



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fourth Session

Tuesday 26th July, 2016

The House met at 2.30 p.m.

(Hon. Deputy Speaker (Mr. Kennedy Ng'ondi) in the Chair)

PRAYER

Hon. Deputy Speaker (Mr. Kennedy Ng'ondi): Hon. Members, I am meant to understand that there is no quorum in the House and so I direct the Serjeant-At-Arms under Standing Orders No. 31 (2) to ring the bell for 10 minutes.

(Quorum bell is rung)

Hon. Deputy Speaker: Order Hon. Members, we now have quorum and we may proceed.

COMMUNICATION FROM THE CHAIR

Thank you Hon. Members, I have a communication to make. This is in regards to welcoming Members back from the short recess. Hon. Members I have the following communication; I take this opportunity to welcome you back from the short recess. It is my sincere hope that you had a wonderful and fruitful break. Hon. Members before I proceed with my communication, I wish to inform you as you are aware, before you broke for the short recess, the Chair had indicated to the Assembly that today we would resume in the new Chambers. However, we postponed the launch of the new Chambers by a few weeks since we had invited His Excellency the President to grace the launch.

So far the State House is yet to confirm the date as proposed. However, we have written to them requesting for a new date, preferably from 1st August 2016. In addition, there are few pending works in the new Chambers which were occasioned by the delay of the disbursement of money in the Assembly in the month of June.

Hon. Members, in this regard I wish to inform you that once the issues have been resolved, a new day for the launch of the new Chamber shall be set preferably in the month of August 2016. Hon. Members as we continue with the second part of the 4th Session, I wish to remind you of the business before us, this includes Bills, Motions, Statements and Petitions. Committees with pending reports are advised to expedite conclusion of the same. Hon. Members you are therefore encouraged to continue working with the diligence you have exhibited in executing your mandate for the benefit of Nairobi residents.

Hon. Members, we have visiting dignitaries from Norway, I would like to acknowledge the presence from the gallery this afternoon of Professor Eli Bergsvik, Assistant Professor Department of Education, Bergen University in Norway. *(Applause)* Welcome, thank you all. The Professor is accompanied by Professor Maureen Onyango who is a resident of Baba Dogo, Professor Karibu. Hon. Members, Professor Bergsvik together with Sotra Sports Club of Norway have initiated and supported a community library in Baba Dogo Ward. In addition they are in the process of initiating a computer training school and a garbage recycling project in the said Ward. Already, they have delivered 34 computers laptops for the said computer training school.

Hon. Members, it is against this backdrop that Hon. Shadrack Juma who is the area Member of County Assembly shall be visiting Norway in September 2016 as a follow up to the pending issues with respect to the projects.

(Applause)

I therefore wish to challenge all the Members to use the opportunities they have when they travel outside the country to engage development partners who can support such noble initiatives that can improve the livelihoods of Nairobi residents. Hon. Members, on behalf of the Nairobi City Assembly County family, I wish to extend a warm welcome to the Professor and do feel most welcome. Thank you, and enjoy your stay in Nairobi.


(Applause)

PAPERS

Hon. Deputy Speaker: We have the 3rd Quarter County Budget Implementation Review for the financial year 2015-16.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Thank you Mr. Speaker sir, pursuant to Article 2286 of the Constitution 2012, I beg to lay the following paper on the table of the Assembly today Tuesday 26th July 2016. Thank you Mr. Speaker sir.

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Hon. Deputy Speaker: Thank you Hon. Ogeto. Members on the 3rd Quarter County Budget Implementation Review report for the financial year 2015-16 papers laid on the Assembly today; I commit the same to the Budget and Appropriations Committee.

STATEMENTS

Hon. Deputy Speaker: Hon. Members on statements, we have Hon. Alex Mulatya.

Hon. Member of Mukuru Kwa Njenga (Mr. Alex Mulatya): Good afternoon Members? Hon. Speaker, pursuant to Standing Order 41 (2c), I wish to request for a statement from the Chairperson of the Select Committee on Budget and Appropriation regarding the alleged assignment of County Executive Equity loan of 5 billion or thereabout to Kenya Commercial Bank. Hon. Speaker, the County Executive assigned the said loan to KCB without following the due procedures. Hon. Speaker in the statement the Chairperson should inquire into and report on:

1. Status of the loan and clarify on how it was bought by Kenya Commercial Bank;
2. Provide documents from the County Executive Procurement department to show whether the procurement procedures were followed and contract documents of the above; and
3. Measures been taken by the County Executive to ensure that the procurement procedures are not flouted to enhance accountability and transparency.

Thank you.

Hon. Deputy Speaker: The Chairperson for Budget and Appropriation Committee. Do we have the Chairperson in the House, the Vice Chair Hon. George Ochola? Any member from the Budget and Appropriation Committee, to do the undertaking?

Hon. Member for Njiru Ward (Mr. Kennedy Thugi): Thanks Chair. We shall respond to the statement after two weeks.

Hon. Deputy Speaker: Thank you Hon. Thugi. Hon. Pius Mbono.

Hon. Member for Zimmerman Ward (Mr. Pius Mbono): Thank you Mr. Speaker. Hon. Speaker pursuant to Standing Order 41 (2c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding land occupied by the Kenya Power & Lighting Company at the Roysambu Sub-station. Hon. Speaker, it is alleged that the following parcels of land LR. No. 9344, 9345 and 8625 which were originally for public utility are being occupied by Kenya Power & Lighting Company.

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

1. Whether the Kenya Power & Lighting Company owns the parcels of land LR. No. 9344, 9345 and 8625;
2. How was land allocated to the Kenya Power & Lighting Company; and

3. Measures ben taken by the County Executive to recover the public land for public utilities development.

I have another request for statement Mr. Speaker. Pursuant to Standing order 41 (2c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Roads, Transport and Public Works regarding the allocation of matatu termini behind Kenya Archives along Tom Mboya Street. Hon. Speaker, the transport sector has encroached the area surrounding the National Archives posing security threats to the Archives and users as anyone can access the environments. Hon. Speaker in the statement the Chairperson should inquire into and report on:

1. Reasons as to why tuktuk operators are allowed to operate outside this national monument;
2. Why well demarcated parking areas have been given to NNK Shuttle Bus Company next to the Archives;
3. Give clarifications of the Governor's directives on matatus termini and operations in the Central Business District; and
4. Measures being taken by the County Executive to ensure that there is security to the National Archives as a National Archival Depository.

Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. The Hon. Chairperson for Transport, Roads and Public Works. *(Loud consultations)* Order, Hon. Maxwell! Please, we are in the Assembly.

Hon. Member for Kasarani Ward (Mr. Patrick Waweru): Thank you, Mr. Speaker, next week on Thursday.

Hon. Deputy Speaker: Thank you. The Hon. Chairperson for Planning and Housing.

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Thank you, Mr. Speaker. We shall respond to this matter within 14 days.

Hon. Deputy Speaker: Thank you. Under Order No. 7, the following responses to the Statements to be issued;

Statement requested by Hon. David Mberia from the Chairperson of the Sectoral Committee on Planning and Housing regarding the grabbing of land LR. No. 14930 which was meant to be public land along Silanga Road in Karen. Do we have Hon. Mberia in the House? How many times has this been coming up in the Assembly?

Hon. Maxwell Ochar: Mr. Speaker, this is the first time.

Hon. Deputy Speaker: Let us bear with him and then we make response tomorrow.

Statement requested by Hon. Hashim Kamau from the Chairperson of the Sectoral Committee on Planning and Housing regarding the parcel of land Ref. 27/8/18 at Ridgeways, Kiambu Road. Hon. Hashim Kamau? He is in the House, we may proceed.

Hon. Member for Eastleigh South Ward (Mr. Nelson Masiga): Thank you, Mr. Speaker sir. On Thursday, 5th may, 2016, Hon. Hashim Kamau, MCA, pursuant to Standing Order 41 (2) (c), requested the Chairperson of the Sectoral Committee on Planning and Housing for a Statement regarding the parcel of land Ref. No. 27/8/18 at Ridgeways, Kiambu Road.

He further asked the Chairperson to inquire into and report on;

1. Whether the land Ref. No.27/326 which was originally LR.No.27/8/18 is registered in the name of John Peter Kamau Ruhangi,
2. Whether the said land was charged back on 6th October, 2011---

Hon. Deputy Speaker: Can you proceed?

Hon. Nelson Masiga: Mr. Speaker, I am told that there is a consultation being done now.

Hon. Deputy Speaker: Please, the Chair has been alerted the responses are ready. You may proceed; it is upon the Member who requested for the Statement whether to be in agreement with what you are reading out. So, can you proceed? Order, Hon. Ochar!

Hon. Nelson Masiga: Whether the said land was charged back on 6th October, 2011 to paramount Universal Bank Ltd for Ksh.65 million,

3. Whether there was an indenture between M/s Bonaccord Ltd and Gumchem (K) Ltd dated 27th January, 2002 registered on the 30th January, 2002 in the volume of books No. 68 Folio No. 90 File 9413 and or 6th August, 2012---

Hon. Deputy Speaker: Order, Hon. Member! You are communicating to the Chair. Can you proceed? What is it that you know about this report?

Hon. Nelson Masiga: Mr. Speaker, from the look of things, I am seeing the owner of the Statement is trying to say he is not ready for this Statement.

Hon. Deputy Speaker: But he has not raised his concern, how can you predetermine what is in his mind and he is seated? Can you proceed?

(Hon. Member spoke off record)

Hon. Deputy Speaker: Declined.

Hon. Nelson Masiga: M/s Bonaccord Ltd had enrolled in the valuation roll and was in arrears of Kshs.535, 739;

4. Whether the said LR No. 27/326 is as a resultant of sub-division of LR No. 27/8/18 of which was subdivided into 30 plots and that the subject matter was surrendered as a public utility;
5. Ground on which the Chief Valuer issued a statement dated 17th November, 2015 stating that LR No. 27/326 was issued to Wanderioy Party World Limited;
6. Whether the defunct Council had given a temporary use to Wanderjoy Party World Limited in regard to LR No. 27/326; and
7. Establish whether the temporary occupation license supersedes a title deed registered under the Registration Act 2012, Land Act 2012 and Cap 280 the Government Land Act.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Urban Planning and Lands on 12th May, 2016 requesting to be furnished with a written response to the statement requested by the Hon. Member. The Chief Officer Lands responded vide letter reference VAL.494/VB 1199/6/17/NN1/anm dated 18th May, 2016.

Hon. Leah Mumo (Nominated Member): Point of Information.

Hon. Deputy Speaker: Order! You are not allowed to interrupt the report.

Hon. Leah Mumo: I am a Member of that Committee.

Hon. Deputy Speaker: Order, Hon. Mumo! Please, sit down. We are still listening to the report.

(Hon. Mumo spoke off record)

Hon. Deputy Speaker: Order, Hon. Mumo! Please, sit down.

Hon. Nelson Masiga: In this regard, Mr. Speaker sir, I wish to report to the Assembly as follows;

That,

Report on the parcel of land reference No. 27/8/18 at Ridgeways, Kiambu road

Mr. Speaker sir, the Committee was informed that the subject property i.e. LR. No. 27/326 resulted after L.R. No. 27/8 was sub-divided into 30 sub-plots. The land was meant to be surrendered to the former City Council of Nairobi for public purposes (construction of a nursery school). However, it appears that Bonaccord Ltd who owned the original land LR. No. 27/8 didn't surrender officially the deed plan for L.R. 27/326 to the former City Council as would have been the Case.

Mr. Speaker sir, the Chief Officer Lands further stated that in the year 2011 or thereabout, a Temporary Occupation License (TOL) was issued to Wonderjoy Party World Ltd to use the public land on temporary basis (copy of the TOL attached).

Mr. Speaker sir, the said Chief Officer further informed that since the land in question ought to have been surrendered to the defunct City Council for public purposes (Nursery School), any registration thereafter is based on fraud as the said land is public land. The terms and conditions for the subdivision of the original land are attached and confirm this position. To this end, the Temporary Occupation License issued by the defunct City Council is valid for all intent and purpose.

A copy of the response from the Executive has been attached herewith for reference.

Mr. Speaker sir, I beg to lay this Response. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Member. Before the Member comments, the procedure of the House when a report is read out, a member of the Committee cannot come to give information which is not in relation with the report which is before the Assembly. How will you finalize that to be an official position of the Committee? Hon. Hashim Kamau, can you comment on the report.

Hon. Maxwell Ochar: Mr. Speaker, before Hon. Hashim comments on this, I think---

Hon. Deputy Speaker: Can you give the Hon. Member time to comment and then we will summarize. You have not heard from him.

