon, Members.

(Question proposed)

Hon. Member for Komarock Ward (Mr. Samuel Mwangi): Mr. Speaker, I represent Komarock Ward where the Lucy Kibaki Hospital happens to be located and I want to thank the Health Committee under the able leadership of Hon. Manoah Mboku for having found time to come and see what the people of lower Eastern are going through. Mr. Speaker, I want to urge this Hon. House to adopt this report without delay. Members who live in Komarock Ward, Umoja I,II, Mowlem, Kayole South, Central and North and Matopeni, they have had some very hectic times and sometime they call me at night because maybe somebody is admitted, a mother or a child and maybe they have been thrown out of the hospital because of some logistical problems that we have in that hospital. Something else, Hon. Members, I walk into that hospital late at night and I find patients groaning in pain.

Mr. Speaker, a lot of professionals are resigning from that hospital not because they are not ready to give services but it is because the management is very hostile, the medical superintendent is very arrogant and to that effect I would want to urge the County Executive to do something immediately. The report has recommended, Mr. Speaker, that 50% of the medical staff be housed in the hospital and you will agree with me, Hon. Members, that this hospital being located at the East of Uhuru Highway it attracts a lot of patients. Mr. Speaker, actually, for the purpose of records, Mama Lucy attends to more than 600

patients per day and with such a huge number you can imagine at night when there are emergencies coming from about 10 constituencies and we have no staff houses.

The report has recommended that the County Executive should negotiate with the National Government so that the land that is occupied by the Deputy County Commissioner, at least 2 acres can be hived so that we can get staff housed within the hospital. About the public relations, Members of this Committee will bear me witness that when they challenge the medical superintendent as to why the staff is very rude to the patients---

Hon. Speaker: Medical what?

Hon. Samuel Mwangi: Medical superintendent. You know, level 3 and 4 hospitals, they are managed by medical superintendents, Mr. Speaker. Members of this Committee will bear me witness; he responded and said that he cannot be watchman to man or the employees. This is on record and so something needs to be done. Hon. Members, Hon. Mothers will know what LVO means. We have lost a number of mothers---

(Loud consultations as Hon. Janet Wala walks out)

Hon. Speaker: Order, Hon. *Mheshimiwa*. What has happened in the Assembly?

Hon. Members: *(Inaudible)*

Hon. Speaker: That one needs the intervention of the Bishop. Hon. Member, go on.

Hon. Samuel Mwangi: Mr. Speaker, I am articulating a very valuable point. Hon. Mothers of this Assembly know what I mean by LVO. We have lost several mothers in that hospital because when mothers are expectant, because the laboratory technicians are not confident, the work morale is very low, they are recommending that pregnancies be terminated and when the patient goes to another hospital you find that the baby is alive and kicking. There have been very unfortunate incidences and as an elected Member, an MCA of that ward I cannot just bring a rumour, I have evidence of mothers who have been recommended to go and terminate the pregnancy but when you go to Kenyatta or any other hospital you find that it was a misdiagnosis. So, without haste, Mr. Speaker, I want to support this report and urge this Hon. House to support it fully. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ngaruiya.

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya): Thank you, Mr. Speaker. I also want to take this opportunity to thank the Chairman of the Health Committee for a job well done and also the

Committee members. Mr. Speaker, I want to say that I think when a report of this County Assembly is compiled and presented to this particular House for adoption, I believe this is also another arm of Government that has done its legislative work and I believe it is equal to the work of most of the courts that we have. Mr. Speaker, as I support this Motion I would wish that whatever recommendations that have been Tabled in this particular Assembly we do not take them for granted. This is a new hospital that has been rundown; it is a hospital that was just constructed during the era of His Excellency President Mwai Kibaki and, Mr. Speaker, when such a kind of hospital faces such anomalies and problems and it is only 5 to 10 what about 15 or 30 years, Mr. Speaker.

I would like to take several options like the issue to do with nepotism. Nepotism is a violation of the Constitution and nepotism means this is employment from one particular family, not even a tribe and that should be investigated. I do not know why the Committee has not recommended further investigations. This House should recommend that the Ethics and Anti-Corruption Unit goes further and investigates the allegations of nepotism; goes further to investigate the issues of construction that is ongoing; goes further to investigate the drugs that have been pumped into that particular hospital and they are not found. They should also further investigate the many other problems that the hospital is facing, Mr. Speaker.

