



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Wednesday 26<sup>th</sup> October, 2016

The House met at 2.30 p.m.

*(Hon. Temporary Deputy Speaker (Mr. Maurice Akuk) in the Chair)*

### PRAYERS

**Hon. Temporary Deputy Speaker:** It has been brought to my attention that we lack quorum, so I ask the Serjeant-At-Arm to ring the bell for the next ten minutes.

*(Quorum bell rings)*

**Hon. Temporary Deputy Speaker:** Members, we need quorum in the House, please. Hon. Ndigirigi, ask your colleagues down there to keep quiet. Hon. Obenge, we are in the House and the session is on, please, it is not a market.

*(Loud consultations)*

**Hon. Temporary Deputy Speaker:** Order, Members! Hon. Kwamboka, we are in session. Order, Hon. Manyala! We all know the procedures. Clerk, proceed.

### STATEMENTS

**Hon. Temporary Deputy Speaker:** Hon. Members, please consult in low tones. Under, Order No.7, the following Statements--- Hon. Mike Obonyo.



**STATEMENT REGARDING REVOKING OF A LEASE OF PARCEL OF LAND LR.NO.27 LOCATED AT RIDGEWAYS, KIAMBU ROAD**

**Hon. Member for Gatina Ward** (Mr. Mike Obonyo): Hon. Speaker, pursuant to Standing Order 41 (2) (c), I wish to request a Statement from the Chairperson of Sectoral Committee on Planning and Housing regarding revoking of a lease of parcel of land LR.No.27 located at Ridgeways, Kiambu Road.

**Hon. Temporary Deputy Speaker:** Hon. Obonyo, please approach the table so that you can lay your Statement.

**Hon. Mike Obonyo:** Hon. Speaker, are you getting me now? Pursuant to Standing Order 41 (2) (c), I wish to request a Statement from the Chairperson of Sectoral Committee on Planning and Housing regarding revoking of a lease of parcel of land LR.No.27/395 located at Ridgeways, Kiambu Road.

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

- i. Whether there was a general purpose Committee meeting held by the defunct Nairobi City Council on 27<sup>th</sup> April, 2011 for the approval of the request made by MS WanderJoy Party of Kenya to the defunct Nairobi City Council on issuance of the lease on the said parcel of land
- ii. Whether there was a full council meeting by the defunct Nairobi Health on 22<sup>nd</sup> June, 2011 to ratify or affirm the general purpose meeting held on 27<sup>th</sup> April, 2011 for signing and sealing of the lease of the agreement
- iii. Why there was a delay in the execution or issuance of the lease to MS WanderJoy Party of Kenya after it had complied with requirement by the defunct City Council
- iv. Whether it was lawful for the County Executive Committee to purport to revoke the issuance of the lease
- v. Whether the County Executive Committee resolution had observed the Urban Areas and Cities Act, Chapter 58
- vi. If the Committee can compel the Cabinet to issue the lease to MS WanderJoy Party of Kenya as per the Act stated above.

**Hon. Temporary Deputy Speaker:** Thank you, Hon. Obonyo. Hon. Chairman on Planning, could you give us an undertaking on when you can possibly respond to this Statement? Hon. Atenya, you are the Chairman for Planning Committee, could you respond to this?

**Hon. Member for Imara Daima Ward** (Mr. Jairus Atenya): Hon. Speaker, we are going to respond after recess. Two weeks after recess.

**Hon. Temporary Deputy Speaker:** Which recess, Hon. Atenya?

**Hon. Jairus Atenya:** We are going for recess tomorrow; you don't have the calendar, Mr. Speaker sir?

**Hon. Temporary Deputy Speaker:** Hon. Atenya, we have a short and long recess, which recess are you talking about?

**Hon. Jairus Atenya:** The short one.

**Hon. Temporary Deputy Speaker:** Could you give us an undertaking on the probable day or week?

**Hon. Jairus Atenya:** The first sitting, Mr. Speaker sir.

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Ngaruiya Chege, you have a Statement request, please approach the table.

#### **STATEMENT REGARDING THE STATUS OF KAMITI PRISONS HEALTH CENTER IN KAHAWA WEST WARD**

**Hon. Member for Kahawa West Ward** (Mr. Ngaruiya Chege): Thank you, Hon. Speaker. There is a lot of noise in the House; I don't know why Members are consulting in high tones. Thank you.