Hon. Maxwell Ochar: Mr. Speaker, as the Committee Chair now---

Hon. Deputy Speaker: Why don't you give him time to comment on the report first?


Hon. Member for California Ward (Mr. Hashim Kamau): Thank you Mr. Speaker. In fact we have had a consultation with the Chairperson and we are in agreement that the report is not sufficient and the Committee goes back and bring a sufficient report. Two, there was a direction that was given by the then Speaker that the Committee do a site visit. A site visit was done last week and its report is not attached to the report. The Chairperson should do me a favor, a very big favor by reading the TOR that has been attached from the first to the last sentence, if he can read what he has attached. To mean that it is the TOR.

Hon. Deputy Speaker: The Chairperson for Planning. Please can you clarify on areas where you find the report is not sufficient? It is you who has signed the report.

Hon. Maxwell Ochar: Mr. Speaker, when we were in the meeting we agreed that we are not giving the Assembly the report because the report which was there was very much insufficient. In fact, we agreed that we are going to call the officers concerned to shed light on some other issues. As I said here sometimes back, land issues are not just like any market issues. When it comes to land issues, somebody might lose his life. We want to bring something which is the truth and nothing but the truth. That is the reason why I can sense that there is something wrong. Even the person who asked this issue and the person who---

Hon. Deputy Speaker: Order Hon Ochar!

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Hon. Maxwell Ochar: Mr. Speaker, let me---

Hon. Deputy Speaker: Order! Are you distancing yourself from this report?

Hon. Maxwell Ochar: Yes.

Hon. Deputy Speaker: Hon. Members---

Hon. Leah Mumo: Point of Information.

Hon. Deputy Speaker: Granted Mumo.

Hon. Leah Mumo: Thank you Hon. Speaker. I want to stand in front of this Assembly as a Member of the Planning Committee. I have no idea about the report. We were not in agreement and we don't know how the report came to this House. We agreed the owner should come and sit with the Committee and tell us---

Hon. Deputy Speaker: Order Members! The Member is on the floor.

Hon. Leah Mumo: So, I am not in agreement and that is why I was standing. I am not in agreement with the report.

Hon. Deputy Speaker: Hon. Members.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Mr. Speaker---

Hon. Deputy Speaker: Order! Order!

(Loud consultations)

Hon. Peter Warutere: Would you all allow me to ---

Hon. Deputy Speaker: Hon. Ogeto please can you sit down?

Hon. Peter Warutere: Thank you for catching my eye. I am the resident representative---

(Loud consultations)

Hon. Deputy Speaker: Order! Order members! Hon. Mumo the Member is on the floor.

Hon. Peter Warutere: Allow me Mr. Speaker, my names maybe for the purpose of those who don't know---

Hon. Deputy Speaker: Hon. Mumo please we are in the Assembly.

Hon. Peter Warutere: Allow me as the resident Member of Roysambu Ward. The matter at hand touches on Roysambu Ward. Therefore, allow me a minute to do my indulgence on this issue. I agree a

question was asked by Hon. Hashim Kamau. When the Committee visited this Ward I was never involved, I don't know what happened with the Planning Committee but it is the procedure of all the Committees with matters as weighty as this, the best they could have done is to call me as the representative of the people of Roysambu.

This is a public land and I know on October, 2011 there was an arranged lease title that was given to Wonderjoy. My submission on the same issue was never taken into account. I have not been given an opportunity to give my side of the story. All parties were not called to the Committee to give out the issues they had raised. The best we could do is have another meeting, we disregard this report so that all the stakeholders are involved so that we can come up with a conclusive report. It is important to note that less than a year ago we had about 500 goons who were called to this parcel of land. Some guns were drawn, there was a very serious issue as the Vice Chairman is raising. This is not just a matter that we can allow to come and go like this. We need your indulgence on this matter.

Hon. Deputy Speaker: Thank you. How many Members of the Planning Committee do we have in the House?

(Loud consultations)

Hon. Deputy Speaker: Order Mumo! Please you are in the Assembly. This is not a market place.

(Loud consultations)

Hon. Deputy Speaker: Hon. Members of the Planning Committee. Are you all in agreement that this report be withdrawn for further action?

Hon. Members: Yes.

Hon. Deputy Speaker: Hon. Obonyo, Hon. Racheal, Hon. Jimmy, Hon. Mumo. The report is withdrawn for further action, thank you.

(Loud consultations)

Hon. Deputy Speaker: Please can you sit down?

Hon. Karen Wanjiku: Point of Order Mr. Speaker.

Hon. Deputy Speaker: Declined. Statement requested by Hon. Tabitha Ndirigi from the Chairperson of the Sectoral Committee on Planning and Housing.

(Loud consultations)

Hon. Deputy Speaker: Order Hon. Members!

(Loud consultations)

Hon. Deputy Speaker: Order Hon. Gari please!

(Loud consultations)

Hon. Member for Eastleigh South Ward (Mr. Nelson Masiga): Thank you Mr. Speaker sir. On Thursday 19th November, 2016 Hon. Tabitha Ndirigi, MCA rose on the floor of the Assembly pursuant to Standing Order number 41 (2c) and requested the Chairperson on the Sectoral Committee of Planning and Housing regarding the grabbed plot LR Number 37/386 opposite Nairobi West Hospital. She further asked the Chairperson to inquire into and report on ownership of the plot LR Number 37/386 according to the County records who allocated a public utility to a private individual and measures being put in place by the County Government to secure the particular public utility and other grabbed land in the County.

Mr. Speaker sir, the Committee wrote to the County Executive Member responsible for Urban Planning and Lands requesting to be furnished with a written response to the statement requested by the Hon. Member. The Chief Officer lands responded vide a letter reference VAL.699/SG/1/92/NN1/AWK dated 8th July, 2016. In this regard, I wish to report to the Assembly as follows. That, ownership of the plot LR Number 37/386 according to the County records, the Committee was informed that the said land was measuring approximately 0.25 Hectares or 0.509 acres initially belonging to the defunct City Council of Nairobi. On 30th August 1992 the defunct Council transferred the property to Bufuma Company Limited who later transferred the property to third parties.

Mr. Speaker sir, the County Government is in the process of developing a land policy which shall effectively protect public land from being grabbed. The same shall soon be tabled in the Assembly. A copy of the response from the Executive has been attached herewith for reference.

