



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fourth Session

Wednesday 24th February, 2016

The House met at 2.30 p.m.

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

PRAYER

Hon. Speaker: Searjant-At-Arms ring the bell for ten minutes, only.

(Quorum bell rang)

I am sure we have a quorum. Clerk can you check if we have a quorum? And Hon. Warutere, you are in the Assembly, yet you are a good citizen. OK can we start business?

STATEMENTS

Hon. Speaker: The Hon. Jacqueline Nyangala

Hon. Nominated Member (Ms. Jacqueline Nyangala): Thank you Mr. Speaker, pursuant to Standing Order 47(2) (c) I wish to request for a statement from the Chairperson of Sectoral Committee on Planning and Housing regarding the cordoning off and destruction of pavements usually used by the public along this building that has been completed along Riverside drive by Estell construction limited and is up for renting.

Hon. Speaker the said pavement and cabro on it were done by the County government for easy use by pedestrians, however the encroachment has forced pedestrians to use the main road exposing them to risks from accidents on the busy road.

Hon. Speaker in the statement the chairperson should inquire into and report on

1. Whether the developer has the authority of the County Executive to encroach on the pavement and if yes when the same was issued and by who. If no, measures taken by the County government to deal with the trespass
2. Whether the developer is doing the pavement to improve its status and if yes when the work will be complete and the pavement restored to use
3. Whether the developer plans to limit access by the public after the works and if yes alternative measures put in place to provide a pedestrian walkway on the busy stretch of the road, thank you.

Hon. Speaker: The Hon. Chairperson Sectoral committee on Planning, Hon. Ochar?

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Mr. Speaker we are really sorry, nobody is allowed to block the pathway. This one is very urgent, next week Wednesday the report will be here, thank you.

Hon. Speaker: Very well Hon. Ochar Wednesday it is...yes Hon. Jacky?

Hon. Jacqueline Nyangala: Mr. Speaker this work is very fast, by Wednesday they would have completed this thing. If it is possible for the chairman even if it is one or two people to check the place and get the Executive to give us or stop it if it has to stop.

Hon. Speaker: I am sure the chairperson knows what to do because as matter of urgency something has to be done. The Hon. Leah Mumo?

Hon. Nominated Member (Ms. Leah Mumo): Thank you Hon. Speaker pursuant to Standing Order 41(2) (c) I wish to request for a statement from the Chairperson of Sectoral Committee on Health Services regarding Makadara maternity hospital. Hon. Speaker, Makadara hospital is experiencing administrative challenges and the expectant mothers are suffering due to lack of maternity care services.

Hon. Speaker in the statement the Chairperson should inquire into and report:

1. Why is there no provision, essentials, supplies such as drugs, food, water, lack of delivery equipment such as cloth
2. Measures taken by the County Executive to ensure the residents receive proper care medication in the County hospitals

Hon. Speaker: The Hon. Chair for Health Services?

Hon. Nominated Member (Ms. Nancy Luchiri): Mr. Speaker our Chair was attending to some issues but we will answer to Hon. Mumo and apparently I think Hon. Mumo is also a committee member of Health.

Hon. Speaker: What we mean is when do we get the answer?

Hon. Nancy Luchiri: You will get the answer after two weeks Mr. Speaker

Hon. Speaker: very well two weeks is not long but that is another matter of urgency also. Hon. Chairperson

Hon. Maxwell Ochar: Thank you Mr. Speaker, we had three responses today for the House.

Hon. Mr. Maxwell Ochar: Mr. Speaker last week you ruled that the response for a statement by Hon. Elias Otieno, MCA and Majority Leader, concerning the 47 floors on Riverside Mr. Speaker, should be on the table today. Mr. Speaker, we have preliminary response and I will request you if you can give us more time, because what we have today for the House is not sufficient. Only one answer has been given, the answer for Planning has not been given to us. The only answer which is here is on land, Mr. Speaker. I think it is falling short of what the House had requested. So I am requesting for another week Mr. Speaker-

Hon. Speaker (Mr. Alex Ole Magelo): So Hon. Chair, are you going to be ready by next week?

