



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Third Session

Tuesday, 28<sup>th</sup> July, 2015

The House met at 2.30 p.m.

*(Hon. Deputy Speaker Mr. Kennedy Ngondi on the Chair)*

#### PRAYERS

**Hon. Deputy Speaker:** Hon. Members, it has been brought to the attention of the Chair that there is lack of quorum in the House. However, before we direct the Seargent-At-Arms to ring the bell for 10 minutes, let this not become the basis of a tradition in this House, Hon. Members. Hon. Members, this is in line of your duty, it is so embarrassing that for the last two weeks we have not been realizing quorum in the House. The Seargent-At-Arms, please can you ring the bell for 10 minutes and then we close the business of the day.

*(Quorum bell is rung)*

**Hon. Deputy Speaker:** Thank you, Seargent-At-Arms, we have realized the quorum of the day.

#### PAPERS

Hon. Members, under Order number 5, the following papers shall be laid on the floor of the Assembly.

1. Report of the Auditor General on the financial operations of the Nairobi City County Executive and Nairobi City County Assembly for the period 1<sup>st</sup> July, 2013 to 30<sup>th</sup> June.

2. Report of the Auditor General on the financial statements of Nairobi City County for the 16<sup>th</sup> month period ended 30<sup>th</sup> June, 2014.
3. Report of the Auditor General on the financial statements of the Nairobi City Executive for the period 1<sup>st</sup> July, 2013 to 30<sup>th</sup> June, 2014. Hon. Majority Leader.

**Hon. Leader of Majority:** Mr. Speaker, I beg to lay the following papers on the Table of the Assembly today Tuesday, 28<sup>th</sup> July, 2015. The report of the Auditor General on the financial statements of Nairobi City County for the 16 months period ended 30<sup>th</sup> June, 2014. Mr. Speaker, I think Marion and Bernadette, those beautiful ladies are laughing too much. I do not know whether they are admiring me.

*(Laughter)*

Mr. Speaker, I beg to lay the following paper on the Table of the Assembly today, Tuesday, 28<sup>th</sup> July, 2015. The Report of the Auditor General on the financial operations of the Nairobi City County Executive and Nairobi City County Assembly for the period of 1<sup>st</sup> July, 2013 to 30<sup>th</sup> June, 2014. Mr. Speaker, I beg to lay.

Mr. Speaker, I beg to lay the following papers on the Table of the Assembly today, Tuesday, 28<sup>th</sup> July 2015. Report of the Auditor General on the financial operations of Nairobi County Executive for the period 1<sup>st</sup> July, 2013 to 30<sup>th</sup> June, 2014. Mr. Speaker, I beg to lay. Also, Mr. Speaker, I think we have just given the PAC Committee a job to do because if I am not wrong this is going direct to PAC.

**Hon. Deputy Speaker:** Hon. Members, allow me to now direct the reports of the Auditor General on the financial operations of the Nairobi City County Executive and Nairobi City County Assembly for the period 1<sup>st</sup> July, 2013 to 30<sup>th</sup> June to the Committee of PAC. Proceed permission granted, Hon. Chairperson.

**Hon. Robert Mbatia:** Thank you, Mr. Speaker. I would like to seek your indulgence in this report because in the Constitution, Article 229(8) stipulates that within 3 months after receiving a report, the County Assembly, the PAC Committee should debate, determine and the Assembly take appropriate action. One, to get your directions on the date of receipt, what do they mean by the date of receipt? Hon. Speaker, in this case these reports were received while we were on recess on the 2<sup>nd</sup> of July, today is the 28<sup>th</sup>. Should we start counting today or on the 2<sup>nd</sup>? We need your direction on that.

Secondly, Mr. Speaker, we have been hearing of these reports in the newspapers and on print media and the TV. This report is already laid in the Senate. We also want the direction of this House on whether these reports should have been tabled in the Senate, because in a scenario that this House reaches a different opinion than the Senate, which stands superior? So, Hon. Speaker, we need to get direction on the 2 issues before this House.

**Hon. Deputy Speaker:** Thank you, Hon. Chairperson of PAC. I will respond to your request in good time, if not today then the next day at the same time. However, from my understanding, Hon. Chairperson, the date of commencement should be when the report is committed to the Committee before the House. So, most probably it should be today given that the reports have now been directed to the Committees so we start counting from today. I will make appropriate communication towards this. Thank you.

### STATEMENTS

**Hon. Deputy Speaker:** Hon. Members, under Standing Order number 7, the House expects to receive these responses which were requested by various Members, one Hon. Samuel Kagiri which was directed to the Committee on Health Services in regards to health services and sanitation at City Hall Annex. Two, Hon. Diana Kapeen directed to the Environment, Agriculture and Natural Resources on the illegal sand and ballast selling business along Popo Road and Oleshapam Road in South C.

The other one is a request by Hon. Kitavi directed to the Budget and Appropriation Committee on the task force on improvement of public primary schools and transition from primary to secondary education in the County. The next one is by Hon. Nelson Masiga which was directed to the Budget and Appropriation Committee to find out about the promised loan from the China Government to the Nairobi City County Government. Chairpersons for Health, proceed.

**Hon. Manoah Mboku:** Thank you, Mr. Speaker. I stood here last week and the Hon. Kagiri was not in the House and I also cannot see him today. Mr. Speaker, if you allow us for the last time, we will table that response without him.

**Hon. Deputy Speaker:** I think this House made a resolution that we give the Hon. Member who requested the statement at least one more chance. However, whenever he is not in the House and the report is ready at least let us proceed because it is now the property of the House.

**Hon. Manoah Mboku:** We beg to respond tomorrow because we---

**Hon. Deputy Speaker:** I think you need to respond immediately, Chairperson.

**Hon. Manoah Mboku:** Can I respond?

**Hon. Deputy Speaker:** Yes, go on.

**Hon. Manoah Mboku:** Mr. Speaker, on Wednesday 9<sup>th</sup>, June 2015 Hon. Samuel Kagiri rose on the floor of the Assembly pursuant to Standing Order 41(2)(c) and requested the Chairperson of the Health Services Committee for a statement regarding sanitation in City Hall Annex. In the statement the Member wanted to know the following;

1. The people responsible for cleaning the building'
2. The reasons why the building has been neglected.

Mr. Speaker, when the Committee wrote a letter to the Chief Officer of Health Services and copied to the Executive Committee Member, CECM for Health and the County Secretary on the 16<sup>th</sup>, June 2015. Whereas the contents of the request were outlined, further the Chief Officer delivered a written response to the Committee on a letter dated 22<sup>nd</sup> June, 2015.

Mr. Speaker, I wish to report to the Assembly as follows:

1. The cleaning of the City Hall Annex is the responsibility of the City Hall Superintendent.
2. The office of the Chief, Health Services has given the City Hall Superintendent 21 days' notice which started on 10<sup>th</sup> June, 2015 to spruce up City Hall Annex.