Mr. Speaker sir, I beg to lay this response.

Hon. Deputy Speaker: Thank you, Hon. Ndirigi.

Hon. Tabitha Ndirigi (Nominated Member): Thank you Mr. Speaker. I am not ready for the response because the Committee has not yet gone to the ground to see the land. I have even asked my colleagues here, my Hon. Member Maurice Otieno Gari and they have not gone to the ground. That's all.

Hon. Deputy Speaker: The Chairperson is it true that you didn't visit?

Hon. Maxwell Ochar: Mr. Speaker it is not a must that we have to go for site visit to each and every statement. There are some which we are satisfied with the response from the Executive. There are some where we have to go for the site visit. So we didn't go.

Hon. Tabitha Ndirigi: Thank you Mr. Speaker. Let me assure my Chairman that you cannot try to respond to a statement that you have not gone to the ground to see the danger on the site. I request the whole Committee to go to the ground, thank you.

Hon. Deputy Speaker: Hon. Tabitha Ndirigi you are not satisfied with the response. Can it go on record that you are not satisfied?

Hon. Tabitha Ndirigi: Mr. Speaker, I am not satisfied with the response.

Hon. Deputy Speaker: Thank you. The Member is not satisfied, that is captured.

Hon. Maxwell Ochar: I have another statement.

Hon. Deputy Speaker: You may respond to (IV)

Hon. Maxwell Ochar: Thank you Mr. Speaker. You have put it straight to the Assembly that if somebody is not satisfied with the statement he should quote where and why she or he is not satisfied with the statement.

THE CONTINUED GRABBING OF LAND IN SOUTH C WARD

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Mr. Speaker, response to a statement requested by Hon. Tabitha Ndirigi, MCA. On Thursday 13th November 2015, Hon. Tabitha Ndirigi rose on the floor of the Assembly pursuant to Standing Order number 41 2(c) and requested the Chairperson of the Sectoral Committee on Planning and Housing for a statement regarding the continued grabbing of land in South C ward. The Member further asserted that most of the land set for public utility has been continuously grabbed by private developers. Mr. Speaker, plot number 209/10775 in South C meant to be an open air market for South C Mugoya had been grabbed by private developers. She further asked the Chairperson to inquire into and report on;

1. Who allocated the public utility to private individuals?
2. Table the approval plan and name of the officer who approved the plan?
3. Ownership of the plot according to County records
4. Measures being put in place by the County Government to ensure that particular public utility and other grabbed land in the County

Mr. Speaker, the Committee wrote to the County Executive Committee Member responsible for Urban Planning and Lands requesting to be furnished with a written response to the statement requested by the Hon. Member. The County Secretary responded via a letter ref no. VAL 721/G/1/92/N/1GM dated 30th June, 2016. In this regard Mr. Speaker, I wish to report to the Assembly as follows;

Report on Plot number 209/10775 in South C

The committee was informed that the property measuring approximately 3.689 hectares or 9.1155 acre was allocated by the Commissioner of Land to Ngumo Kenya Limited of P.O. Box 57105 Nairobi on 19th May, 1988 for 99 years with effect from 1st April, 1983 at an annual ground rent of Ksh. 158, 200. Later through the 1984 supplementary valuation roll the property was valued for payment of rates. Mr. Speaker sir, the Committee was further informed that on 7th November 1989, the property was transferred to South

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End Properties Limited of P.O. Box 20510 Nairobi at a consideration of Ksh. 791,000. Further, there is no information in valuation file indicating that the property is a public utility plot or was surrendered for public use. The property is said to have been developed with approximately 40 number block of flats with 8 units each.

Mr. Speaker sir, a copy of this response from the Executive has been attached herewith for reference. Thank you. I beg to lay this response on the floor of the House.

Hon. Deputy Speaker: Thank you. Hon. Ndigirigi

Hon. Nominated Member (Ms. Tabitha Ndigirigi): Thank you Mr. Speaker. I am not ready for this response because my able Chair is aware that he has not gone to the ground so as to see the danger there and how massive the property is. He has already said that we comment. As a resident of Mugoya, I can say that the South End property which is next to the property is situated in South C open air market. Does my able Chair answer questions that he doesn't know or is it that committees are supposed to go to the ground? I beg the whole Committee to go there so that they can understand what I am taking about. Thank you.

Hon. Deputy Speaker: Thank you. The Member is still dissatisfied with the response.

Hon. Maxwell Ochar: Mr. Speaker. I do not want to comment so much. That Ward has Hon. Diana, MCA and when we called her, she was satisfied. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Deputy Minority Leader

Hon. Member for Kahawa West Ward (Mr. Patrick Ngaruiya): Thank you Speaker for giving me this opportunity. I think the MCA who had requested for that statement is saying something but the Committee and yourself are not listening to her.

Hon. Deputy Speaker: Order Member!

Hon. Patrick Ngaruiya: Thank you. So what I am saying is that you and the Committee are not listening to the Member. The Clerk of this Assembly facilitates every other Committee to go to the ground and see exactly what is happening there. If we continue relying on information from the Executive then Members from this Assembly will never be satisfied. I think it is improper to dismiss the Hon. Member. Thank you.

Hon. Deputy Speaker: Order Hon. Ndigirigi! Please sit down. Hon. Members it is only fair if you could be relevant a bit and get some understanding on the question as raised by the Hon. Member. The questions by the Member do not at all amount to the need of visiting the ground. The questions were;

1. Who allocated the public utility to private individuals?
2. Table the approval plan and name of the officer who approved the plan?

3. Ownership of the plot according to County records: the records will have to be gotten from the precincts of City hall
4. Measures being put in place by the County Government to ensure that particular public utility and other grabbed land in the County

So to some extent it is not mandatory that the Committee do a site visit. Thank you. Hon. Petronilla

Hon. Nominated Member (Ms. Petronilla Achieng): Mr. Speaker, the trend and the way the County land is being grabbed including markets is wanting. This particular land was given a title deed in 1988, so when did the lease expire so that it was transferred to the person in 1988. We need to know exactly why lands belonging to the County have been allocated to private people. This includes Westland's market where recently somebody was asking for Ksh. 385 million shillings or else that land cannot be used. Can we know why the land was allocated to a private individual when it is Government land? I feel like not asking the Committee members to go to the ground is an act of injustice to the Member. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Ndigirigi

Hon. Tabitha Ndigirigi: 3.689 hectares which is situated in South C is a very large land and it is for the residents of South C and not for individuals who use their companies to take that away from the residents. My dear Speaker, let the Committee go to the site. They have not even called me to answer any questions. Does it mean that Nominated Members of this County Assembly do not have powers to even answer questions in this Assembly? Thank you Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you Hon. Ndigirigi. Your concerns have been noted down. At least we will do a follow up towards that. Clerk, can we proceed?