Hon. Maxwell Ochar: Yes please Mr. Speaker.

Hon. Speaker: So can we say on Wednesday next week we have the whole report.

Hon. Maxwell Ochar: A comprehensive one Mr. Speaker.

Hon. Speaker: Thank you very much. You have another one from the Hon. Moses Ogeto in regard to Kilimani Ward plot. Order Hon. Masiga! You can see that--- Or you are the one answering that?

Hon. Member for Eastleigh South (Mr. Nelson Masiga): Yes. Thank you Mr. Speaker sir. Hon. Speaker on 2nd July 2015 Hon. Moses Ogeto, MCA rose on the floor of the Assembly pursuant to Standing Order No. 41 (2c) and requested for a statement from the Chairperson of Planning and Housing regarding the deteriorating state of roads along plot L.R No. 209/374/1 in Kilimani Ward. He further asked the Chairperson to inquire into and report on:

1. Measures the County Executive is taking to prevent the roads from further degradation and repair the damaged roads, and;
2. Table the approval plans for the said piece of land.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Lands, Planning and Housing on 9th July, 2015 requesting to be furnished with a written response to the statement requested by Hon. Moses Ogeto. In this regard Mr. Speaker sir, I wish to report to the Assembly as follows, that;

The deteriorating states of roads along plot L.R. No. LR 209/374/1 in Kilimani Ward

The County Secretary responded through letter ref. UP&H/Admin/00068/BNG/JWK dated 3rd September 2015. A summary of the response is as follows;

The County Executive reports that the owners of plot L.R No. 209/374/1, Rose Avenue Kilimani Ward applied for development permission of 96 No. (2 and 3 bedroomed apartments) vide plan registration No. CPF-AH 558 and the plans having met all the planning requirements were approved on 2nd April 2015. Further, the County Executive reported that they have asked the developer to regularly repair the access road to their site at no cost to the County.

Mr. Speaker sir, the Planning and Housing Committee visited the said plot L.R No. 209/374/1 on building in question on 2nd July 2015, and established that indeed there is ongoing large construction activities on site and sections of the feeder road has been damaged due to the aforesaid activities. The Committee further observed that the Site Clerk did not have the requisite construction documents on site as required by law. Mr. Speaker sir, the Committee reviewed the response from the County Secretary in tandem with the observation made during the site visit and recommended that the County Executive follows up to ensure that the developer repairs the damaged parts of the road to ensure that it is restored to its previous state.

Mr. Speaker, copies of the response from the County Secretary have been attached herewith for reference. Mr. Speaker I beg to lay the response. Thank you.

Hon. Speaker: Very well. Hon. Ogeto. The Hon. Ogeto is not in, can we proceed? Can we have---

Hon. Nelson Masiga: Mr. Speaker sir, on Tuesday 24th June 2015, Hon. Alex Mulatya, MCA rose on the floor of the Assembly pursuant to the Standing order 41 (2c), and requested for a statement from the Chairperson of Planning and Housing Committee regarding the subdivision of plot L.R No.12666 in Imara Daima Ward. He further asked the Chairperson to inquire into and report on:

1. Whether the subdivision was legally done and if so when the approval were issued; and
2. Whether the surrender was given to the public utility.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Lands, Planning and Housing on 30th June, 2015 requesting to be furnished with a written response to the

statement requested by Hon. Alexander Mulatya. In this regard Mr. Speaker sir, I wish to report to the Assembly as follows, that;

On subdivision of plot No. L.R No.12666 in Imara Daima Ward

Mr. Speaker sir, the County Secretary responded vide letter ref. LS/08/301/RM/MK dated 18th August 2015. A summary of the response is as follows;

The County Executive reports indicate that the owners of plot L.R No. 12666, was a private land. The land was subdivided in the year 2009. Consequently, L.R No. 12666 does not exist and approval plans in respect of the two restaurants sub-plots have been sold to private individuals. Thus the County Executive stated there is no such public utility land as L.R No. 12666 and any claim that such land exist may lead to unnecessary litigation and attendant cost on the part of the County. Mr. Speaker sir, the Committee reviewed the response to the statement requested by the Hon. Member and found it is satisfactory. Copies of the response from the County Secretary have been attached herewith for reference.