So, I believe and every Hon. Member in this House believes so, that this is a hospital that should be working or acting to help relieve Kenyatta National Hospital, but this is not the case. Mr. Speaker, a hospital of its nature and the reason as to why it was placed and constructed there, was because that area is an area that has a very large population and if something is not going to be done with immediate effect I believe--- or what is going to happen to such a kind of hospital that was constructed and a lot of money pumped in, is that in future we are not going to have a hospital at all. What we will be having are the same, same health centers that we have. The Chairman did recommend that the County pumps more money into that particular hospital but I also believe that when the money is pumped in, that a follow up should also be made so that at least our money does not go to waste. This is a hospital that can provide to this particular County whereby through revenue collection we can be in a position to collect more than Ksh 200 to 300 thousand every month. Thank you, Mr. Speaker.

Hon. Speaker: Yes, *Mheshimiwa*. She is my old colleague.

Hon. Florence Athembo (Nominated Member from Maringo): Thank you, Mr. Speaker sir and I thank my Chairman for bringing such a good report here. Mr. Speaker sir, as a mother and grandmother, I was shocked. I went there and there were many patients there and it was just like Kikomba Market. The children were there vomiting on the floor and when we asked questions they told us that there are no doctors and that they do not have enough nurses. So, I would like to ask this House whether we can employ the nurses to better the situation. It was terrible. Thank you, Mr. Speaker sir.

(Applauses)

Hon. Speaker: Hon. Leader of Majority.

Hon. Leader of Majority: Thank you, Mr. Speaker. As I stand to support this Motion, first and foremost I must sympathize with you because there are some people who are disturbing your mind. This is because I think you did not hear anything when the Member was contributing. Mr. Speaker sometimes---

(Laughter)

Hon. Speaker: Order, Leader of Majority!

Hon. Leader of Majority: So, Mr. Speaker before, ---

Hon. Speaker: Order, Hon. Karen!

Hon. Leader of Majority: Mr. Speaker I thought that the Hospital the way I was hearing this name before that is Mama Lucy Kibaki's Hospital; I thought it was a Hospital where even somebody like me can go. But today I have just discovered that it is just a Dispensary and that is not a Hospital as the way Karen is calling the Hospital Level Four Hospital; I don't think so. That makes me to call for constitution of an Ad Hoc Committee to go and dig dipper, so that we can know what is wrong there and the reason why somebody is degrading this Hospital from Level Four Hospital to a Dispensary Hospital.

I think we better just constitute an Ad Hoc Committee but I know we are not going to constitute one like the other one which was headed by some of our--- *(Laughing)* the other one; the Akuk Commission of enquiry. We are just going to constitute another Ad Hoc Committee which is going to give us credible information, because this Hospital is no longer a Hospital. And also I want to bring this to your attention; I think you command your authority or power and compel this people to dress well when they are coming to this Assembly. *(Applause)* Thank you, Mr. Speaker.

Hon. Speaker: Order, Hon. Members!, Order, Hon. Bishop! Hon. Members what the Hon. Leader of Majority has said, for sure as the Member for the area where the hospital stands from what we heard from Karen, from Chairman and from Athembo this is in dire need of I don't know 'restructuring'; I don't know which word can fit because this is a very serious issue. And Mr. Leader of Majority as you represent the Government surely how would a Hospital where mothers are giving birth to babies next to a room where there are men and you understand the kind of situation they are in.

Order, Chairman! Therefore, Hon. Members, I want to plead with you and also plead with the Government of His Excellency Dr. Kidero, that he should look into this very seriously, and you read the

papers the other day on what happen to pregnant mothers when they are being checked. But if you have a men's room adjusted to the Maternity wards, it is unacceptable and when all this is happening we have a Medical Officer of Health of the County Government of Nairobi in office.

I will leave to Members, the proposal by the Leader of Majority, that if I were you, I would take that opportunity to have an Ad Hoc Committee because as the way Hon. Athembo has said, she proposed that we employ nurses as we employed County Ward Administrators, nurses should be employed also. So what is happening to other Clinics if the Level Four hospital is in that state? What is happening to the Clinics in our areas? Hon. Members, I leave it to you, but this is very sad scenario and it is a shame to call yourself a Doctor of the County Government of Nairobi, the headquarters of Kenya in a pathetic hospital where the Leader of Majority had hoped he would also want to go to be treated.

And furthermore, a ward where you take mothers on 12th floor, pregnant mothers and I am sure there are no lifts there. So, I leave it to you, Hon. Members. Hon. Chief Whip, Hon Bishop, Hon. Luchiri and then we close up.

Hon. Chief Whip of Majority (Mr. David Njilithia Mberia): Thank you, Mr. Speaker. I rise to support the Motion. Mr. Speaker it is a pity and a shame, because the name Mama Lucy as we know the name; she was the First Lady of our Country and whoever came up with that name for that Hospital, may be never thought twice because even if the Health Services were not devolved then, what was the National Government doing.

As Kenyans we don't know where Mama Lucy Kibaki went because if she is alive she is supposed to arise and walk to that hospital and tell this Country whether this Hospital, deserves the name Lucy Kibaki or not, Mr. Speaker.