(Clerk approached the Chair)

Hon. Members, there are reports which we have reverted back to the Committee and we need at least a commitment from these Committee to give the undertaking on how fast they will have to fast-track this and give a comprehensive report on the same. The statement requested by Hon. Hashim? The Chairperson for Planning?

Hon. Maxwell Ochar: Mr. Speaker, on this issue we need one month because we are calling the Executive, we are calling both parties so that we can understand them. And again, Mr. Speaker, Hon. Hashim and Hon. Warutere must be brought in because that thing is covering the area of Hon. Warutere. When we went there for a site visit, we saw a lot of things which we need their input. So, one month.

Hon. Deputy Speaker: Thank you Hon. Member. And before you table a report, please consider Standing Order 180 on the report of Select Committees so that we don't witness the kind of scene which has just happened before the Assembly today.

Hon. Maxwell Ochar: Mr. Speaker, I am very sorry, I was not in the Committee meeting when this thing was happening. So, forgive me for that reason. Thank you.

Hon. Deputy Speaker: Thank you. The other one for Hon. Ndigirigi? Please, can you give the undertaking?

Hon. Maxwell Ochar: Mr. Speaker, after you have directed us, we shall do whatever we can within our means.

Hon. Deputy Speaker: Two weeks?

Hon. Maxwell Ochar: Thank you. We shall do it.

MOTION

THE NAIROBI CITY COUNTY PLASTIC CONTROL BILL 2016. ASSEMBLY BILL NO. 1 OF 2016

Hon. Deputy Speaker: Hon. Njoroge, G. Maina? Hon. Members, you remember this was an interrupted Motion. If you so feel the matter was debated and concluded in a way that you are okay with, then I may call the mover to reply. Hon. Members, are we together? This is a resumption of debate. Okay. Hon. Amutavi, you may move forward to reply.

Hon. Member for Upper Savannah Ward (Mr. Benson Amutavi): Good afternoon. Members. Thank you Mr. Speaker. I believe all the Members are comfortable with the plastic Bill and there is no one who has any more contribution on the Bill. I believe that. Is it okay, Members?

Mr. Speaker sir, I think the owner of the Bill, G. Maina, had some two issues.

(Hon. Manyala stood on a Point of Order)

Hon. Deputy Speaker: Granted.

Hon. Elizabeth Manyala: Mr. Speaker, plagiarism should be condemned to the highest. That Bill was not G. Maina's. That Bill was mine. And when I was away, unwell, he went and copied it and ran away with it. When I came back, he asked if we can go to the Clerk so that we co-author it. We have spoken to the Clerk and I would not let it go like that. That is my Bill. I sweated for it. I did it with my own brain. So, somebody cannot just come and say he is the author and the orchestrator of the plastic Bill. Let it go on record. If not, I go to court. Thank you Mr. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you. That has been noted. Can we proceed?

Hon. Karen Wanjiku: Thank you Mr. Speaker sir. That is an allegation as far as we are concerned because we don't have evidence but we have already gone for first reading. We are in the second reading.

So, what will be done about that? You know, procedures must be followed and also we must listen to her. We must know the truth but the procedure is that we are in the second reading. I don't know what will happen. Thank you.

Hon. Deputy Speaker: Chairman, can you proceed?

Hon. Benson Amutavi: Mr. Speaker sir, I believe I am a very loyal and honest person. We needed some little time so that I can deliberate on the issue of Hon. Manyala because it had come to me and I was to bring it to the Committee but unfortunately I didn't have a quorum today. Can you spare us this week, then we can continue with the Bill next week so that I can.... I don't want the Bill to go to court. I want to do my work peacefully. I don't want to go and stand on the *mbao* there at the court.

Hon. Deputy Speaker: Thank you Hon. Amutavi. Hon. Elizabeth, I know you should at least take an initiative where you petition the Committee or the County Assembly Clerk because you cannot come before the Assembly verbally and tell us the stories of the Bill. We don't have the details. So, if you want the Bill to be suspended because of the Hon. Member who brought it before the Assembly, then you need to petition the Clerk or the Committee. So, are you proposing that the Bill be suspended?

Hon. Elizabeth Manyala: Mr. Speaker, we suspend the Bill because plagiarism is not allowed anywhere in the world. And to sit and burn the midnight oil and come up with such a comprehensive Bill only for somebody to sit in a corner, and when you are unwell, and then they run away with it, is not acceptable. The Clerk is well aware. We have spoken. If it is upon your discretion that we have a meeting with the Clerk and him and if there is a provision that he wants to cajole me to accepting so that he appears in the Guinness book of record that we co-authored once upon a time a Bill of plastic, then I am okay. Thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. Members, already the Bill is a property of the Assembly of Nairobi. It is upon the Members to decide whether to suspend the debate on the Motion or we proceed. Hon. Members, it is upon the Members to decide.

(Loud consultations)

Hon. Patrick Ngaruiya:this is not the first day that this particular Bill has been brought into this House, it has gone through the first reading and now it is in the second reading. Mr. Speaker, nowadays we are digital, we have these gargets and I believe that even the Hon. Member Elizabeth Manyala would have petitioned it long time ago, when it was put in the Order Paper and declined.

When it was put in the Order Paper and the first reading was done she has the gadget at home and everything is usually put in the website of the Nairobi County Assembly, so for her to come to this House and insinuate that the Hon. Member did commit a crime in doing whatever she is saying Mr. Speaker. So I would wish we continue with this particular Bill so that it goes through the second reading and let him come up with another Bill which we will support. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Ogeto!

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): I want to contribute on this Mr. Speaker by asking if the Clerk is really aware of this Bill. It is in good atmosphere of this Assembly for us to continue working together in this Assembly as Hon. Members. We cannot as I usually say that my colleagues have gone back to school therefore we cannot allow plagiarism of some things in this Assembly.