Mr. Speaker sir I beg to lay this response. Thank you.

Hon. Speaker: Very well, Hon Alex Mulatya. We proceed. Oh Hon. Alex Mulatya.

Hon. Member for Mukuru kwa Njenga Ward (Mr. Alex Mulatya): Thank you Mr. Speaker sir. I am contented with the response, only that I would like to request the department to be put in the light because whenever you are doing any kind of constructing you should put a sign board there concerning the plan, the title the L.R number. They should be giving out the correct information not after I have asked the question is when they changed and put the correct sign board. Thank you.

Hon. Speaker: Very well. Can we go back to the Chairperson of Transport and Public Works regarding the use of conditional grant? This was the statement requested by the Hon. Peter Imwato.

Hon. Member for Lucky Summer Ward (Mr. Kennedy Onduru): Thank you Hon. Speaker sir. On Wednesday 26th November 2015, Hon. Peter Imwato, MCA rose on the floor of the Assembly pursuant to Standing Order 41 (2c) and requested the Chairperson of Transport and Public Works Committee for a statement regarding the use of conditional grant. He further asked the Chairperson to inquire into and report on:

1. Details of breakdown of the monies that the department of Transport and Public Works has received in form of fuel levy or conditional grants to date
2. Detailed list or breakdown of projects of all city roads the above fund has been used, and;

3. Work plans for the expenditure of the 2105-16 roads for the roads maintenance fuel levy fund conditional grant as contained in the County Allocation of Revenue Act 2015.

Hon. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Roads, Transport and Public Works on 1st December, 2015 requesting to be furnished with a written response to the statement requested by Hon. Peter Imwatok. The County Chief Officer in charge of Roads, Transport and Public Works, furnished the Committee with a written response vide a letter Ref. No. RPWT 3214/ACEOS/RM/2220 dated 2nd December 2015.

Hon. Kennedy Oduru: ... in this regard Mr. Speaker sir, I wish to report to the Assembly as follows;

1. Detailed breakdown of monies the Transport and Public Works department has received in fuel levy conditional grants to date.

Hon. Speaker sir, the Committee was informed that the County has so far not received any monies with respect to fuel levy

2. Detailed lease or breakdown of projects or city roads the above fund have been used.

Hon. Speaker sir, the Chief Officer wrote to the Transport and Public works and provided a list of the proposed projects we know to be funded from fuel levy. The projects were selected from the approved budgets on the basis that they can be completed on the current financial year.

Hon. Speaker: Hon. Members, consult in low tones.

Hon. Kennedy Oduru: ...since the funds had already been factored in the sector's allocation and are not additional funds and so the list is there.

3. Work plans for the expenditure of the 2015/2016 road maintenance fuel levy fund conditional grounds as contained in the County allocation of revenue act 2015.

Hon. Speaker: Order Hon. Members

Hon. Kennedy Oduru: Hon. Speaker sir the Committee was informed that the work plans shall be based on the proposed projects referred to in the table above once the funds are available. Mr. Speaker I beg to lay this response. Thank you.

Hon. Speaker: Hon. Peter Imwatok is an MCA, not the Speaker.

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Mr. Speaker I agree with the report which has just been availed to me while I was seated. I haven't gone through it and sensitized and therefore I believe that through your system you can give me time to go through it so that I can respond appropriately. I beg for your indulgence Mr. Speaker.

Hon. Speaker: Okay I will rule about that later on. A statement requested by Hon. Manoah Mboku from the Chairperson Early Childhood Education and Vocational Training

THE MUSHROOMING ON MADRASA SCHOOLS IN SOUTH B WARD.