In the notice the following was supposed to be undertaken;

1. Cleaning and painting of the external walls and wire brushing. Two---
2. Reporting ---

**Hon. Deputy Speaker:** Point of Order Chairman, please can you go direct to your findings and resolutions, we don't need the details on areas that were supposed to be covered because it is all about the cleanliness of the City Hall Annex, tell the House what you have done as a Committee.

**Hon. Manoah Mboku:** Yeah Mr. Speaker, I am just reporting to the House, that a notice has actually been given to the superintendent of City Hall Annex to undertake what I am saying. I was just about to wind up on what measures the Chief Officer of Health has taken. He has actually given a notice to the superintendent of City Hall Annex and I am being reminded by my Colleagues this Morning I was not in the meeting there was fire that broke out in South B. I had to attend. A Member is reminding me that this Morning they had a meeting with Hon. Kagiri and he has no issue to this statement. The last issue is unblocking of all the blocked drainages in the female and male toilets serving the Courts. Hon. Speaker the Chief Officer promised to monitor this process to ensure that all that is in the notice is met within the timeline of 21 days. I beg to lay the statement. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Kagiri!

**Hon. Member for Pipeline Ward** (Mr. Samuel Kagiri): Mr. Speaker sorry I am late, I was given the statement a few minutes back and am sorry, the Chairman is saying that we talked and I was satisfied but I am disappointed with the statement. They wrote to the Superintendent of City Hall on 10<sup>th</sup> of June 2015 and to date 48 days have passed. The Chief Officer Environment gave them 21 days at least they should've started something and now it is 48 days since the day the letter was written but nothing has been done. In his response, the Superintendent wrote a Memo to the Director of procurement but he responded to a completely different issue. The issue that I raised was about the cleaning of the City Hall Annex. I know Mr. Speaker you have gone to some of the office toilets which are smelling but the Superintendent was responding to the issues of furniture which has been kept in the basement this is completely contrary to what was requested.

**Hon. Deputy Speaker:** So the report is irrelevant?

**Hon. Samuel Kagiri:** They have done nothing

**Hon. Deputy Speaker:** You are not in agreement with the report?

**Hon. Samuel Kagiri:** I am not in agreement at all

**Hon. Deputy Speaker:** Chairman Can you concur with what he is saying, because he is saying the report is kind of irrelevant

**Hon Manoah Mboku:** It is true there's a lot of inconvenience in City Hall Annex and since the Chief Officer of Health had issued the notice to the Superintendent of City Hall Annex to make sure that all these are done and it has not happened, the Committee is going to make sure it follows up the matter and it will liaise with the Hon. Member to give him a concrete response by Tuesday next week.

**Hon. Deputy Speaker:** Hon.Kagiri, are you in agreement?

**Hon. Samuel Kagiri:** The Committee gave a 21 days' notice or ultimatum to have the issues done, so there's no justification that they are going to do it next week. We are doing this for the interest of the Public who visits City Hall Annex being our Public place and then the same Environment Committee will issue notices to the Business people who are doing Business in the City to comply with health issues, we should first of all comply with health issues before we issue notices to them. I don't know what assurance the Committee is going to give that it is going to take action for at least something to be done and some commitment be seen, because sincerely speaking that House has not been cleaned for the last one year if am not wrong and am sure these Members can---

**Hon. Deputy Speaker:** Thank you Hon. Kagiri, the report has been redirected back to the Health Committee, so Chairman may you fast-track the process a bit and we get the response in good time. Thank you. Hon. Marion.

**Hon. Marion Njeri** (Nominated Member): Thank you Mr. Speaker, I would just like to inform the Chairman of Health the issue of City Hall Annex has come to the Committee of Labor and Social Services in terms of a contract being given to a company to clean and then there arose a complain that came to the Committee for Labor saying that there's a Contract that has been awarded for it to be cleaned and there was an issue about the awarding of that Contract, because people who clean City Hall Had come to the Committee asking what happens to them. I believe the problem you are having Mr. Speaker is that there's someone who has been given a Contract that has not started and workers are not cleaning because of that Contract. I think he needs to research more on why it is not being cleaned not just through the health, he should ask what happening, thank you is.

**Hon. Deputy Speaker:** In your finding Chairman may be you'll have to find out if indeed it is true from what Hon. Marion is saying, because you need to know and understand where budget was coming from, which Committee, yes if it is not coming from your Committee then where else? Thank you.

**Hon. Deputy Speaker:** Hon.Chair for Environment and Natural Resources on request made by the Hon. Diana Kapeen and you need to tell us where the absentee Chairman is, what is happening?

**Hon. Member for Kwa-NjengaWard** (Mr. Alexander Mulatya): He is attending a certain meeting at Ruaraka today, he was to arrive early but unfortunately he is not yet in. Hon. Speaker, on Tuesday 9<sup>th</sup> June 2015, the Hon. Diana Kapeen, MCA rose on the floor of this Assembly pursuant to Standing Order number 41 (2) (c) requesting the Chairperson of the Sectoral Committee of Agriculture, Environment and Natural Resources for a Statement regarding the illegal sand and ballast selling business along the Popo road and Ole Shapam road in South C. She further asked the Chairperson to inquire into and report on;

- I) Who authorized sand to be sold along the side roads?
- II) Measures taken by the County Government restore roads that have been taken over by sand/stone/quarry dealers in South C.
- III) Efforts being made by the department of Environment to help South C residents to maintain clean environment; and
- IV) Plans to get rid of the sand business along the two roads.

The Committee wrote to the County Executive on Thursday 11<sup>th</sup> June 2015 requesting to be furnished with a written response to the Statement by the Hon. Member. The Committee received a response from the Chief Officer, Environment and Forestry vide a letter **Ref. CO (E&F) 1/33/134 dated 15<sup>th</sup> June 2015**. The Committee also held a site visit to the affected areas in South C Ward on Wednesday 15<sup>th</sup> June, 2015 to ascertain issues the raised in the statement request.

In this regard, Mr. Speaker Sir, I wish to report to the Assembly as follows:

**i) *Who authorized sand to be sold along the said roads***

Mr. Speaker sir, the Chief Officer, Environment and Forestry, clarified to the Committee that the name of the road in question is Ole Shapara Road and not Ole Shapam as had been stated by the Hon. Member. The said Chief Officer admitted that indeed there was illegal selling of sand in South C Ward as found out by a team of officers from Environment and Forestry sub sector sent to inspect the area. The traders are not licensed as required although officers from the Finance Sector randomly collect some fee from the said traders.

The Committee while visiting the Ward confirmed that indeed there were traders engaged in sand and stone selling business along road reserves. The Committee further observed that whereas the traders were not licensed, they were being charged a daily fee of Ksh. 50 (*sample of the receipt attached although not signed*). It is in the opinion of the Committee that the fee is illegal since in the first place, the traders are not licensed and the receipt cannot be authenticated.