Secondly, Mr. Speaker, that is a Level Four Hospital; if this house will form an Ad Hoc Committee there are other two Level Four Hospitals, Mbagathi being one and Mutuini. If you go to Mbagathi District Hospital, you will be shocked and if really the services are devolved, then as a County Government of this City we need to do something.

Mr. Speaker, let us form this Ad Hoc Committee and we should not form this Committee for our Members to go to be corrupted like the Commission of Akuk; the Commission of enquiry, Mr. Speaker. We want a report---

(Laughter)

Hon. Speaker: Order, Hon. Chief Whip! Order! Go on but don't mention the names of people.

Hon. David Mberia: Thank you, Mr. Speaker, we want an Ad Hoc Committee formed and the report should be Tabled before this House and should be fully implemented. We have Health Centers in this County; if a Level Four Hospital can be like the way the Committee Members have told this House, What about the Dispensaries and Health Centers which belong to this County?

We need to rise to the occasion as a House because our job is to adopt such reports, but now the Executives, Mr. Speaker sir, must implement our reports. They must implement our reports to the latter, Mr. Speaker sir. And the Chairman of Committee of Implementation is the Leader of Business in this House. We want our reports and Motions implemented, for us to be taken seriously as a Parliament of this County. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Very Well, Hon. Bishop Abuka.

Hon. William Abuka (Nominated Member from Kibra): Thank you, Hon. Speaker of our Hon. County Assembly. It is like my excellent brother the Chief Whip and I were flowing in the same spirit. I rise to support this Motion. What I really wanted to bring across was the need to support what the Majority Leader has said; the formation of an Ad Hoc Committee, but not limit its scope to Mama Lucy Kibaki hospital alone because if this has happened with all the demon processed and propelled spirit of impunity that looks like it's really troubling operations there, then you can rest assured it is affecting most of our facilities of similar nature.

Mr. Speaker, hearing the Chairman of Health and our good sister Hon. Karen who seconded the Motion you know alluding too or rather explaining what he saw or feel should be done and so on, you tend to feel that what we are complaining about Al-shabaab killing Kenyans is child play compared to what our very reputable Doctors are doing to our own Citizens.

(Applause)

Al-shabaab can stand on the side and say, now we have trained you on how to kill yourselves, you can kill your pregnant mothers, kill their babies and still call yourselves Doctors.

As long, and believe Hon. Members will also side with this position, as anything is operating within Nairobi City County, those things whether it is an Institution, a facility or a business, must be responsible to the Government of Nairobi County. Whether they are National outfits like Kenyatta or Mama Lucy Kibaki which I think they only got the name because it was somebody's project, whether it is a kiosk like Majority Leader seems to have alluded because of the way they do their services, they are subject to the leadership of this Government.

And they must account not only for the drugs but also the lives that pass through their hands. And now we can see very clearly, why Doctors were refusing to be devolved; to go to the grassroots because they wanted to perpetuate the same spirit of impunity. Mr. Speaker, I want to say if I was to volunteer, to be part of this Ad Hoc Committee and given an opportunity, I would volunteer and don't pay me any coin. I would do it free of charge to put and pump some sense into some people that you can treat your people better, and especially Nairobi City County that we can treat our Citizens better.

And therefore, I want to conclude by saying that if it is agreeable to this House the formation of this Ad Hoc Committee should have been done like yesterday and ensured that the public knows that we are concerned not about their security at the bus park only but also about what they eat and the drugs they get and the people who attend to them. Thank you, Mr. speaker

(Applause)

Hon. Speaker Hon Luchiri and then Hon Jacky Nyang'ala and then we put the reply.

Hon Rose Nancy Luchiri (Nominated Member from Kilimani): Thank you, Mr. Speaker sir, for giving me this opportunity, I'm a member of the Health Committee----

Hon. Speaker Hon. Luchiri please ---

Hon. Rose N. Luchiri: Thank you, Mr. Speaker sir. I am a Member of the Health Committee and that day we scarified; we forgot about our valentine's day and we went to see what is happening in Mama Lucy Hospital. Personally, most times I listened to the radio and I heard people and patients complaining about Mama Lucy Kibaki Hospital.

What is happening in Mama Lucy Hospital is administrative. I think the people who are working there like the doctors and nurses are not professionals, or even if they are professionals, they are forgetting their oath that they are supposed to take care of lives.

Kenya is one of the Third World Countries, and what happens in Third World Country is we neglect emergencies and our statics provide that most deaths occur because of negligence in cases of emergency. Mr. Speaker sir, I would urge this House---

Hon. Speaker: Go on.