Hon. Speaker, pursuant to Standing Order 41 (2) (c), I wish to request a Statement from the Chairperson of Sectoral Committee on Health Services regarding the status of Kamiti Prisons Health Center in Kahawa West Ward.

Hon. Speaker, the Constitution of Kenya Article 43 (1) guarantees every individual the highest attainable standard of health and provides that no individual may at any moment be denied emergency medical care which is important to realization of the right to life. The same Constitution has devolved health services as per the Fourth Schedule. Unfortunately, Kamiti Health Facility has been neglected by the County Executive.

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

- i. Whether Kamiti Prison Health Center is recognized as a County Health facility
- ii. The status of personnel, essential equipment and drugs in the said health facility currently
- iii. Measures the County Executive is taking to ensure City residents receive proper care and medication in various health centers in the County.

Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Deputy Minority Leader. Do we have the Hon. Chairman for Health? Please give us an undertaking on when you will answer to that.

**Hon. Member for Nairobi South** (Mr. Manoah Mboku): Mr. Speaker, given time immediately after the short recess we'll be able to respond on this.

**Hon. Temporary Deputy Speaker:** Are you also telling us that on the first day after recess you will respond to this?

**Hon. Manoah Mboku:** That very week Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Petronilla what is it? Hon. William Abuka what do you want to tell the House?

**Hon. William Abuka** (Nominated Member): Sorry Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Hon. Peter Imwatok.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): Mr. Speaker, I just wonder about the question that the Minority Deputy has just asked. I wonder if really Kamiti Clinic is a national function. I remember all prisons are not devolved. I wonder what kind of a question the Chair of Health is going to answer. Are we allowed to go as a Committee inside prisons? Sometimes there are some questions which are ambiguous in this House. We know very well all clinics under Prisons, the Armed Forces are under the National Government. There are some questions which don't hold water in this respect. Kindly give us a direction so that when we go even to visit these clinics we are sure it is under the Speaker's directive.

**Hon. Temporary Deputy Speaker:** Hon. Imwatok I am very aware that this is a function of the National Government but this is a statement request and it will be the prerogative of the Committee to give us a response on that. Kindly let the Committee deal with it. Hon. Ngaruiya.

**Hon. Member for Kahawa West** (Mr. Chege Ngaruiya): Thank you Mr. Speaker for giving me this opportunity. I want to inform my fellow Hon. Member that that is the reason as to why this particular facility has been neglected. Yes indeed this is a health facility inside a---

**Hon. Temporary Deputy Speaker:** I have already given a ruling on that and it is the Committee to decide. I don't see the need to debate on that right now if you are comfortable with that. Thank you. Hon. Ndigirigi what do you want to tell the House?

**Hon. Tabitha Ndigirigi** (Nominated Member): Thank you Mr. Speaker. This is a House of rules and procedure.

**Hon. Temporary Deputy Speaker:** Are you rising on a Point of Order?

**Hon. Tabitha Ndigirigi:** Yes.

**Hon. Temporary Deputy Speaker:** Which one is this?

**Hon. Tabitha Ndigirigi:** Number 80.

**Hon. Temporary Deputy Speaker:** Number 80 is for a personal statement.

**Hon. Tabitha Ndigirigi:** Mr. Speaker, because I am a Hon. Member of---

**Hon. Temporary Deputy Speaker:** I have asked you to kindly have your seat.

**Hon. Tabitha Ndigirigi:** Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Herman Azangu kindly approach the table for your statement request.

**Hon. Member for Land Mawe Ward** (Mr. Herman Azangu): Thank you Mr. Speaker for giving me a chance. Pursuant to the Standing Order 41 (2c) I wish to request for a statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare Services regarding the payment of youth who work for the City County under the Decentralization Department for a month in various Wards.

Hon. Speaker, there were concerns that youth were hired on a temporary basis for the beautification of the City in various Wards. The said youth are facing challenges in providing for their families' daily needs because of delay in payment with no communication from the decentralization department on the same. Hon. Speaker, in the statement the Chairperson should inquire into and report on:

- a. Reason for delay in processing their payment for the youth hired in the 85 Wards
- b. Set timelines by the County Executive intended to settle the payment
- c. What was the agreed stipend per person according to labour laws and action taken to ensure that the payment for such work arrangement is budgeted for before hiring

Thank you Mr. Speaker sir.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Azangu. Do we have the Chairman for Labor and Social Services in the House? Any Member from that Committee that can answer on his behalf?