**ii) *Measures taken by the County Government to restore roads that have been taken over by sand/stone/quarry dealers in South C***

The Committee observed that the traders through their activities had blocked drainage systems hence contribute to the flooding witnessed in the area. In addition, lorries carrying sand and stones frequently block the roads while offloading the material hence inconveniencing other road users and posing as a potential cause of accidents. The Chief Officer, Environment and Forestry stated that the enforcement team from the City Inspectorate department has not been keen to stop the illegal business in the area.

However, the Environment and Forestry department has written to the City Inspectorate department requesting them to arrest and prosecute the traders. The Environment and Forestry sub-sector has also advised revenue collectors to cease from collecting any fees from the traders as such fees tends to justify their presence on the road reserves. The Committee while on the site visit advised the Ward Administrator and the Sub-County Inspectorate Commander present to ensure that the business are closed since they are not licensed and are detrimental to the environment.

**iii) *Efforts being made by the department of Environment to help South C residents to maintain clean environment.***

The Committee was informed that the Environment and Forestry sub-sector has been equitably sharing resources at its disposal to enhance solid waste management in all zones in the County. With respect to South C, the Ward is served on a daily basis by a County

contracted garbage collection truck and at different (alternate) days by a County owned garbage collection truck.

**Hon. Deputy Speaker:** It is not allowed to interrupt when a Member is responding. The Standing Order does not allow that.

**Hon. Alexander Mulatya:** Thank you Mr. Speaker. However, efforts to stop illegal dumping in the area have been frustrated by inaction by the relevant enforcement department.

**iv) *Plans to get rid of the sand business along the two roads.***

The Chief Officer, Environment and Forestry, informed the Committee that warning has already been issued to the traders to stop the illegal business. In addition, legal proceedings shall be instituted against the traders who continue with the business. Furthermore, stones, sand and ballast shall be impounded and disposed at the final solid waste disposal site at the traders cost.

I beg to lay this response. Thank you.

**Hon. Deputy Speaker:** Hon. Kapeen you had issues to pick up with the representative of the Environment.

**Hon. Diana Kapeen:** Thank you Mr. Speaker sir, I am just concerned if any Member in this Assembly understood what Hon. Mulatya was saying, it seems he developed an accent since Obama came to Nairobi. The Statement regarding South C Ward, I want to bring to your attention---

**Hon. Deputy Speaker:** Order Hon. Kapeen, we are not with you. Which one is that?

**Hon. Diana Kapeen:** Actually, it is the whole document.

**Hon. Deputy Speaker:** Response?

**Hon. Diana Kapeen:** Yes.

**Hon. Deputy Speaker:** You requested for a response?

**Hon. Diana Kapeen:** I requested for a Statement, he answered it, it is the one the Member was reading. I am sure me and my fellow Hon. Members did not get anything because I don't know, he was reading something else and I beg to differ with the report.

**Hon. Deputy Speaker:** On which areas are you not comfortable?



**Hon. Diana Kapeen:** The whole report Mr. Speaker.

**Hon. Deputy Speaker:** Okay.

**Hon. Diana Kapeen:** Mr. Speaker sir the Environment Committee is a very key Committee to this County of Nairobi and during the last two weeks it has actually shown the people of Nairobi that it can perform.

However Mr. Speaker sir I'm just concerned; the Chairmen should not be tabling reports on suggestions that they will do, this is something that they just had to pick lorries, go and remove those sand people and have the drainage flowing. Mr. Speaker sir the question no. 2, the Environment Committee states that the Enforcement Committee is not doing its work but I want to confirm that the Enforcement Committee made an effort to go and remove the sand but apparently after the following day more than 20 lorries of sand was poured on the road. Mr. Speaker sir I beg to refuse, to reject this report on the grounds that you cannot write a report and state that officers are giving out business receipts that are not verified; they don't know where the receipts come from.

Mr. Speaker sir if the Nairobi County can really clean a whole City within 3 days this road is less than 200 meters, we want a department that is efficient. It also states that there is a private contractor who carries garbage, it has not stated when the garbage is removed, collected and who this private garbage collector is because I'm aware that as a resident of South C we pay for our own garbage; there is no private collector and therefore Mr. Speaker sir I expect a report that states how they are going to clean those drainages because we are expecting long rains. We don't want floods in South C and kindly these reports should not just be written for the sake of answering questions, this Environment Committee with due respect to its Members they need to pull up their socks, they are not doing their work, unless they want us to invite another state officer, state President to come to South C so that we can have services there. I reject this report in totality.

**Hon. Deputy Speaker:** Hon. Mulatya. Kindly before you respond a bit because in your report it does not even entail recommendations as a Committee and what it intends to do, please

**Hon. Alexander Mulatya:** Mr. Speaker that is a direct response to the question asked as per the Hon. Member and for sure after visiting those specific roads on that day I happened to patrol that side after 2 days and there was nothing along the roads only that the same traders were talking of--- there was something like power along that area whereby I don't know who is pulling who in terms of power because the day I went there, there was nothing along the two roads but as we have heard from the area representative that over 20 trucks were brought there so I think as we have stated in the response that the inspectorate and licensing officers along that area have to be taken to task but as she has rejected our response I would like to request four days to come up with almost a similar response but (*laughter*) with a lot of changes probably in terms of where we will talk much about the inspectorate.

**Hon. Deputy Speaker:** Kindly take your seat, Hon. Chairman it is unfortunate that I'm directing my commands to a Member of a Committee, I would have been directing this to the Chair of the Committee; please as a representative of that Committee you need to take this serious that we need a substantive response in every question that is raised by Hon. Members. So coming to tell the House that you will bring back a similar response that does not augur well with this House, it is not allowed and kindly please proceed to the microphone and withdraw such kind of a sentiment, please Hon. Mulatya.

**Hon. Alexander Mulatya:** I withdraw and say that we are going to bring a response in the next 4 days

**Hon. Deputy Speaker:** Thank you Hon. Mulatya, that means the response should be before the House by Tuesday next week at the same time.

Hon. Members I'm made to understand that the Chairperson of Budget and Appropriation is not around, the Vice Chair is around and he has just come in, I don't know whether he is aware of the pending responses but I have been kindly requested by one Hon. Masiga that we may postpone this response which he requested to the next day, tomorrow. Maybe you can deal with this one on the Budget and Appropriation regarding the payment of Members of Task force on Improvement of Public Primary Schools and Transition from Primary to Secondary Education in the City, request made by Hon. Kitavi.

**Hon. Member for Hospital Ward (Mr. George Ochola):** Mr. Speaker first of all I would like to know if the Hon. Member is in the House before I respond.

**Hon. Deputy Speaker:** Do we have the Hon. Chair of Education?

### **RESPONSE TO A STATEMENT REGARDING PAYMENT OF MEMBERS OF TASK FORCE ON IMPROVEMENT OF PUBLIC PRIMARY SCHOOLS AND TRANSITION FROM PRIMARY TO SECONDARY IN THE COUNTY**

**Hon. George Ochola:** Thank you Mr. Speaker, he is in four eyes. Mr. Speaker I arise to respond to a statement by the Hon. David Kitavi MCA from the Chairperson of Budget and Appropriation Committee.