Hon. Member for Umoja II Ward (Mr. Kingsley Odida): Thank you Mr. Speaker. On Thursday 16th October, 2015 Hon. Manoah Mboku rose on the floor of the Assembly pursuant to standing order 41 (2)(c) and requested for a statement from the chairperson of the Sectoral Committee on children, Early Childhood Education and Vocational Training regarding the mushrooming on madrasa schools in South B Ward.

The member sought to know the following;

1. What measures have been put in place by the Nairobi County Executive in ensuring there is proper registration of madrasa schools?
2. What are the qualifications of madrasa teachers and are they qualified to teach in madrasa schools?
3. Provide a list of madrasa schools and their teachers especially in South B and C estates?

Hon. Speaker: Hon. Imwatok!

Hon. Kingsley Odida: Mr. Speaker the Committee wrote to the Chief Officer responsible for Early Childhood Education and Vocational Training on 16th June, 2015 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;

That the Chief Officer responded via a letter REF: GL/NC/147C/221 and stated as follows; that the sector liaise with the Muslim Education Council on the same and received the following report, of which a copy is attached. He further said that the sector is working closely with Muslim Education Council to streamline registration of madrasa schools because currently there is no authorized body to register them.

Mr. Speaker sir, the Muslim Education Council has admitted the curriculum for madrasa schools to the Kenya Institute for Curriculum Development (KICD). KICD indeed acknowledged receiving the letter and have stated that they are waiting to evaluate the suggestions by Muslim Education Council. It will be on the basis of the curriculum that the County will dictate the qualifications of teachers from madrasa schools.

Mr. Speaker sir, the Muslim Education Council is in the process of compiling the list of madrasa schools, their teachers and the enrollment. The sector will avail this list as soon as the Muslim Council presents it to them.

Mr. Speaker I wish to lay a copy of the same.

Hon. Speaker: Very well. Hon. Manoah Mboku? Proceed. We have the Wards Development Funds as order number eight

MOTION

Hon. Speaker: Hon. Chairperson

Hon. Leader of Majority: Mr. Speaker the Chairperson of the Wards Development Funds as is known in this Assembly sometimes back he snatched a woman's handbag and so maybe he has gone to record a statement.

Hon. Speaker: Order Leader of Majority!

Hon. Member for Umoja 1(Mr. George Maina): Mr. Majority I am here. Thank you Mr. Speaker. I beg to move the following Motion, that this Assembly adopts the report of the Select Committee on Ward Development Fund on the progress of implementation of the Ward Development Fund Act 2014 laid on the table of the Assembly on Wednesday 15th November, 2015.

Mr. Speaker in exercising its mandate, the Committee resolved to hold wider consultative meetings with stakeholders to look into the milestone achieved under Ward Development Fund Act 2014 since its enactment. The Committee met different players including the County Management Committee, the County Executive, Controller of Budget and the procurement Oversight Authority.

Mr. Speaker sir, the Ward Development Fund framework was modeled along the Constituency Development Fund CDF, however unlike the CDF which was declared unconstitutional, as currently constituted the WDF Act 2014, has been amended twice to conform to the constitution and the relevant National Law. The fund targets Ward development projects particularly those aiming to combat poverty at the grassroots.

Mr. Speaker sir, even with the challenges in the implementation of the Fund, the Department of Transport and Public Works has implemented some projects in the Wards under the auspice of the budgetary allocations for the WDF Act 2014. However, this framework of implementation remains outside of the Act in terms of strict adherence to the provision of floor on financial matters.

Hon. George Maina: ... Mr. Speaker, pursuant to section 35(5 b) and 35 (6) of the Wards Development Fund Act 2014 and Standing Order number 180 the Committee recommends as follows:

1. The County Executive Member for Finance and Economic Planning commence disbursement of monies as per section 4 cap 2 to the Ward Fund account in light of amendments to the Act as per recommendations of the Controller of Budget and the CIC, and the absence of further concerns from the Controller of Budget failure to which disciplinary proceedings to be recommended for willful disobedience of the law.
2. The County Executive Member for Finance and Economic Planning forward the Wards Development bank account statements detailing the disbursement of monies to the account and the status of the various percentages set aside for other activities as per section 28 cap 8 for the financial year 2014/2015 and 2015/2016.