**Hon. Member for Kayole South Ward** (Ms. Elizabeth Manyala): Thank you Mr. Speaker. Indeed that is a thorny issue and we've been deliberating upon it. Between the County Service Board and the PSA. We even held a retreat last week in regard to that discussion because we are also affected. These youth come from our Wards and when they were deployed and given jobs to do beautification--- a member is trying to interject but I am giving a situational analysis about this. We are still working on that. We are aware and are taking cognizance on that. We will give a comprehensive report next week hopefully if we don't go on recess.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Elizabeth Manyala. The following responses are due today. One from the Chairperson of Sectoral Committee on Health Services. Hon. Manoah Mboku are you ready?

**Hon. Manoah Mboku:** Mr. Speaker I've got 2 responses one for G. Maina and another for Leah Mumo. Unfortunately I can't see them in the House. I don't know if it will be in order.

**Hon. Temporary Deputy Speaker:** Hon. Mumo is in the House Hon. Chairman.

**Hon. Manoah Mboku:** Thank you, I can go ahead with Hon. Mumo I had not noticed her. She is used to sitting here Mr. Speaker. Hon. Leah Mumo rose on the floor of the Assembly pursuant to Standing Order number 41 (2c) and requested the Chairperson of the Sectoral Committee on Health for a statement regarding lack of water, drugs and poor management of Jericho Health Centre. In the statement the Member sought to know the following:

- i. Reasons for lack of water and drugs at Jericho Health Centre and when the County will supply drugs to the facility;
- ii. Why the facility was closed on Sunday 2<sup>nd</sup> October 2016 yet it is supposed to operate 24 hours;
- iii. Measures that the County has put in place to supply the facility with adequate drugs for patients; and
- iv. Measures the County is putting in place to ensure residents get better and timely services at the facility.

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Health Services on 12<sup>th</sup> October 2016 requesting to be furnished with a written response to the Statement sought by the Honorable Member.

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

**1. Reasons for lack of water and drugs at Jericho Health Centre and when the County will supply drugs to the facility**

Mr. Speaker, Jericho health Centre and its environs are currently facing an acute water shortage. The water rarely flows in the pipes leading to the facility to entirely depend on provision of water through water tankers from Nairobi City water and Sewerage Company. The sector sometimes facilitates fuel for these tankers. However, this matter has been communicated to Nairobi City Water and Sewerage Company but nothing has been done to date.

Further, Mr. Speaker, the County procures drugs centrally from KEMSA---

**Hon. Temporary Deputy Speaker:** Hon. Owera! Hold on Hon. Chairman. Hon. Owera, kindly walk out and tuck in your shirt first.

*(Hon. Owera leaves the Chambers)*

**Hon. Manoah Mbuku:** Mr. Speaker, the County procures drugs centrally from KEMSA who distributes to the health facilities according to the quantities ordered. However rarely are the facilities supplied optimally. This results in stock outs in the facilities. Due to delayed payment of debt, the supply has been irregular hence the frequent stock outs in the facilities.

Mr. Speaker, Jericho Health Centre received its last drug supply from KEMSA in December 2015. It offers 24 hour services resulting into high work load and consumption of drugs.

The County facilities will be supplied with drugs once it has cleared the current debt with KEMSA.

## **2. Why the facility was closed on 2<sup>nd</sup> October 2016 yet it is supposed to operate 24 hours**

Mr. Speaker, the health facility operated normally on the said date. However, it encountered a challenge during the night shift. At about 11.15 p.m., about seven people came to the facility and started shouting and banging the facility door seeking forceful entry. The group proceeded to throw stones, blunt objects and kicks at the doors and windows. One of the people was cut by the door glass. The officers on duty panicked and called the area police to intervene. However, upon hearing staff calling the police, the group left but later came back with a Nominated MCA that happens to live within the locality.

Mr. Speaker, the staff opened the door when they recognized the MCA who scolded and threatened them for failure to offer services. The MCA called the County Executive Committee Member responsible for Health Services who requested to talk to the officer in-charge of the night shift. Mr. Speaker, the police from Jogoo Road Police Station arrived and assessed the damage caused by the group. They disappeared upon the arrival of the police and left behind the MCA arguing with the police and later left together.