Mr. Speaker, if for real the Bill was copied and pasted as we want to leave in a good atmosphere, let *Mhesimiwa* Maina G. and Manyala agree and so that we can agree because it is not going to bring an atmosphere into this House that one is claiming plagiarism, this is not going to work out Mr. Speaker, thank you.

Hon. Deputy Speaker: Hon. Jacqueline!

Hon. Jacqueline Nyangala (Nominated Member): Thank you Mr. Speaker, I don't think we should really deliberate more on this issue because it is very clear and if the administration knew that Hon. Manyala already had a Bill and then takes again Hon. G. Maina's Bill the backstops with him at this point.

Mr. Speaker, I actually have a Bill and I hope that nobody is going to plagiarize it, that is why am saying this in this Assembly that I have a Bill that is coming up and I don't know if somebody has copied it and maybe will bring it here when am sick and unable to come to the Assembly.

Mr. Speaker, I think this is very clear that the Clerk knew that Hon. Manyala was doing this Bill and I don't see how Hon. G. Maina went and did it. That is wrong, so let him deal with it. Thank you.

Hon. Deputy Speaker: Hon. Abuka!

Hon. William Abuka (Nominated Member): Thank you very much Mr. Speaker, I think it is going to go into the history of this Assembly that Hon. G. Maina has done a lot more good to this County, County Assembly and devolution by coming up with the Ward Fund, and being a Hon. Member for Parliament which is already scouting itself to be registered in the Common Wealth Parliamentary Association we would hate to see that legacy is going down that they got involved in plagiarism.

He has done so well that if anything is going to touch that integrity, then I would leave it and say that I will not allow anything small to touch on the past good that I have done. As an elder, a Bishop and a friend of the two Members, I would want to strongly suggest that we don't get ourselves in mimicry as the two of them sit somewhere to solve themselves out. We don't want to know the strength and weakness of the two Members we just want a Bill here, if it will finally come.

Therefore, I would really plead with my sister Hon. Manyala not to be emotional on this and also my brother Hon. G. Maina to really disconnect himself with anything that can water down the very serious work he has done because as a result of what he did all the 47 County Assemblies in Kenya are now copying what Hon. G. Maina did to bring the Ward Fund thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Karen!

Hon. Karen Wanjiku (Nominated Member): Mr. Speaker sir, this is not a market, it is a House of procedures and rules and when that Bill was read the first time and second time, it became the property of the Nairobi County Assembly Mr. Speaker. So the issue of Hon. Elizabeth and Maina consulting here they should know that this is not a market and a business place it is a Hon. House we should follow the procedures of this House.

Mr. Speaker sir, we are not administrators and we don't work in the Tables and Journals since they are the once....When you take a Bill or a Motion I can give an example of my Motion, which I took on Children and I was told Hon. Manyala had already done it. So it could not be duplicated because where were the Table and Journals and the staff when that plagiarism of copying and pasting was done?

Why are we putting the name of Hon. G. Maina *Mheshimiwa* for Umoja 1 Ward in this? He does not work in Tables and Journals Mr. Speaker sir. Whose mandate is it to look at the Bills and know we should have such a Bill. For example, I am coming up with a health Bill and the Tables and Journals are aware and the Clerk is also aware. So we cannot be able to bring the same Bill therefore don't put the names of the Hon. Members here just like that.

Hon. Member Elizabeth I understand you but please you should know that you are a Professor, therefore write a document and you cannot do it on the floor of the House. We should continue with the Bill because it is very important Mr. Speaker sir, we cannot bring diversions here. It is the plastic control Bill and that plastic is killing people by bring cancer in Nairobi County and we will not allow delaying tactics here or diversions therefore we should go on with the Bill Mr. Speaker sir, thank you.

Hon. Deputy Speaker: Hon. G. Maina!

Hon. Member for Umoja 1 Ward (Mr. George Maina): Thank you very much Mr. Speaker sir, indeed I have never been in this House with such a controversy, which is very good also since I am here Hon. Members are mentioning my name which is also very nice!

Mr. Speaker, first if you get the history of this Bill, you will find out that when it came out first into this House it was in 2014 and for some reasons it was withdrawn, by the time I was bringing it back Mr. Speaker I didn't even know that first it was being brought in year 2014.

There is no way I would have copied my very good friend Hon. Manyala's Bill, if both of us brought this Bill and I brought it first before her then it was my copy that was going to be taken. Yes I think I need the Clerk to interpret it for me, if again the Clerk noticed that maybe both of us have brought this Bill actually what I thought is, there is sometimes back we discussed with her and she said she wanted some amendments and we had agreed that she was going to bring the amendments, but since we brought it for the first reading and now we are on the second reading, where was she when we were doing all this?

Having said that Mr. Speaker, may be taking us back on the same thing if maybe Hon. Manyala you feel there are some sentiment you need in this.....

Hon. Deputy Speaker: Order Hon. Member please can you sit down.

Hon. George Maina: Thank you Mr. Speaker for protecting me. What am saying is if Hon. Manyala feels that she needs to...

Hon. Deputy Speaker: Order Hon. Member you are not addressing Hon. Manyala, don't go into the details of advising the Hon. Member

Hon. George Maina: Ok I withdraw. What am saying is you should give direction because what we are discussing should not even be discussed, we should be in the second reading and then we move on.

Hon. Deputy Speaker: Thank you. Hon. Members under Standing Order 133 it is only the Member who brought in the Bill before the Assembly who can withdraw it at this point of second reading. So the Bill is before the House, you will have to pursue on other issues in regard to the Bill. If you want it dropped you will have to mobilize Members but for now you don't have any option. So can we proceed with Motion on the Bill? Can Hon. G. Maina respond? Order Members, am made to understand when the Motion was brought in it was the Chair who moved the Motion and already he has responded.

(Question that Bill be read a second time put and agreed to)

THE NAIROBI CITY COUNTY PLASTIC CONTROL BILL 2016, A BILL FOR AN ACT OF COUNTY ASSEMBLY OF NAIROBI CITY TO PROVIDE FOR THE CONTROL AND MANUFACTURE, USAGE AND DISPOSAL OF PLASTIC CARRYBAGS AND OTHER PLASTIC PRODUCTS SO AS TO RESTORE AND MAINTAIN A CLEAN ENVIRONMENT IN THE COUNTY OF NAIROBI CITY AND FOR CONNECTED PURPOSES

(Second reading)

MOTION

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Mr. Speaker sir, I beg to move that the Assembly adopts the report of the Select Committee on Procedure and Rules on the amendments to the Standing Orders of the Nairobi City County Assembly, laid on the Table of the Assembly on Wednesday 29th June, 2016.