3. The County Management Committee to immediately explore available options for liaising with the Public Procurement Oversight Authority for the purpose of recognizing the Committee as a procuring entity in terms of implementation of the Act as per section 5 of the mandate.
4. The County Secretary immediately secure ample office space and a secretariat for the County Management Committee to enable the Committee roll out its operations as per section 5 cap 2 of the Act
5. The Department of Transport and Public Works implement future Ward Fund projects only through the framework and the fund as provided for in the Act and in full compliance with the law.

I ask Hon. Moses Ogeto to come and second please.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Thank you Mr. Speaker sir. As per the recommendations of the Committee, it is prudent before this Hon. House to urge this House to support this report simply because without development in this City, there is nowhere we can go. Nairobians are waiting anxiously for this development. They are very hungry for this development. Looking at the recommendations of this serious Committee and when I am trying to go through it, they have given very wonderful recommendations. Therefore, I wish to second this report. I urge the House to support this report since this affects the development across the City. Mr. Speaker, thank you.

Hon. Speaker: Very well Hon. Ogeto.

(Question proposed)

Hon. Speaker: Hon. Thuo you are not properly dressed. Hon. Alex Otieno.

Hon. Member for Mugomoini Ward (Mr. Alex Otieno): Thank you Mr. Speaker sir. I beg to disagree with the report for the following reasons. We ought to have been given an update of the exact report. Recently we had a breakfast meeting with the Governor. There were some promises that the Governor made to Hon. Members in connection with the Ward Development Fund. If the report was laid on 25th November, 2015 it shows that the report must have been compiled much earlier. We need the actual report on what is going on currently. If we accept it today, it is going to take us 4 to 5 months to get the update.

Mr. Speaker, there were some promises the Governor---

Hon. Speaker: Order Hon. Alex Otieno! What is laid on the table is a report on the Ward Development Fund Act 2014 January to December. When you take us back to the Governor's breakfast, we are yet to wait for what he promised the Hon. Members of the County Assembly. First of all let us deal with what we have at hand. I advise we deal with what we have for that year then we wait for this current year and all what the Governor said will be factored in as a matter of law, thank you.

Hon. Alex Otieno: Thank you Mr. Speaker, much obliged.

Hon. Moses Ogeto: Point of Information.

Hon. Speaker: Hon. Alex there is a Point of Information. Do you want the information?

Hon. Alex Otieno: Mr. Speaker, I have withdrawn that is why I have said “much obliged”.

Hon. Speaker: Thank you. Hon. Ogeto, are you also satisfied?

Hon. Moses Ogeto: Yes Mr. Speaker because I wanted to inform the Hon. House that whatever is being done in this report is not for this House only. It is also for the future, thank you.

Hon. Speaker: Right. Hon. Thuo you [now] are decently dressed.

Hon. Member for Dandora Area III Ward (Mr. Charles Thuo): Thank you Mr. Speaker sir for recognizing the need for this bright mind to contribute. It's been long since I shared my wisdom with this Assembly. I know they've missed me.

Mr. Speaker, I rise in support of this report. I only wish the Committee had considered the legal issues. The Ward Development Fund is a loan. We passed it and we have had meetings with the Executive where they are promising to deposit money to the account which they've not done so far. I hope and wish that in the next sitting when the Committee deliberates on the issue we are going to come up with the recommendations and steps or way forward on what we are going to do about the money. The Ward Development Fund, without money in the account is just a piece of paper with black writings on it.

Thank you Mr. Speaker sir.

Hon. Speaker: Yes, Hon. Imwatok and then Hon. Elkana.