On Tuesday 24<sup>th</sup> March 2015 the Hon. David Kitavi MCA rose on floor of the Assembly pursuant to Standing Order 41(2) (c) and requested the Chairperson of Budget and Appropriation Committee for a statement regarding the payment of Members of a Task force on Improvement of Public Primary Schools and Transition for Primary to Secondary Education in the County.

In the statement the Member requested that the Chairperson should inquire into and report on:

- I. Reasons as to why Members of the task force have never been paid all their dues
- II. When the task force Members will be paid their remuneration

Mr. Speaker the Committee wrote to the County Treasury to seek for answers on the issues raised and the details have been attached to this report.

Consequently I wish to highlight the following:

The amount due to the task force was Kshs.10.68 million which the County treasury paid out in two installments due to the cash flow problems and other pressing financial needs facing the County.

The initial payment equaled to Ksh.7.6 million. Mr. Speaker sir I wish to confirm that the taskforce has now been fully paid its remaining dues of Ksh.3.08 million. The amount was paid last week. Mr. Speaker I beg to lay this statement.

**Hon.Member for Laini Saba Ward** (Mr. Boniface Kitavi): Thank you Mr. Speaker I'm satisfied with that response only that in future when this County is engaging technocrats we should be able to study our cash flow so that we don't engage people to do work then they are not paid in good time, thank you Mr. Speaker

**Hon. Deputy Speaker:** Thank you very much, Clerk.

## MOTION

### RELOCATION OF ALL BUS STAGES FROM ROAD JUNCTIONS AND ROUNDABOUTS TO EASE TRAFFIC FLOW WITHIN THE COUNTY

**Hon.Member for Eastleigh North** (Mr. Osman Adow Ibrahim): Thank you Mr. Speaker:

THAT, aware that an efficient transport system has a significant contribution to the economy of a County; further aware that increased Public Service Vehicles transport has expedited the efficiency of transportation in Kenya and more so in the Nairobi City County; deeply concerned that some bus stages are located at intersections and roundabout at various County roads which has contributed to difficulty in accessing acceleration and deceleration lanes resulting in traffic snarl ups and translate to loss of man hours by motorists especially during rush hour; this Assembly urges the County Government in conjunction with the national Government to relocate all bus stages away from road junctions and roundabouts to ease traffic flow within the County.

Mr. Speaker apart from causing traffic jam and making it difficult to access acceleration and deceleration lane people actually lose lives and limbs on these situations. Imagine trying to access Mombasa road at vehicles moving at 100 km/hour while your acceleration lane is blocked by *matatus*; usually in an impromptu stage or even in some cases where stages have been formed and you cannot easily access and usually causes accidents and people die in these situations and I think this Motion is self-explanatory and there are a lot of people who want to make contributions and I therefore ask Karen to come and second so that we can start a debate. Thank you

**Hon. Karen Wanjiku** (Nominated Member): I'm honored to be seconding this noble Motion Mr. Speaker sir. We know how Nairobi has been disorganized by these *matatu* operators. We understand the Constitution has the Bill of Rights but we know the rights go hand in hand with responsibility; we must be responsible citizens. Nairobi needs to be organized. I want to quote the Constitution about the youth because most of the people involved there are the youth. We know the Constitution says very well in 55b

*that youth have opportunities to associate, be represented and participate in political, social and economic spheres of life. But despite that they need to work but they need to follow the rule of law.*

So I want to second this Motion and before I sit I want to give example of Mfangano street which is where I pass everyday near where Umoinner parks. That road you cannot access because *matatus* are there, all those guys and there is a lot of mugging because you don't know who the *makanga* is, you don't know who the driver is, you don't know who the passenger is.

Mr. Speaker sir I want to urge Members to support this noble Motion so that we can have an organized City. We will not have to start organizing when a person like Obama is coming to this City but we are going to start doing that before the Pope comes as early as possible, thank you.

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

*(Question is proposed)*

**Hon. Jackline Nyang'ala** (Nominated Member): Thank you Mr. Speaker. I am honoured to be here to support this Motion. I stand here to support this Motion because I have an issue with the bus stops. Mr. Speaker, actually some bus stops are not designated bus stops and have been given by either the County Government when they say this number, and I have experienced this even last weekend I was almost knocked down by somebody coming through a bus stop that they had made up and actually there are two places they made bus stops and I am actually to bring a statement I am not sure whether it will be prudent to bring it now that the Motion is there but the problem in this County is order. Everybody is doing things the way they like. I wake up in the morning and I want to sell my wares on the road and it is okay and the County Government looks on the side. So anyway I don't have much and I think this is a very good Motion we should have order and I support. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. Alex Ouda.

**Hon. Member for Mugumoini Ward** (Mr. Alex Ouda): Thank you Mr. Speaker sir, I would like to start by thanking Hon. Adow. Mr. Speaker if you move that side of Tom Mboya Street then try to move around from 3-3.30 p.m--- It is hectic and this is why most of the firms are moving their offices from the CBD to places like Westlands, Adams Arcade and the rest, simply because of matatu menace. This is a very important Motion that we as the elected leaders of the Nairobi City County, we should be discussing Motions like this one brought by Hon. Adow. We need to leave a legacy that once upon a time when I was an MCA of the City County of Nairobi that is what we did. You can now see we are now becoming proud of the beautification done during the Obama visit but this one should continue, it should not be just cosmetic. The matatu menace is something that has been there throughout and most of our security enforcement are just busy chasing people outside the CBD that is estates, taking other peoples' goods and yet the City centre is left in a menace. So, once again I would like to thank my colleague Hon. Adow from Eastleigh,

and I tend to think that he has been having it very difficult to move towards Eastleigh to see his people because most of the *matatu* menace normally is at the downside of Moi Avenue. So Mr. Speaker, I end there by echoing my colleague *Mheshimiwa* Adow, I beg to support Mr. Speaker. Thank you.

**Hon. Deputy Speaker:** Hon. Tabitha.

*(Applause)*

**Hon. Tabitha Juma** (Nominated Member): Thank you Mr. Speaker for this moment and I stand to support the Motion. I would like to echo the sentiments of my fellow Members who have supported this Motion and as one Member of this County who has gone through the bullying that the *matatu* touts bring to the Nairobian, I would like to support this Motion and I would also like to urge that apart from the designated *matatu* stages, the law enforcement *askaris* should ensure that the Michuki rules are followed to the letter so that we can maintain law and order within the CBD. This should also capture our estates where we live because most of the time they end up knocking our children who are playing within the estates, because they do not follow the law and order, they do not follow the law of parking, picking and dropping their clients at the designated stages. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. the rebel leader, proceed.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): Mr. Speaker I think that is my a.k.a name but my real names are Hon. Peter Imwatok.