Mr. Speaker sir, the Procedure and Rules Committee received various proposals from various Members pursuant to Standing Order 235 on amendments to the provisions of the Standing Order. Upon deliberations on the proposed amendments, the Committee noted that some amendments required intense

scrutiny and would require the input of a consultant. The Committee therefore agreed to consider only a few proposals that touched on creation of new Committees.

The Committee further agreed that the rest of the proposals be considered during the comprehensive review of the Standing Orders in accordance with the provisions of Standing Order number 236, which provides for the periodic review of the Standing Orders not later than six months to the end of the term of a county Assembly.

The Committee considered the proposals and made various Recommendations on creation of the following new Committees:

1. Committee on County Innovation, Communications and Technology (ICT)
2. Committee on Agriculture, Livestock and Fisheries
3. Committee on Environment and Natural Resources
4. Committee on County Finance, Budget and Appropriations Committee

Mr. Speaker sir, I am sure members have copies of this report on their tablets so am going to touch on few issues.

The Committee on Procedure and Rules is established under Standing Order 188 to, among other functions;

- I. Consider and report on all matters relating to these Standing Orders.
- II. Propose amendments to these Standing Orders and any such amendments shall upon approval by the County Assembly, take effect at the time appointed by the County Assembly.
- III. The Committee may propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the County Assembly, continue in force until amended or repealed by the County Assembly.
- IV. Any rules approved under paragraph (5) shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as these Standing Orders.

Committee Membership

The Procedure and Rules Committee comprises the following members:

1. Hon. Alex Ole Magelo, MCA - Speaker /Chairman
2. Hon. Kennedy O. Ng'ondi, MCA - Deputy Chairperson
3. Hon. Elias O. Okumu, MCA
4. Hon. Abdi I Hassan, MCA

5. Hon. Martin Karanja Kingethu, MCA
6. Hon. Margaret Sewe, MCA
7. Hon. Susan Karimi, MCA
8. Hon George Ochola, MCA
9. Hon. Joash Omwenga, MCA
10. Hon. Peter Warutere, MCA
11. Hon. Tabitha Juma, MCA

The matter before the Procedure and Rules Committee relates to the Adoption of the amendments to Standing Order Numbers 187, 191 and the Second Schedule of the Standing Orders of the Nairobi City County Assembly.

Acknowledgements

The Procedure and Rules committee wishes to thank the offices of the Speaker and the Clerk of the Nairobi City County Assembly for the support extended to it in the execution of its mandate.

Hon. Members, it is our pleasant duty and privilege, on behalf of the Procedure and Rules committee, to present and commend this report to the House for adoption pursuant to Standing Order 188.

There are very many proposed amendments,

CONSIDERATION OF AMENDMENTS TO THE COUNTY ASSEMBLY STANDING ORDERS

1. The Procedure and Rules Committee received various proposals from various Members and Committees pursuant to Standing Order 235 on amendments to the provisions of the standing Orders as contained in the table below;

S/NO.	PROPOSED AMENDMENTS	PROPOSER
1.	Standing Order 186 (1) be amended by merging Public Accounts Committee and Public Investment Committee to be called County Public Accounts and Investment Committee.	Hon. Peter Imwatok
2.	Standing Order 187 be amended by inserting the word "Finance" immediately after the word "County" and immediately before the word "budget"	Hon. Maurice Akuk
3.	Standing Order 191 be amended by to create a Sectoral Committee to be known as ICT, Energy and	Hon. Rachel Kamweru

	Communication Committee	
4.	Standing Order No. 187 Budget and Appropriations Committee Membership	Budget and Appropriations Committee
5.	Standing Order No. 191 be amended by deleting the words “sports activities and facilities “from the Sectoral Committee on Labour and Social Welfare and adding the words “sports activities and facilities” to the Sectoral Committee on Culture and Community Services.	Hon. Ronald Milare
6.	Standing Order No. 191 be amended on the mandate of the Sectoral Committee on Committee on Children, Early Childhood Education and Vocational Training by inserting the following words immediately after a coma followed by “Information Communication and Technology”	
7.	Standing Order 157 be amended by inserting new paragraph 2A immediately after paragraph (1) as follows- 2A The notice under paragraph (1) shall be accompanied by the minutes of the meeting of the Members of the Committee belonging to the party that nominated the Member in question and approved by the Assembly.	
8.	Standing Order No. 191 be amended by deleting the words “Betting and Casinos and other forms of Gambling and Liquor Licensing “from the Sectoral Committee on Culture and Community Services” and adding the words “Betting and Casinos and other forms of Gambling and Liquor Licensing” to the Sectoral Committee on Trade, Tourism and Cooperatives	
9.	Standing Order 15(3) be amended by deleting the words “two thirds” before the words “removed by” and substituting with the words “ a majority ” thereof;	

10.	Standing Order 16(3) amended by deleting the words “two thirds” before the words “removed by” and substituting with the words “ a majority ” thereof;	
11.	Standing Order 191 be amended by to create Sectoral Committees to be known as Agriculture, Livestock and Fisheries Committee and Environment and Natural Resources Committee.	
12.	The name of the Committee be amended by inserting Finance and the name hence be read as the County Finance, Budget and Appropriations Committee.	
13.	Deleting the word “twelve” and replacing thereof with the word “eighteen”	
14.	The Standing Order should be amended by deleting the expression “Budget Policy Statement” and replacing thereof with the expression “County Fiscal Strategy Paper”	
15.	Deleting the word “five” appearing at the beginning of the order and replacing thereof with “seven”	
16.	Deleting the expression “County Governments Act” and replacing thereof with the expression “Public Finance Management Act”	
17.	Inserting a new expression “within seven days” between the words recommendations and to	
18.	Inserting a new expression “within seven days” between the words recommendations and to	
19.	Inserting a new expression “within seven days” between the words recommendations and to	
20.	Deleting the expression “in the Committee of Supply” appearing at the end of the Order	
21.	The Standing Orders should be amended appropriately by deleting all provisions that refer to the	

	Committee of Supply and realigning them accordingly	
22.	Deleting the expression "County Governments Act" and replacing thereof with the expression "Public Finance Management Act"	