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Mr. Speaker, I am very proud to contribute to this report. First of all, it is good for us to understand that this House is house of rules and procedures and we have HANSARD. When you speak about a report, it is quite different from a Bill and Motion; that is a point of observation for my colleagues.

Mr. Speaker, the Ward Development Fund Act that we instituted in this Assembly was brains of young brilliant minds. When we were sworn in, you remember, Mr. Speaker, we were called JUBICORD, meaning brains from CORD and Jubilee. It is now three years down the line. The fact of the matter is that there are some issues that are so underlining in this Act. If you read the newspaper yesterday concerning the CDF, given that the WDF Act was borrowed directly from the CDF Act. I don't know whether the Committee has gone into deep details to know the changes that have been effected through the Central Government and the Parliament on the CDF Act vis-à-vis the current Act we have as a Ward development Act. That is my point of observation number one.

Two, Mr. Speaker, I would want to know from this Committee, as much as I support because it is part of development agenda, since last year, many projects were rolled in respective Wards. But the

problem as I can see in this report, this Ward Development Board, the Ward Development Committee and the Ward Development Oversight Board has no office. That is why you can see to date, like in my Ward, I had about three agendas that I wanted to be addressed under this vote. We had Majimbo Ground where distilling of the sewer system was done and market sheds for our mothers, but to date, no any project has been accomplished. Meaning, upon institution of this project, there is no follow up whatsoever, either from the Executive or the Board that we appointed in this Assembly.

Therefore, Mr. Speaker, I want challenge the entire Committee which I believe they are very able to do this because the vice Chair was one of the brains and author of this Act, that we can come as a team to scrutinize whatever stage; word by word, page by page, project by project even if, Mr. Speaker, you call for us a conference somewhere within Nairobi in any hotel including River Road, for the sake of development of Nairobi. We are ready to comb all these projects one by one to ascertain whether really Ward Development Fund is a practicality or is not. I beg to support.

Hon. Speaker: Very well. Hon. Elkanah Mauti.

Hon. Member for Kwa Reuben Ward (Mr. Elkanah Mauti): Thank you, Mr. Speaker sir. I am here to support the report. We, as the Members of this Assembly are still crying for development but the eyes of the Executive are closed. They don't hear the cry of Members of the Assembly who were elected by the Nairobians to represent them in terms of development. It is very embarrassing that when you go to the Executive, their leadership structure does not reflect even Ward Development Fund Office, which means it is a dead organ according to my reasoning.

We were struggling up and down forming Committees, carrying out election in Wards, those people have never got sitting allowances. Their cry will still continue. The Ward Development Fund Committee is the one which is sleeping. We had offered our teeth to you plus what you have to work with but you are not working. How can we miss even two rooms for a Ward Development Fund office? The Committee doesn't want to consider whether we have an office. This is our docket. Deputy Chairman, I am talking to you plus the entire House, we are worried when we hear Ward Development office does not exist. The Committee which was appointed to spearhead the whole exercise in the entire Nairobi does not have an office. I don't know whether the Committee has written to the authority of this Assembly to request for consideration of the office. It is not reflected here whether they have requested for an office. Are we working under a tree?

Mr. Speaker, some of the projects have started have stalled. Some contractors fear whether they will be paid by the County, that is why we have a lot of challenges. I urge the Committee to walk from Ward to Ward to see whether any project of Ward Development Fund is working. I have not even seen a photo where any project has commenced.

We know the Governor promised but in the Ward Development account, there was only Ksh.5 million out of Ksh.178 million. Where are we heading to? According to the Act, Ward Development account should have 1.7 billion. By now we should have that money in the account and if not, bring a Motion to request for the bank statements so that we can prove what it here. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Chief Whip Majority.

Hon. Chief Whip Majority (Mr. David Mberia): Thank you, Mr. Speaker for this opportunity. I personally have a problem with the implementation of this Act. One, the Committees which were elected in the Wards, since they were gazetted, they have never had any allowances. They are supposed to be on the ground inspecting these projects. What happened after their gazzement?

