



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Thursday 31<sup>st</sup> March, 2016

The House met at 2.30 p.m.

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

### PRAYER

**Hon. Speaker:** Order, Hon. Members! I think we have a quorum, so we can start the business of the day.

### COMMUNICATION FROM THE CHAIR

#### FUNDING OF THE ASSEMBLY FINANCIAL CASH FLOWS

**Hon. Speaker:** Order, Hon. Members! Good afternoon once again? Communication from the Chair: Funding of the Assembly Financial Cash Flows. I have the following Communication to make; Hon. Members, the Chair, on Wednesday 16<sup>th</sup> March, 2016, issued a communication regarding difficulties with financial cash flows to the Assembly. The Chair then directed that deliberation of all businesses from the County Treasury be suspended forthwith until the issues around erratic cash flows to the Assembly are resolved and a written commitment obtained from the County Executive Committee Member for Finance and Economic Planning to streamline cash flows to the Assembly going forward.

Hon. Members, the Chair had further noted that the letters seeking the Governor's intervention in the matter had subsequently been written and response on the area not been received at the date of issuing the communication.

Hon. Members, I wish to report as follows; The County Assembly Service Board, the CEC M-Finance, Economic Planning, the County Treasury and the Chief of Staff held a fruitful meeting today, 31<sup>st</sup> March, 2016, purposely to find a way forward regarding the impasse. Hon. Members, we were also with Hon. Hassan, the Leader of Minority.

Hon. Members, the Chair is in receipt of a letter dated 31<sup>st</sup> March, 2016, from the CEC Finance and Economic Planning, confirmed the payment of Ksh.50 million for Member's gratuity and committing himself to settle all outstanding cash flows due to the Assembly within the month of April, 2016. The Chair gave the CEC chance to redeem himself but this matter shall be revisited before the end of April, 2016, for purpose of verifying compliance with the aforesaid request.

Consequently, Hon. Members, I wish to direct the suspension of deliberation on business from County Treasury is hereby lifted. Committees are therefore advised to resume their consideration of CFSP and report on the same as soon as possible. The Budget and Appropriations Committee to therefore proceed with the considerations of the Committee views on CFSP and report as requested by the Chairperson on Tuesday, 19<sup>th</sup> April, 2016. It is so directed. Thank you.

## PAPERS

**Hon. Member for Parklands Ward** (Mr. Jaffer Kassam): Thank you, Mr. Speaker. I rise on a point of direction. As you are aware, the names of the appointee for the County Policing Authorities were forwarded to the County Assembly by His Excellency the Governor, pursuant to Section 41 (1) of the Police Service Act, 2011, and subsequently laid in the Assembly by the Leader of Majority, on Tuesday 15<sup>th</sup> March, 2016 for approval thereafter to the Committee on Justice and Legal Affairs to vet the officers and table its report on consideration of the same within 14 days.

Mr. Speaker sir, the Committee, in this regard, is requesting for additional time for completion and tabling of the report. This is because of the following reasons:

- i. Lateness in submission of nominees' academic and professional details for the vetting exercise by the County Public Service Board.
- ii. There has been an inconsistencies and discrepancies in some of the nominees' records warranting the Committee authentication and verification through KNEC and other agencies.

Having mentioned above, Mr. Speaker sir, Good Friday and Easter Monday was public holiday, hence the Committee could not finalize on the report. From the Standing Order 1 that the Justice and Legal Affairs Committee is seeking for the extension of the tabling of the Committee report on the vetting of the County Policing Authority nominees to first Tuesday after the short recess. Thank you, Mr. Speaker sir.

**Hon. Speaker:** Hon. Members I want to agree with the Chairperson for Justice and Legal Affairs to go ahead and table it as per your request, it is so ordered.

**Hon. Jaffer Kassam:** Thank you Mr. Speaker sir

**Hon. Speaker:** Proceed

**Hon. Maxwell Ochar:** Thank you Mr. Speaker, I have a petition from people from Embakasi. Pursuant to Standing Order 202 (2) I beg to lay the following paper on the table of the Assembly today 31<sup>st</sup> March 2016. The report of the Sectoral Committee on Planning and Housing on the petition of the residents of Embakasi regarding the demolition of structures and land registration number LR 6042/13.

Mr. Speaker sir the Committee has considered the prayers by the petitioners and issued in the petition and recommendations and everything is on the paper. I beg to lay it.