**Hon. Deputy Speaker:** The MCA for Makongeni Ward Hon. Peter Imwatok.

**Hon. Peter Imwatok:** My names are Hon. Peter Imwatok I am not a rebel leader I am just a person who speaks his mind as it is. Mr. Speaker, thank you for giving me this chance to contribute towards this Motion. I just came I and realized that it is a very pertinent Motion especially touching on Eastlands where I come from, where I represent. I represent a Ward near Jogoo Road, and there are many termini which were introduced in the early 90s and most of them have turned out to be dens where thugs and rogue people who alight from these stages as they try to get their way to their homesteads, that in short I want to support this Motion fully.

It is time the County Government under the department of Planning and Public Works redefines a 21<sup>st</sup> Century mode of terminus in this City. Aware Mr. Speaker, that most of these termini were constructed in 1990s and most of them are in dark places and corners where these thugs and thieves hide. Just to add on the same Motion as they do this they must also ensure that all these termini are well lit because most of these termini, you alight from a *matatu* and it is already dark there. I think the security of the people must also be guaranteed by the County Government that goes into line as much as we are aligning where these termini should be placed, they must also enhanced security.

However, aware that the County Government under the leadership of Dr. Evans Kidero they are doing security measures in the town, I was perturbed that at Jogoo Road, security cameras have been put in between City Stadium and Rikana but after that there is a stage which is very dark. I think Mr. Speaker there are junctions that we need to lighten up so that when people are alighting from these stages can see where they are going and these cameras should be put in a proper manner. Having travelled far and wide as a rebel leader I have seen many Cities there is no terminus without a camera, every terminus must have a camera Mr. Speaker. So I urge the County Government and especially the Public Works Committee and particularly the Public Works department to make sure we are heading towards that City, a dream City that we dream each day. I beg to support.

**Hon. Deputy Speaker:** Hon. Nyang'wara as the last spokesman.

**Hon. Member for Viwandani Ward (Mr. Samuel Nyang'wara):** Mr. Speaker I want my views to be respected when I am contributing to this particular Motion. We cannot be changing bus stops now and again. I want to oppose this Motion and more especially the Members who have stood here, some of them claiming that the matatus bully them, when we know some of them are playing to the gallery. The ones who have spoken here they are driving one of the most expensive cars and they--

**Hon. Deputy Speaker:** Order Hon.Members! Please proceed Hon---

**Hon. Samuel Nyang'wara:** Thank you Mr. Speaker, for your protection. I wanted to differ with Hon. Tabitha who we know drives one of the most expensive cars Mercedes Benz 350 at no given time has she used a matatu to come to this Assembly and now we wonder why she is supporting this Motion and she wants the matatus not to be dropping Members who don't have such kind of cars whenever they want. Mr. Speaker.

**Hon. Deputy Speaker:** Order! I think you are misleading the House because no Member here has alleged that matatus should not commute in the City, what we are requesting is the order and the way they go about their business please.

**Hon. Samuel Nyang'wara:** Mr. Speaker if you read this Motion very clearly you can note that the Hon. Member Osman Adow wants the stages to be moved from the specific places where they are, and I can read the Motion.

**Hon. Deputy Speaker:** Just proceed, Hon. Member.

**Hon. Samuel Nyang'wara:** Thank you Mr. Speaker. Mr. Speaker the way it is in the Eastlands, these Members of this Assembly who come from the other side of the road i.e. Moi Avenue, they cannot

come to command the way things are happening in this House, we know they do not have matatus this side---

**Hon. Karen Wanjiku:** Point of Order!

**Hon. Samuel Nyang'wara:** Mr. Speaker, I demand to be protected.

**Hon. Deputy Speaker:** Hon. Monica. Please can you give Hon. Nyang'wara time to contribute? Proceed, Hon. Nancy.

**Hon. Samuel Nyang'wara:** Mr. Speaker I am contributing Mr. Speaker and the Standing Orders do not allow for me to be interjected.

**Hon. Deputy Speaker:** She has just interjected a bit, please allow her.

**Hon. Nancy Luchiri** (Nominated Member): Mr. Speaker I am concerned with the Hon. Member. This Motion is not for the Hon. Members of this House and where they come from. We are representatives of the Nairobi County at large so this Hon. Member is being particular, specific and personal, and that is very wrong.

**Hon. Deputy Speaker:** May be, do you ---

**Hon. Samuel Nyang'wara:** Mr. Speaker---

**Hon. Deputy Speaker:** Do you agree to be informed?

**Hon. Samuel Nyang'wara:** No I don't want to be informed. The Hon. Member who has left here, Mr. Speaker---

**Hon. Deputy Speaker:** Please can you concentrate?

**Hon. Samuel Nyang'wara:** Thank you, Mr. Speaker. But I wanted to inform the Member that the kind of comfort that they receive when they stay on this other side of the road is not the one we have. Mr. Speaker the matatus--- Mr. Speaker protect me.

**Hon. Deputy Speaker:** Order Hon.Members please. Hon. Weche please can you move. Hon. Nyang'wara can you take your seat?

**Hon. Deputy Speaker:** Please Hon. Member can you have your seat. I will give you time.

**Hon. Samuel Nyang'wara:** Mr. Speaker the Hon. Member wanted to inform you with information.

**Hon. Deputy Speaker:** Please Hon. Member can you take your seat.

**Hon. Member for Kasarani Ward** (Mr. Martin Waweru): Yes Mr. Speaker because Hon. Nyang'wara is misleading this House when he is talking about Moi Avenue and the other Members who are on the other side. Does it mean that we from Eastlands do not present Nairobi County because every Member in this Assembly represents the Nairobi County?

**Hon. Deputy Speaker:** What the Hon. Member is implying to, is that there is some kind of order on this side of the road and there is---

**Hon. Martin Waweru:** Why does he not support the Motion Mr. Speaker?

**Hon. Deputy Speaker:** Thank you Hon. Weche. Hon. Mumo

**Hon. Samuel Nyang'wara:** The Hon. Member who comes from Thika Highway---

**Hon. Deputy Speaker:** Please just hold on a bit Hon. Nyang'wara.

**Hon. Leah Mumo** (Nominated Member): Thank you Mr. Speaker, I rise in this House to oppose, one the Motion---

**Hon. Deputy Speaker:** Order if you are to contribute I thought you were rising on a Point of Order please.

**Hon. Leah Mumo:** Yes on a Point of Order because—

**Hon. Deputy Speaker:** Please can you sit down?

**Hon. Leah Mumo:** I just want to tell the Hon. Member the same offices are the ones giving approval---

**Hon. Deputy Speaker:** Please Order Nyang'wara! Please can you sit down. Mumo if you are for the support of the Motion wait for your time.

**Hon. Leah Mumo:** I am opposing.

**Hon. Deputy Speaker:** Please can you wait for your time.

**Hon. KarenWanjiku:** Point of Order.



**Hon. Deputy Speaker:** Declined Hon. Karen and Hon. Zulfa. Order! please Members can you all sit down. Can you summarize?