The staffs on duty were asked to record a statement at the police station which they did under OB No. 02/03/16.

## **3. Measures that the County has put in place to supply the facility with adequate drugs for patients**

Mr. Speaker, the County has continued to pay the current debt incurred at KEMSA from the last supply of drugs. The debt has drastically reduced and once cleared, KEMSA will be able to supply the County Health facilities with drugs. The orders for drugs for each health facility have been prepared and submitted to KEMSA.

## **4. Measures being taken by the County to ensure residents get better and timely services at the facility.**

Mr. Speaker, the County Health Management Team (CHMT) has organized itself into clusters to ease the supervision of Sub-County Health Management Teams (SCHMT) that supervises the health centres. This is done on a quarterly basis. The CHMT is always ready to accompany the SCHMT to any facility that may have challenges beyond their capability. Through this supervision, efficient service delivery to the citizens is ensured.

Mr. Speaker, a copy of the detailed response has been given to Hon. Leah Mumo who requested for the statement and a further copy is hereby attached to this report. Thank you

Mr. Speaker, I cannot see Hon. G. Maina for the other response. Probably we will respond when he is in the House. Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Mumo.

**Hon. Leah Mumo:** Thank you Speaker. I rise to refuse that response because, one, I want to know why the health centre was closed and the doctor was not there. That is not an excuse. Giving stories that people came and broke in and did what. As we speak, a child lost its life that same day. So, I want the Executive to tell us why the doctor is always clocking in and going out and where did the doctor and nurses go to.

**Hon. Temporary Deputy Speaker:** Hon. Mumo has asked a pertinent question, Hon. Chairman for Health. Could you kindly give us the correct information on that?

**Hon. Manoah Mbuku:** Mr. Speaker, we had engaged the Executive last week. Although they did not give us a proper response on this, they have actually indicated that they had a challenge that day during the night shift. They have not said which challenge. And we have engaged the Chief Officer of Health to investigate this. To find out where the doctor on shift that particular night was. He is yet to give us this response.

**Hon. Temporary Deputy Speaker:** We conclude that your report is not complete.

**Hon. Manoah Mbuku:** Mr. Speaker, we were to meet Hon. Mumo this morning. Unfortunately she was not in the meeting. Probably if she was there, we wouldn't have tabled.

**Hon. Temporary Deputy Speaker:** Hon. Ronald Milare.

**Hon. Member for Harambee Ward (Ronald Milare):** Thank you Hon---

**Hon. Temporary Deputy Speaker:** Are you rising on a Point of Order or what is it?

**Hon. Ronald Milare:** I want to contribute.

**Hon. Temporary Deputy Speaker:** Then let the Chairman finish first. Chairman proceed.

**Hon. Manoah Mbuku:** Mr. Speaker, I have indicated that the Executive have not told us why the doctor on duty on that particular day was not on duty. They have just indicated that there was a challenge of nightshift. So, maybe, immediately we contact the Executive over this matter, we will be able to furnish Hon. Mumo with the proper details. Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Chairman, could you assure the House that this investigation is ongoing and if it is ongoing, would you let us know how soon we can have this furnished to Hon. Mumo?

**Hon. Manoah Mbuku:** Sure, it is ongoing. We responded because the Speaker of that day had given us only one week to respond on this. So, Mr. Speaker, probably tomorrow I can be able to respond the remaining part.



**Hon. Temporary Deputy Speaker:** Thank you very much. Hon. Milare, could you switch on your mic please? Thank you.

**Hon. Ronald Milare:** Thank you Hon. Speaker. Even as he responds tomorrow, I think it will be prudent for him to get his facts right because the report he just read is not factual. Just a few hours ago I sent an MPESA for 2500 to purchase water. And I have been doing so every fortnight. So, for the Hon. Chair to indicate that the County purchases water every now and then, then I don't think that is a factual statement because I have been doing that for a long time. I buy water for the facility and I do that every fortnight and I have the statements. So, the Chair should get his facts right because the County hardly purchases water for the facility.