Hon. Mberia: It is a question I have been asking the Chairman of this particular Select Committee which I presume has failed, Mr. Speaker. If the Select Committee of this House, Ward Development Committee, is asleep, then the County Executive will take advantage of that vacuum to ensure this act is dead. All acts we have passed in this House have been implemented by the County Executive but this particular act, the Ward Development Act, has a problem with the County Executive. And I would urge the Select Committee to wake up and report to duty. We want the Ward Development Fund Committees to be facilitated in our wards and to earn our allowances because they are fully gazetted.

As I support, I want full implementation of this particular Act, the Ward Development Fund Act 2014. Thank you.

Hon. Speaker: Hon. Jacky Nyangala.

Hon. Jacqueline Nyangala: Thank you Mr. Speaker. Looking at the number of speakers who have been here and supported the Motion, the mood of the House seems to be very clear and I would like you to ask the mover to respond. Thank you.

Hon. Speaker: Very well Hon. Jacky. Hon. Members, I now call the mover of the Motion to reply.

Hon. George Maina: Thank you Mr. Speaker. Just before I move it, I would like to correct some of these Members. This Ward Development Fund belongs to us, as Members. As people of Nairobi, we all want development. The moment you stand here and bring negativity on the same, about the Select Committee, which has done its work. That is why we brought a report. The Select Committee has always been frustrated from the Executive side but there is procedure.

We cannot just jump up and become angry about it. So, Members, what we want is support. You just don't say that the Select committee is not working. We have been frustrated for very many years. For 2 years, 3 years down the line, we have been frustrated. When we bring the report for recommendation, you start bringing negative comments about the Select Committee. I think people have lost focus.

Hon. Speaker: Order Hon. Chairperson! What Members are saying and what you can ask yourself silently is what action you have taken after being frustrated. That is what they were asking.

Hon. George Maina: This is the action that we have taken. And we are asking the House to support this. Because in our recommendation as the Member, Elkana, is saying, that he wants the... We have recommended number 2. The County Executive Member for Finance and Economic Planning forward

the Ward Development Fund bank account statement detailing the disbursement of the monies to the account and the status of the various percentages set aside.

So, Mr. Speaker, I thank the Members for contributing but I also ask Members to please support this because it is going to change Nairobi in the coming year. Thank you very much.

Hon. Speaker: Very well Hon. Maina. I can see you have a lot of problems.

(Question put and agreed to)

MOTION

Majority Leader: Mr. Speaker, are you accurate or you are very tired?

Hon. Speaker: No, I am not tired Hon. Leader of Majority.

Hon. Majority Leader: If you are tired, I want to help you now to go and rest. As far as I am concerned, the order no. 9, the Committee of Powers and Privileges is not existing until we constitute it afresh. So, there is no way we are going to discuss order no. 9 and yet the Committee is not there. So, Mr. Speaker, I beg we can just withdraw this one or we can defer it until we get another Committee for Powers and Privileges from next week. And, Mr. Speaker, I want to tell Hashim Kamau, because he just come right now, he must come very early next time. Thank you Mr. Speaker.

Hon. Speaker: Hon. Leader of Majority, from the advice, it is that the report once tabled belongs to the Assembly. It is therefore in order for the Assembly to discuss the Motion borrowing from the practice in the National Assembly. But however, the Speaker is the Chairman of this Committee. Allow me to consult in a minute.

(Clerk approaches the Chair)

Hon. Members, you see, wise heads always consult. And after consultation, yes, as the Chairman of the Committee on Powers and Privileges, we shall table this report as soon as the Committee is constituted at the earliest. Thank you.

ADJOURNMENT

Hon. Members, as our session comes to an end, the Assembly is adjourned until tomorrow, Thursday 2:30 PM. And when you move out, you can hear so many noises out. You need to be a little bit careful. I thank you Hon. Members.

(The House rose at 3.40 p.m.)