**Hon. Samuel Nyang'wara:** Yes Mr. Speaker, I can see the number of Members of this County Assembly who stay in Westlands and the gentleman from Thika Highway are seriously opposing whatever I am saying. I want to finish.

**Hon. Deputy Speaker:** Please! Hon. Kagiri, I have given him an opportunity please proceed. Hon. Nyang'wara can you please sit down!

**Hon. Member for Pipeline Ward (Mr. Samuel Kagiri):** Mr. Speaker, I even think his time is up and I think we should be given time also to contribute, he has talked too much and whatever he is talking---

**Hon. Deputy Speaker:** Thank you can you also take your seat Hon. Member.

**Hon. Samuel Kagiri:** Let me contribute

**Hon. Deputy Speaker:** Please I have not given you an opportunity to contribute, please sit down. Can you conclude Hon. Member?

**Hon. Samuel Nyang'wara:** Thank you Mr. Speaker, each and every Member of this County Assembly has his or her own time to come and contribute here and if they want to oppose or support they will have their own time and I deserve to be protected.

**Hon. Deputy Speaker:** Granted Hon. Karen what is it? Thank you Hon. Nyang'wara Please.

**Hon. Karen Wanjiku:** Hon. Nyang'wara your time is up. Thank you Mr. Speaker sir, in Standing Order 103 it Speaks about irrelevance and repetition if you may allow me to read *"The Speaker or the Chairperson of Committees, after having called attention to the conduct of a Member who persists in irrelevance or tedious repetition either of the Member's own arguments or the arguments used by other Members in debate, may, after having first warned him or her direct that the Member discontinue his or her speech."*

Mr. Speaker sir, the Member is repeating the same thing he is saying about the West and East. He is not talking about the Motion he is discussing Members and he is not even aware of what the Motion is about. Why is he wasting the Members time? This is a Hon. House and we are not supposed to waste time and we have another Motion for Hon. Kitavi which we want to contribute to Mr. Speaker sir, thank you.

**Hon. Deputy Speaker:** Thank you. Hon. Nyang'wara your time is out.

**Hon. Samuel Nyang'wara:** Thank you Mr. Speaker, actually what I have been doing I have been responding---

**Hon. Deputy Speaker:** Hon.Kagiri can you please sit down let him conclude his---

**Hon. Samuel Nyang'wara:** I fail to understand the Member---

**Hon. Deputy Speaker:** Order Nyang'wara! Can you conclude your contribution, proceed

**Hon. Nyang'wara:** Mr. Speaker, let me oppose this Motion and I will finish by saying that the manner in which the transport of matatus are doing in this other side we are very comfortable those Members who are coming from this side---

**Hon. Deputy Speaker:** Please that is too personal. Thank you Hon. Nyang'wara please Hon. Kagiri can you proceed to contribute to the Motion.

**Hon.Samuel Kagiri:** Mr. Speaker, time is of the essence to this House and I want to oppose this Motion and my point is this, that the issue of matatu and public transport is not an issue of Eastlands and I believe every part of this City has a Public Transport, because it is not only one part of the City people don't have vehicles.

I believe the problem with the Matatu or Public Service Vehicles is one and its not about the location of the stages because I believe most of the stages are located in the right places. I want us to look at the cost of doing a relocation of all the stages in the entire City of Nairobi and we have talked previously about several Motions that we are passing in this Assembly and nothing has been implemented.

Let us look at the cost of implementing this Motion first of all. It will be very costly for this City if it has not done a single tarmac kilometer of road in this City how many stages can it relocate. Second, Matatus will drop or pick passengers anywhere along the roads. As long they find passengers along the road they will stop anywhere in front of you.

So we have found many things happening because of indiscipline and it's not that we have the stages in the right places but because of indiscipline. We have a lot of corruption happening in our officers that implement the law and so many people in so many SACCO's have been given stages even in the streets of the City Centre not even in the Highways. But you find moving out of the City is so hectic at times because of these matatus because when you pass through the roundabout and places where these matatus pick the passengers from you will find the roads are clear.

We have Traffic Officers and City Inspectorate Department who are manning our roads but we still find that we have a lot of problems on our roads. So Mr. Speaker, my idea or solution to the problems that we have about our public transport is not about the junctions or the stages across the roundabouts it is about the discipline of this sector which needs to be taken seriously.

**Hon. Deputy Speaker:** Thank you Hon.Kagiri! Hon.Mumo as the last person and let us close this debate.

**Hon. Leah Mumo:** Thank you Mr. Speaker I rise to oppose. Why? The same offices are the ones who are giving approval to the matatus. I don't see why the Committee of Transport can sit down here and bring a Motion to remove the matatus from their designated places. So I see them taking us round because it has to pass through the Committee and the Committee knows very well why they gave the matatus approvals in the first place. So I rise here to oppose.

**Hon. Deputy Speaker:** Thank you. Hon.Chair for PIC!

**Hon. Member for Dandora Area III Ward (Mr. Charles Thuo):** Thank you Mr. Speaker, It would be very bad today if I don't contribute to this Motion and I stand here to oppose it because it is a bad Motion and it is going to kill business. We just had the Entrepreneurship forum that was attended by President Obama and matatu business is very innovative, it employs millions of young people with graphics and conductors, even pick pockets. So I think they should be allowed to stay so that they continue employing thousands of people. It has been noted that I was in the Assembly. Thank you Mr. Speaker sir.

**Hon. Deputy Speaker:** Hon. Weche!

**Hon. Martin Waweru:** Thank you Mr. Speaker and I rise to support this Motion because I leave town when I am going home and I usually spend only ten minutes up to Roysambu and then from Roysambu to Kasarani I spend two hours because of these matatus picking and dropping in the road.

Mr. Speaker, if we can have order in the City I think everything will be okay and we will not be losing a lot of resources during the time you spend in the jam. I rise to support this Motion and you may call the mover to reply please.

**Hon. Deputy Speaker:** The last one from Njoroge!

**Hon. Member for Woodley/ Golfcourse Ward (Mr. David Njoroge):** Thank you very much Mr. Speaker sir, I rise to oppose the Motion and I want to oppose it with three reasons. That the Motion before this House carries a lot of weight because there are existing by-laws and they are not enforced by officers. So what this County needs is to ask ourselves why are the laws not enforced because the matatus that we are talking about usually employs thousands of people.

Secondly, Mr. Speaker sir, these matatus carry where they are designated and if you go to the department of transport they will show you---

**Hon. Deputy Speaker:** Order Member! Hon.Kagiri, please Order Members!

**Hon. David Njoroge:** They will show you that in a certain area, a certain number of matatus are supposed to carry somewhere. So Mr. Speaker sir, let us involve the stakeholders and get their views so that we do not make laws that will bring problems in the City. Thank you.