**Hon. Temporary Deputy Speaker:** Well, from Hon. Milare's statement, it seems there is a bit of a problem with that facility and Hon. Chair we request you to at least further delay your response tomorrow until when we come back, the first day after recess and please give us all the details that have been indicated by the area MCA. Thank you.

We have response to a statement requested by Hon. Zulfa. Are you on phone Hon. Member or are you speaking to the Chair? Sejeant-At-Arm, could you confirm if that Hon. Member is on phone? Hon. Maxwell.

**Hon. Member for Korogocho Ward (Mr. Maxwell Ochar):** Thank you Mr. Speaker. The response to a statement requested by Hon. Zulfa is ready and I have consulted my colleague here and she is telling me that she has not been given a copy. So, I would request this statement to be deferred to tomorrow so that she will be given a copy, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Chairman. We will indeed do that. Please make sure that the response is available tomorrow again in the Order Paper. Thank you.

The next statement due is from the Chairperson of the Sectorial Committee of Health Services.

**Hon. Manoah Mbuku:** It is for Hon. G. Maina but he is not in the House, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** So, the one you read was for Hon. Mumo.

**Hon. Manoah Mbuku:** Yes.

**Hon. Temporary Deputy Speaker:** G. Maina is unwell. So we will also push it to the next session.

**Hon. Manoah Mbuku:** Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Member for Dandora Area II. Kindly walk out and dress well. Hon. Member for Roysambu, kindly walk out and dress well again. Please walk out and do it outside. Thank you. Serjeant-At-Arm, could you have someone at the door to find out. We wouldn't have a Member just come in, press his finger and disappear like that.

**Hon. Temporary Deputy Speaker:** A statement is due from the Chairperson of the Sectoral Committee on Early Childhood Education and Vocational training. This statement was requested by Hon. Zulfa Mohammed. Do we have the Chair for Early Childhood here?

### **THE INCREASING NUMBER OF CHILDREN BEGGING AND SELLING SWEETS IN THE CENTRAL BUSINESS DISTRICT IN THE COUNTY**

**Hon. Nominated Member (Ms. Ruth Njeri):** Thank you Mr. Speaker. I have a response from the Committee on Early Childhood as requested by Hon. Zulfa. Mr. Speaker, on Thursday 28<sup>th</sup> July, 2016 Hon. Zulfa Hakim rose on the floor of the Assembly pursuant to Standing Order 41 (2) (c) and requested for a statement from the Chairperson of Sectoral Committee on Children, Early Childhood Education and Vocational Training regarding the increasing number of children begging and selling sweets in the Central Business District in the County.

Mr. Speaker, the Hon. Member sought to know the following;

1. Whether the children are street families or school going children who operate on scheduled times; and
2. Measures taken by the County Executive to deal with the increasing rate of children beggars in the CBD?

Mr. Speaker, the Committee wrote to the County Executive Committee Member responsible for Children, Early Childhood Education and Vocational Training on 1<sup>st</sup> August 2016 requesting to be furnished with a written response to the statement sought by the Honorable Member.

In regard Mr. Speaker sir, I wish to report to the Assembly as follows; that

The County Secretary responded via a letter REF: NCC/Cs/RKA/1216/vo/2016 and stated as follows;

- i. In regard to the increasing number of children begging and selling sweets in the Central Business District; while admitting that there are some children who are hawking and begging in the streets, their activities have been nomadic in nature and often employ hide and seek.

Mr. Speaker, most of them accompany their parents or guardians and normally assist their parents in the hawking business

- ii. Hawking/children beggars are not street children and most of them do not attend schools. They operate in the evening when County Executive personnel have left for the day.
- iii. Children arrested together with hawkers and beggars are usually taken to children homes for interrogation and interventions which includes reintegration, placement to schools and other institutions for care and support.

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

**Hon. Member:** Mr. Speaker

**Hon. Temporary Deputy Speaker:** Yes

**Hon. Ruth Nyambura:** In a meeting held on Wednesday 5<sup>th</sup> October 2016, the Committee and the Chief Officer responsible for education, Early Childhood and Gender Affairs deliberated as follows; that the hawking children disguised as street children are accompanied by their parents in the evening especially when the City Enforcement Officers have left for the day.

Banning hawkers in the CBD will be a viable solution and the parents to the hawking children be arrested and charged in a court of law.