2. Upon deliberations on the proposed amendments the Committee noted that some amendments required intense scrutiny and would require the input of a consultant. The Committee therefore agreed to consider only a few proposals that touched on creation of new Committees. The Committee further agreed that the rest of the proposals be considered during the comprehensive review of the standing Orders in accordance with the provisions of standing Order number 236, which provides for the Periodic review of the standing Orders not later than six months to the end of the term of a county Assembly.
3. The Procedure and Rules Committee identified the following as areas of key concern that will require re-examination and amendments by the County Assembly:-

Key Issues of Concern Identified by the Procedure and Rules Committee

SPECIFIC ASPECT OF THE STANDING ORDERS	STANDING ORDER	PROPOSED AMENDMENT
Appointment of Sectoral Committees 191(1) (Second Schedule)	There shall be select committees to be known as Sectoral Committees comprising of fifteen members who shall be nominated by the County Assembly Business Committee in consultation with County Assembly parties at the commencement of every County Assembly.	That the Second Schedule be amended by inserting the following amendment: County Innovation, Communications and Technology (ICT) Committee To consider all matters related to technology, engineering and electronic research, information, broadcasting and Information Communications Technology (ICT) Development and Management.
191 (1)	Agriculture, Environment and Natural Resources all matters related to	That the Second Schedule be amended by inserting the following

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(Second Schedule)	agriculture,; implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising and refuse removal, refuse dumps and solid waste disposal.	<p>amendment:</p> <p>Agriculture, Livestock and Fisheries</p> <p>To consider all matters related to agriculture, including crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and fisheries; animal control and welfare, including licensing of dogs and facilities for the accommodation, care and burial of animals.</p> <p>That the Second Schedule be amended by inserting the following amendment:</p> <p>Environment and Natural Resources</p> <p>Implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising and refuse removal, refuse dumps and solid waste disposal.</p>
Budget and Appropriation Committee 187 (1)	There shall be a select Committee to be known as the County Budget and Appropriations Committee.	There shall be a select Committee to be known as the County Finance, Budget and Appropriations Committee.
187 (2)	The Committee shall consist of a chairperson, and not more than twelve other Members.	The Committee shall consist of a chairperson, and not more than eighteen other Members.

3.0 COMMITTEE RECOMMENDATIONS:

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That this Assembly adopts the report of the Select Committee on Procedure and Rules on the amendments to the Standing Orders of the Nairobi City County.

Mr. Speaker I have extensively gone through this amendments, we have identified the committees that needed to be formed, and therefore it is my honour to persuade this House to accept and adopt the said report on the creation of the following committees: Committee on County Innovation, Communications and Technology (ICT), Committee on Agriculture, Livestock and Fisheries, Committee on Environment and Natural Resources, Committee on County Finance, Budget and Appropriations Committee.

Therefore Mr. Speaker I beg to move this report and call upon Hon. Tabitha Juma to second the same.

Hon. Tabitha Juma (Nominated Member): Mr. Speaker sir I rise here to second the report on the amendments to the Standing Order of Nairobi City County Assembly. As I stand here I like to support that report first and foremost in order to ensure there are two critical committees that had not been formed, the ICT and Agriculture, Livestock and Fisheries. These are very important committees for this County because they are going to ensure that, especially in the Agriculture Committee when it comes to food, which is a very important issue, and we needed a committee that will seek to work with that sector to ensure the food that comes in our markets is of good quality as required. Because we have had cases of where people are growing food using sewer water and in the past we have not had the mandate to be able to check that or even control.

So am in support of that Committee being formed and members to be assigned to that Committee. Another committee that is important is the ICT Committee, as technology has improved or the way it has grown to date you realize that even the County revenue are being collected through technology apparatus like our car parking are done online through the Jambopay, Jijipay and so forth. So it would be good that we have a committee that looks on ICT issues. And to add to that in the Budget Committee we needed to add the issue of finance to be captured and that has also been captured in the recommended amendments to the Standing Orders. With those few remarks I beg to support.

(Question proposed)

Hon. Petronilla Achieng (Nominated Member): Thank you Mr. Speaker sir I think this is the first time Procedures and Privileges [committee] are now working and I want to congratulate the Committee that for the first time things are being done the right way and I would like to ask the Speaker that my friend the Hon. Member should just sit down and let the mover reply. Thank you.

Hon. Deputy Speaker: Hon. Rachael

Hon. Rachael Kamweru (Nominated Member): Thank you Mr. Speaker, today is a great day especially for myself because I have been waiting for the ICT Committee to be in place. It is very key to me, am supporting this particular Motion just because of the ICT and other committees as we are coming towards the end of our tenure. For me ICT is the heart of this County and it was lagging behind but now they have seen the light, this is a great interest to me. I beg to support.

Hon. Deputy Speaker: Hon. Karen

Hon. Karen Wanjiku (Nominated Member): Mr. Speaker sir I want to support and I want to say it is shame for Nairobi County not having an ICT Committee and yet we are supposed to be the leading County. We don't even want to shout to people to hear that this is when we are constituting our ICT Committee. But I want to thank Hon. Rachael for bringing this amendment which I believe will turn things around.

I also want to support the Agriculture, Livestock and Fisheries Committee and even of the changing of the name of the Budget Committee. But I must comment on the proposals that were not brought here to be passed that were very important; Standing Order 16(3) is very important to me. As a Political Science student according to Aristotle and Plato I need to support democracy issues; it is very good to have democracy; the Standing Order reads: A member elected under paragraph 2, that is the Majority and Minority may be removed by majority of votes of all members of the Majority Party or Coalition Parties in the County Assembly.

Mr. Speaker sir it would have remained as the majority but this two third thing brought a controversy but I know that is matter of later debate and I want to pray that one day we will have democracy in this House. Thank you.

Hon. Deputy Speaker: May the mover proceed to reply

Hon. Peter Warutere: Mr. Speaker I want to thank all the Members for the overwhelming support, you realize this Committee was moribund until I came in and had things done. We are moving things in Procedures [committee] and we hope that the two committees that we supported will be constituted in due time, time is running out. Let's constitute the Committee of ICT and Agriculture so that they can go and serve the people of Nairobi. Thank you much for the support.

(Question put and agreed to)

Hon. Deputy Speaker: Hon. Members there shall be Committee of the House Business Committee at the rise of the Assembly at the foyer. The Assembly stands adjourned to tomorrow 2.30 pm thank you.

(House rose at 4.12 p.m.)