**Hon. Deputy Speaker:** The last Speaker Hon. Bishop.

**Hon. Member for Waithaka Ward** (Mr. Anthony Karanja): Thank you Speaker for this opportunity and I would like to oppose this Motion. I would like to correct my colleague Hon. Mumo that the Committee is not involved anywhere in the allocation of these stages. Mr. Speaker these stages are where they are where it is convenient for 99.7% of Nairobians only 0.03% own vehicles like my Hon. Member who has brought this Motion.

Mr. Speaker, we are here representing a majority of people who don't own any vehicle. Mr. Speaker, I am opposing this Motion and I would also like you to check if we have a quorum to pass this Motion. Thank you.

**Hon. Deputy Speaker:** Please take your seat Hon. Chair for Transport!

**Hon. Member for Lucky Summer Ward** (Mr. Kennedy Oduru): Thank you Mr. Speaker sir, for giving me this good opportunity to contribute to this very important Motion.

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

**Hon. Member for Nyayo Highrise Ward** (Mr. Maurice Akuk): Thank you Mr. Speaker, I stand here to inform the House that Hon. Amutavi has just walked in and he is not properly dressed.

**Hon. Deputy Speaker:** Serjeant-At- Arms can you find out whether Hon. Amutavi is properly dressed before the House. If not then--- Chairman of transport can you proceed.

**Hon. Kennedy Oduru:** Thank you Mr. Speaker, for giving me the opportunity to contribute to this very important Motion. I rise to support this Motion with the following reasons. It is very important if we can take our minds a long time ago when I particularly came to Nairobi there was a proper law and enforcement order. Why am I saying this? If you can compare the previous days---

**Hon. Deputy Speaker:** Order Hon. Gathundo! Chairman, order please! Hon. Member I think it is irresponsible for those who are in the support of the Motion and those who are opposing the Motion, that the time for putting question arises you are not there to defend your position.

**Hon. Deputy Speaker:** What is the point of coming to contribute when you know your contribution will go in vain? It is very wrong and irresponsible.

**Hon. Members:** Thank you!

**Hon. Deputy Speaker:** I think--- order Chairman! Hon. Members, please, please we need to be responsible. If you don't want to come to the Assembly please don't come. Don't just come, show your face and then disappear, you come, contribute, you don't care whether the Motion will go your way or against your will. It is wrong, Chairman.

**Hon. Kennedy Oduru:** Yes Mr. Speaker, I was saying that there was law and order during our times when I came to Nairobi. Through this, if we can consider whatever Kenya Bus were operating, the manner they were operating in. they were just dropping in the City, they were not parking. Otherwise they had a bus station whereby they were to pick people in particular routes. Nowadays, this issue of parking slots within our streets is awkward. In fact it is contributing to traffic snarl-ups.

**Hon. Deputy Speaker:** So Hon. Chairperson are you in support of the Motion?

**Hon. Kennedy Oduru:** I am in support of the Motion sir.

**Hon. Deputy Speaker:** Thank you, may the mover reply.

**Hon. Kennedy Oduru:** I was still contributing sir.

**Hon. Deputy Speaker:** Okay.

**Hon. Kennedy Oduru:** So what I was saying is this, even this law enforcement as it is stipulated in our Sectoral Committees, it is not the way it should be. This is because if we consider even the recently formed Traffic Marshalls are supposed to be under the Sector of Transport and Public Works yet they are under Justice and Legal Affairs. It makes it difficult to coordinate with the other sectors effectively. For the law to be enforced, the department should be having its own law enforcers. In this setup there is nothing like that. It is better if we can curb all these problems then we have our law enforcement officers to come in. for example even our CCTV which was set up has a problem. There is no proper coordination and we even tabled a report on the same here in the Assembly. Something should be done. A lot of the issues should be discussed so that we can curb this problem. Otherwise thank you Mr. Speaker sir, I beg to support the Motion.

**Hon. Deputy Speaker:** Thank you, may the mover reply.

**Hon. Osman Adow:** Thank you Mr. Speaker and all the Members supporting or opposing. I would just like to--- most people who actually came to oppose have missed the essence of the Motion. They are talking of something totally different from the Motion. This Motion is designed to save lives. It could be yours or a loved one. All we are saying is that we are not against the *matatu* industry or anybody but we are just asking that if a stage is here and is causing havoc, that you move it 10 metres away. We are not saying that you get rid of the stage, just move it a little bit further down the road so that it is easier for me to join the oncoming traffic in a good way. I hope that we will all support, thank you.

*(Question put and agreed to)*

### MOTION

**Hon. Deputy Speaker:** Hon. David Kitavi.

**Hon. Member For Laini Saba Ward** (Mr. David Kitavi): Thank you Mr. Speaker. As I move this Motion I am grateful that we have enough quorum. I am hoping that nobody will rise up to say there's no quorum because very many Members are available.

THAT, aware that the functions of cultural activities and public entertainment including sports and cultural activities and facilities---

**Hon. Deputy Speaker:** Granted.

**Hon. Member for Kasarani Ward** (Mr. Martin Gichuhi): Hon. Speaker, its logical if you would count the number of *Waheshimiwa* in the House, they cannot reach the number 30.

**Hon. Deputy Speaker:** Please can you give us a reference? Order Hon. Members! The Member is on the floor.

**Hon. Martin Gichuhi:** Mr. Speaker, I don't want to be subjected to the number of Standing Order. It is clear and you have it. Even the Clerks here have it.

**Hon. Deputy Speaker:** Hon. Member can you take your sit please? Hon. Member proceed.

**Hon. David Kitavi:** Thank you very much Mr. Speaker. Indeed in this Assembly there are people who have bad manners to say there's no quorum here when we want business to continue. As I move this Motion---

THAT, aware that the functions of cultural activities and public entertainment including sports and cultural activities and facilities are vested to County Governments pursuant to paragraph 4 of Part Two of the Fourth schedule to the Constitution of Kenya; further aware that sport is a very essential activity both socially and economically to individual as well as groups; concerned that many school going children are idle during school holidays, which make them to be vulnerable to drug abuse and other delinquent behavior; acknowledging that there are limited spaces for children to play and interact which is an integral element of growth for children; this Assembly urges the County Government to open up County owned school facilities during school holidays for well-organized extra-curricular activities for children.

Mr. Speaker sir, as I make a brief contribution we are aware that holidays are coming up in the month of August as well as December and in April. We also know that the Government banned the issue of

tuition. Our children are lacking activities to do during this particular period. Of concern are children of Nairobi County who are becoming more of zombies because of not being able to find a place to go and interact to sing, dance, play, and become children yet we have facilities in this County that can be utilized to tap into young children's' talent. We have witnessed children who are not able to make decisions to solve minor problems, not able to interact with one another, not able to communicate well. We have an avenue where we can provide activities geared towards equipping our children with life skills to make them better children.

Increasingly Mr. Speaker sir, we are seeing a culture where children are locked into Houses just watching TV and becoming lazy. This is detrimental to their health. Our schools have become fortresses of fear where when they are closed nobody can access those schools. Grass grows in the fields and become breeding grounds for mosquitos. Those grounds can be used by children to play. We have inadequate spaces in Nairobi where kids can be kids. This County Government needs to be proactive in terms of building a foundation for our young children who are the future of this County. If we don't engage our children in cultural or sporting activities and we only focus on their academic performance we are losing the point in nurturing our future generations.