Mr. Speaker, in the meeting it was further deliberated that stopping children labour..... Entire consideration of more initiatives as well as involvement of several stakeholders such as Civil Society and the Office of the Governor. Such initiatives however need to be spearheaded by the sector. I beg to lay this response.

**Hon. Temporary Deputy Speaker:** Hon. Member just before you come down. From what I have here as the response to Hon. Zulfa, you have indicated that the Committee considered the response and resolved that the above was not sufficient. Therefore you are requesting for further clarifications?

**Hon. Member:** That's why---

**Hon. Temporary Deputy Speaker:** Is that in order?

**Hon. Member:** Yes. I did not read it Mr. Speaker because we already have another response. The last part that I read before you interjected had that part

**Hon. Temporary Deputy Speaker:** That is what I do not have here

**Hon. Member:** It's on the other page

**Hon. Temporary Deputy Speaker:** Is that what you want to lay?

**Hon. Member:** No.

**Hon. Temporary Deputy Speaker:** What were you coming to lay on the table?

**Hon. Member:** I am coming to lay the whole response as I have read

**Hon. Temporary Deputy Speaker:** No! You don't need to lay it. You are just responding to a statement request. Does Hon. Zulfa Mohammed have all those documents?

**Hon. Nominated member (Ms. Zulfa Mohammed):** Yes Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Do you want to interrogate or debate on it?

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**Hon. Zulfa Mohammed:** Mr. Speaker I am definitely not satisfied. As a resident of Nairobi, this is a major concern given that it is becoming a nuisance to the residents. It is amazing how the Executive are taking these things lightly. I see a lot of cover up in this response. I do not think that they actualized what they have stated in the response literally. If you commute in Nairobi at that time of the day, you will find out that this statement is a total hoax, if you can allow me to call it that. I do not think that it is giving the relevant response that I was looking for.

I would also like to note that somehow there are two statements to this; one from the Committee and another from the Executive. I would like them to distinguish which of the two they are giving because if it the Committee that deliberated then it does not mean it will be implemented. My issue is on the implementation of the response and I need them to tell us a way forward on this issue. They cannot tell us that they will arrest and take the children to homes. What is the magnitude and impact on that? Why isn't it visible? We need to be clearly informed on this one because it is becoming a security concern for Nairobians and also for the children who have lost directions from their respective Wards who take advantage of this syndrome Mr. Speaker.

I kindly urge the Committee to deeply deliberate on this issue because it's affecting everybody and give a very comprehensive report on the same. I think the Executive have a department that can deal with this issue and I want to say that it is alleged that there are cartels conducting child abuse. It's also alleged that the City Council personnel are compromised. Hence this is the reason as to why I came up with this statement and I say that I am not satisfied at all. I need them to respond on the issues that I have just touched on. Thank you Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Zulfa. Hon. Njeri would you like to defend what the Hon. Member just said? Hon. Njoroge Kairu, are you on a Point of Order?

**Hon. Njoroge Kairu:** Yes Mr. Speaker. I wanted to interject on what has been said

**Hon. Temporary Deputy Speaker:** are you on a Point of Order?

**Hon. Njoroge Kairu:** yes Mr. Speaker sir

**Hon. Temporary Deputy Speaker:** Yes

**Hon. Njoroge Kairu:** I am saying that the response did not capture what Hon. Zulfa wanted. If you go to the New Stanley Hotel where I take my tea and lunch, there are very many boys around there. In fact they interfere with the visitors who are going into the hotels and so by saying that those children come with their parents to hawk I believe is not right. Let them give us facts on those street children doing businesses around there. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Njoroge. Hon. Njeri please press your mic to try and defend what is being said

**Hon. Nominated Member:** Mr. Speaker what I have read as the response is what the Committee deliberated on and inquired from the Executive. It is not the Committee that wrote the response to the Hon. Member and so she should know that.

**Hon. Temporary Deputy Speaker:** Her issue is on its implementation, which is not indicated in your report. I have gone through the report by the Executive, which you earlier on indicated was shallow and now there is a new report from the Committee. Where are we in terms of implementing what she had requested?

**Hon. Ruth Njeri (Nominated Member):** Mr. Speaker as you know the Committee just asked for a request from the Executive so implementation part is for the Executive.