Hon Rose N. Luchiri: I would urge this House to support this Motion and we should move as first as possible because this is not the only hospital at Level Four that is having challenges, even Kenyatta

Hospital itself has challenges. I would urge this House to move with speed and support this Motion and also the Executives to implement. With those few remarks, Mr. Speaker sir, I rest my opinion.

Hon. Speaker Hon. Chief Whip.

Hon. Chief Whip of Majority: Mr. Speaker, what is happening to this side of the House, Mr. Speaker sir? Is this House a one sided House? I have counted Members of this side and they are less than 10, what is happening? Is it sabotage? Can you, Mr. Speaker sir---

Hon. Speaker: Order!

Hon. Chief Whip of Majority: Mr. Speaker, what I just want to raise is a concern, because if you entertain such accordance in this House, are we really going to conduct Business of this County, Mr. Speaker sir?

Hon. Speaker: Order, Hon. Chief Whip! Order, Members! I will do that in a very quick response. Hon. Members, of the Nairobi County Assembly you all know what brought you to this City. It is you to take up the positions the Nairobians gave you and I want to tell you in a very short while, less than a week we will have live coverage in this House.

(Applause)

I'm working on it with the Board to make sure that we have it. Nevertheless, Hon. Chief Whip, do your part, let the Nairobiian see, who is serious and who is not serious. That is all I can say because this Members who are here are sacrificing because they know what brought them here. You have an individual scorecard with the Nairobians, they will take you on the scorecard, Hon. Members. So, I thank you.

Hon. Members this is in regard to the sittings of the Select Committees; this is in regard to the intended formation of an Ad Hoc Committee. These are sub-committees and we have them in Standing Order 164 "a select Committee May establish such a subcommittee as it may consider necessary for the proper discharge of its functions". And then 165 says "A Member who is adversely mentioned in a matter under deliberation by a Committee shall not be present at any meeting at which the Committee is deliberating on the matter, but the Member may appear to adduce evidence as a witness before the Committee".

Those are the Standing Orders that will guide you when you are forming your Committee and indeed we need a Committee which is committed, honest and indeed with what it takes, to bring to the Assembly a proper report and in future the Committee whether we are calling it Ad Hoc or Select Committee will not be allowed to sit in Hotels.

(Applause)

They will either sit in the Assembly or we go to look for the Executive to give their room for us to sit. You will do it in the precincts of the Assembly----

(Applause)

----to avoid unnecessary interference from outsiders. Thank you. Hon. Jacky Nyang'ala, then I call the Mover of the Motion to reply.

Hon. Jacqueline Awino Nyang'ala (Nominated Member from Kileleshwa): Thank you, Mr. Speaker. I stand to support the Motion. I just want to ask; since Mama Lucy Hospital was devolved to the County, what is the Executive in-charge of Health is doing? Have they seen what is happening at this Hospital? Do they know what is going on? That means nobody in-charge of Health in this County knows what is happening in Mama Lucy Hospital. That is all I can say. But I stand to support. Thank you.

Hon. Speaker: Hon. Member I now call the Mover of the Motion to reply. Hon. Mboku

Hon. Manoah Karega Mboku: Thank you, Mr. Speaker, I stand to thank Hon. Members of this House for supporting this good Motion and indeed they have seen for themselves what is happening. A Member of that area has actually told this House the problems he is undergoing and indeed, Mr. Speaker, what all this Hon. Members are saying, and this is what still wants, the Management of the Hospital must be changed so that these problems can come to an end.

If you see, Mr. Speaker, Mater Hospital is being managed by somebody with Managerial skills and not a Doctor. When you go to Nairobi Hospital they have an Administrator who is not a Doctor. Also at Aga Khan we have an Administrator not a professional, if all this measures can be put in place, then what this Hon. Members are saying is that this facility will be the best facility in the County.

In short, Mr. Speaker, for the operation of Mama Lucy to be up-to-date as a Chairman and Committee we are saying the management must change right away from the employees and the services that are being offered there. The management must change for the name of Mama Lucy to live long and be respected. The Management of the facility must change, Mr. Speaker, to avoid Mama Lucy Kibaki Hospital appearing in media under negative publicity, every now and then.

I thank this Hon. Members for accepting to support the work of the Committee in this Institution to ensure that Mama Lucy Kibaki Hospital is restricted to give Health services for the protection and improved health of Citizens of Nairobi County. There is great need for Nairobi Citizens to find value in our health care

system and I want to assure the Members that the Committee will follow-up to ensure implementation of the recommendations of this House. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members, I now put the question.

(Question put and agreed to)

Next, Order? We are done? The Hon. Leader of Majority wants to *sine die* but--- Hon. Members, thank you and the House is adjourned until Tuesday 2.30 p.m. Thank you.

(The House Rose at 4. 45p.m.)