At this point in time, I want to urge my colleagues that we support this Motion so that our kids can become busy during the holidays and that we can outsource partners, NGOs including churches that can be able to help the County in molding our children.

Mr. Speaker sir, I beg to move the Motion and I want to call upon Hon. Zulfa to come and second this Motion.

**Hon. Zulfa Hakim** (Nominated Member): Thank you very much Mr. Speaker sir. I want to start by thanking Hon. David Kitavi for this very noble Motion that he has presented before this House. We need to acknowledge and appreciate that our children are suffering. They are losing direction. In my opinion and that of most of the mothers in Nairobi, we really suffer when we have to think of what our children will do during the holidays since the schools are closed. We need to ensure that they are doing something creative for themselves.

We must also appreciate that all work and no play makes just a dull boy. We also have to engage between teachers, parents and students. They can organize activities as the Hon. Member said with churches or NGOs to tap their talents. These children have a lot of talent but we are afraid we are soon going to lose our children to social media, electronic games and things like that which are not really contributing to their moral growth. With those few remarks I want to urge our Hon. Members in this House to support this Motion because it is going to affect their own children, nieces and nephews to become better citizens. We cannot be oblivious to the fact that our children are losing direction. I want to insist on that because as a parent I have to stay home, stop working and stop doing what I am doing to monitor my teenage children. Thank you Mr. Speaker I second the Motion.

**Hon. Deputy Speaker:** Thank you, Hon. Members I now propose,  
(Question proposed)

**Hon. Deputy Speaker:** Hon. Adow.

**Hon. Osman Adow:** Thank you, Mr. Speaker. I would like to thank my colleague, Hon. David Kitavi for the very good Motion, I therefore support it. I support mainly for one reason: In my Ward, the only available space where children can play is in the public schools playgrounds. Private schools even don't have playgrounds. This would really be helpful to children by keeping them busy and stay away from drugs and other bad places hence a very good let out for them. If I look around, there is no Member that will oppose this Motion since most of them have already left. Therefore, I think we will all support it and thank him for bringing in this Motion. Thank you.

**Hon. Deputy Speaker:** Hon. Karen.

**Hon. Karen Wanjiku:** Thank you, Mr. Speaker sir. This is a very important Motion, I want to support it and thank the Hon. Member for bringing such a noble Motion. Children's welfare is under the mandate of the County and we cannot run away from it.

If you allow me, Mr. Speaker, I will read the Constitution concerning children. Article 53;

*"53. (1) Every child has the right—*

*(a) To a name and nationality from birth;*

*(b) To free and compulsory basic education;*

*(c) To basic nutrition, shelter and health care;*

*(d) To be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour;*

*(e) To parental care and protection, which includes equal responsibility of the mother and father to provide for the child, whether they are married to each other or not; and*

*(f) Not to be detained, except as a measure of last resort, and when detained, to be held—*

*(i) For the shortest appropriate period of time; and*

*(ii) Separate from adults and in conditions that take account of the child's sex and age.*

Lastly, Mr. Speaker;

*53. (2) A child's best interests are of paramount importance in every matter concerning the child."*

Mr. Speaker sir, the Constitution of Kenya protects the child and as parents and representatives of Nairobians, we are supposed to protect the child in the best way possible. By doing this, during the holidays, we organize extra-curricular activities for children as the Motion is proposing. We will be doing justice to the children by protecting them from being drug peddlers as they are being used during the holidays. Children as young as 8 years are involved in crime. Even in our place in Eastlands, they are sent with *viondos*, the traditional baskets, to carry *chang'aa* and other illicit liquor.



To avoid all these, we should give them a space to play. They build everywhere; we don't have space for children to play. All they can play are the PlayStations and access bad content in the internet. This is a very good Motion that will help our children. I therefore support and urge other Members to support it.

**Hon. Deputy Speaker:** Hon.Njoroge.

**Hon. David Njoroge:** Thank you, Mr. Speaker sir. Allow me to support the Motion and thank the mover for bringing such a good Motion. We really need to take care of our children, particularly during the holidays. We have teachers who do not allow our children to access those facilities.

So, what I want to say is that we make sure that this Motion is implemented to the letter. I recall when a Governor went round and told the school head teachers to allow our children to be using those facilities because in Nairobi we don't have them. Since he gave that order, our children have not been able to access the facilities. What I want is the Motion to be implemented to the letter.

**Hon. Deputy Speaker:** Thank you.Hon. Nancy Luchiri.

**Hon. Nancy Luchiri:** Thank you, Mr. Speaker for giving me this opportunity. I want us to think back to those days when the society used to take care of the children, but currently, the society is not steady with their children. The society is busy working because of the hard conditions in life.

Mr. Speaker, I would urge everyone to support this Motion because we are a young Country and there are many things that are being inflated in our Country. Drugs are being imported to our Country. We have also some bad behaviors like homosexuality, gayism and such activities.

Mr. Speaker, this will be a good forum for us to train our kids and bring them into order. Uncultured kids will be a menace in future. We need to take care of our generation especially the young. On this accord, I would wish to support this Motion. Thank you.

**Hon. Deputy Speaker:** Hon. Rachael.

**Hon. Rachael Kamweru** (Nominated Member): Thank you, Mr. Speaker. I am here in support of this Motion. The reason being, I am one person that knows the importance of these fields, having teams in the KFF for football. We have a big problem when we approach schools to open up the grounds for games to go on even during the holidays when we are running the league. What has happened to the grounds, instead of the children using them for extra-curricular activities, they are used for hiring weddings, *harambees* and parties yet we do not know where the money goes to. Mr. Speaker, I am really in support of this.

More so, we will tell them to give us a schedule then we open another session to go on because the grounds are open. As we follow up and the Implementation Committee follows up that this is being implemented, let the schools that are under us tell us what extra-curricular activities they will be doing

during the school holidays so that we have a roster. We can just go in and see that these fields are being used for this purpose. I support, thank you.

**Hon. Deputy Speaker:** May the mover proceed to reply.

**Hon. David Kitavi:** I want to thank all the Members who have supported this Motion. I don't want to repeat what has been said but I am reminded by one singer who sang a song, I am not a good singer but if you allow me, I will sing the first verse. *(sings) "I believe the children are our future, teach them well and let them lead the way---"*

Mr. Speaker sir, children are our future. If schools are opened, there will be life in those fields, the facilities will be vibrant and we will have a generation that is having a sense of direction. Children will be molded. We cannot run away from our responsibility of taking care of our children. We stand to be counted in future as people who made decisions that are pro-children. Thank you, Mr. Speaker sir.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Hon. Members, there will be meeting of House Business Committee at the rise of the House. The House stands adjourned to 2:30 p.m. tomorrow.

**House rose at 4:25 p.m.**