**Hon. Temporary Deputy Speaker:** Hon. Member please have your seat and I would like to get the attention of the House and remind them that a report has been provided by the Executive to this Committee and whatever they have indicated here the Member has told us that some of them are not practical or were never done. So when and where do we have this implemented? This is the question. Am I right Hon. Zulfa?

**Hon. Zulfa Mohammed (Nominated Member):** Yes Mr. Speaker. Thank you with all due respect I would expect the Member to tell me at least they will come with another response after the recess, however if you allow me to point a case in a reference, there is a shopping center in Pangani area and these business people who have been paying revenue for Nairobi for the last 30 years are not able to do their business because of beggars.

We have beggars right next to their shops and they use the same place as toilets. I don't know which is the right parliamentary word to use but they have really been abusing that area. It has been happening in many parts of Nairobi. Am just pointing out an area where I see it every day with my own eyes, where generation and generation of beggars have come through the same place, from the grandmother to the mother. The whole family has been living out of the shops Mr. Speaker and it is time somebody spoke for those traders. They have been complying with each and every rule of Nairobi. Also they are complying with every rule of the licensing. I think it is only fair that this issue be addressed with immediate effect because apart from the security issue there is really a menace to the business community of this County. So I would like you to request the Committee to come up with a comprehensive report and at least tell us how they expect business people to deal with this issue. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Zulfa and Hon. Njeri we will give you time but honestly going through your statement response from the Executive wing you do agree with me that it is not comprehensive, it is very shallow, it is not giving us the right direction and which way or how they intend to implement this and it doesn't give us any solution on how they are going to bring this menace to an end. So I would direct that your Committee do another response to this statement and also request your Committee to pay a site visit to these affected areas mentioned by the Hon. Member and we should expect a response from you immediately after the recess. If you agree with that let us know.

**Hon. Ruth Njeri:** Thank you Mr. Speaker I think after recess we shall come with a comprehensive report. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Alex Ouda what is it? Sorry Hon. Jaque Nyangala

**Hon. Jaqueline Nyangala** (Nominated Member): Thank you Mr. Speaker it is this problem of Pangani, it sounds more worse than the problem I had with traders in Eastleigh and you can imagine the traders of Eastleigh refused to pay the Nairobi County their dues until the problem was dealt with and those hawkers outside the premises of these traders. Now if you have beggars that have been staying there for generations I think after recess even after two weeks is much...am thinking the Ward representative can liaise with association of traders and they come and see the County Executive, thank you.

**Hon. Temporary Deputy Speaker:** Thank you so much that is why I have given a ruling that they also pay a visit if need be and we hope that Hon. Njeri will report back to the Committee and we need a very comprehensive report on that issue. Hon. Alex Ouda

**Hon. Member for Mugomoini Ward** (Mr. Alex Ouda): Thank you Mr. Speaker I would like to draw your attention, the House is almost empty.

**Hon. Temporary Deputy Speaker:** And if it empty?

**Hon. Alex Ouda:** We don't have enough quorum

**Hon. Temporary Deputy Speaker:** Will you please give us the Standing Order number, if you don't have I will overrule on that, thank you. Let's proceed, Clerk...

## MOTION

**Hon. Temporary Deputy Speaker:** Hon. Members there was a Motion that was being debated yesterday and it was supposed to be put the question and this was Motion by Hon. Erastus Mburu. Is Hon. Erastus Mburu in the House?

**Hon. Jaqueline Nyangala:** Thank you Mr. Speaker if I remember correctly the Speaker said that we postpone the debate because of the matter being very serious and he wanted the debate to go on before Hon. Mburu replies and since he is not here can we defer to the next sitting, thank you.

**Hon. Temporary Deputy Speaker:** I am made to understand that Hon. Erastus Mburu had already replied and I just put the question.

*(Question put and agreed to)*

## MOTION

**Hon. Alex Ouda:** Mr. Speaker under Standing Order 32 it seems as if we don't have quorum to discuss the said Motion. I would like to request for your direction.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Alex Ouda, chairperson Water and Sanitation. Having brought that to my attention I will request the Seargent-At-Arm to please ring the bell again for the quorum. Members it has been brought to my attention we do not have quorum and having been told by the Clerk I will suggest that the Assembly adjourns to 2.30 p.m. tomorrow, thank you.

***(House rose at 4.01 p.m.)***