**Hon. Speaker:** Thank you Hon. Ochar.

**Hon. Maxwell Ochar:** Mr. Speaker sir the other one is from Eastleigh, pursuant to Standing Order 202(2) I beg to lay the following paper on the table of the Assembly today Thursday 31<sup>st</sup> March 2016 the report of Sectoral Committee on Planning and Housing on the petition of the residents of Eastleigh on the intervention on Eastleigh South section 3 sewerage slum eviction. I beg to lay

**Hon. Speaker:** Thank you Hon. Ochar. Hon. Ochar the copies of the petition to be given to the petitioner, thank you. Proceed

Hon. Members Order 5 is Sessional papers, laying of paper by Leader of Majority will have to wait to get them from his office. Meanwhile we can jump to go to Hon. Chairperson Budget and Appropriation, proposed supplementary recurrent, development and revenue estimates

**Hon. Speaker:** Hon. Rachael Kamweru

**Hon. Nominated Member (Ms. Rachael Kamweru):** Pursuant to Standing Order 41(2) (c) I wish to request for statement from chairperson of Sectoral Committee on Labour, Social welfare regarding the position awarded to directors in different departments on acting capacities and the recruitment of candidates on the Cooperative department as advertised in the County government website.

Mr. Speaker there are senior officers in the County who have not been considered for positions of directors in various departments while junior officers are awarded positions of directors on acting capacities. In the Cooperative department some officers have been shortlisted for positions of director as advertised in the County government website and interviews were meant to have been held from September 2015 but have not been held to date.

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

1. Criteria used by the County Executive in the appointment of County officers to the position of director

2. Reasons why directors of lower ranks are considered for senior position on acting capacity yet senior officers are not being considered
3. Reasons for the delay of interviews and shortlisting candidates for positions of directors
4. Measures being taken by the county government to ensure adherence and recruitment of County officers is fair and just

I beg to lay

**Hon. Speaker:** Hon. Chairperson, Labour and Social Welfare Chair of Labour I would request that we do the response a week after we return from recess

**Hon. Speaker:** Very well second week after 19<sup>th</sup>. What is it Hon. Imwatok

**Hon. Member for Makongeni ward (Mr. Peter Imwatok):** Mr. Speaker am just worried, there is a directive you gave last time, I have been looking forward when you are on the Chair to ask on the same. There is a statement I asked the Committee of Labour on the cost of health insurance cover for all the 11,000 staff of the County. It is now almost 6 months down the line, I have not received this report.

**Hon. Speaker:** Very well, I remember the statement. Hon. Marion please undertake that the second week after the recess that request by Hon. Member is tabled on the floor.

**Hon. Marion Githinji:** Mr. Speaker thank you. We have noted and we request you give us some time after we have come from recess a week after.

**Hon. Speaker:** Very well it is so directed. The Hon. Nyangwara can you table the new Sessional paper 1 of 2016.

**Hon. Member for Viwandani Ward (Mr. Samwel Nyangwara):** I beg to lay the following paper on the table of the assembly today Thursday 31<sup>st</sup> March 2016: The sessional paper 1 of 2016 on the Nairobi City County Strategic Plan of 2016-2025, I beg to lay the Paper.

**Hon. Speaker:** Thank you very much Hon. Nyang'wara. The Hon. Chairperson the Select Committee on Budget and Appropriation on the proposed supplementary recurrent development and revenue estimates for the financial year 2016-17.

**Hon. Member for Embakasi Ward (Mr. Michael Ogada):** Thank you very much Mr. Speaker sir. Pursuant to Section 135 (2) of the Public Finance Act 2012 and Standing Order No. 215 (1), I beg to lay the following paper on the table of the Assembly today Thursday 31<sup>st</sup> March 2016; *The Proposed Supplementary Recurrent Development and Revenue Estimates for the financial year 2016-17*. Thank you.

**Hon. Speaker:** Thank you very much the Hon. Chairperson Budget and Appropriation. Hon. Members, the Sessional Paper No. 1 of 2016 on the Nairobi City County Strategic Plan 2016-2025 to be committed to the Sectoral Committee on Labour and Social Welfare, table a report within 14 days. The

Proposed Supplementary Recurrent Development and Revenue Estimates to be committed to the Select Committee on Budget and Appropriation and the Committee should consider the estimates. Thank you.

Hon. Ochar on the statement requested by Hon. Elias Otieno from the Chairperson of the Sectoral Committee on Planning and Housing regarding the proposed development of a 47 storey building.

**Hon. Member for Korogocho Ward** (Mr. Maxwell Ochar): Thank you, Mr. Speaker. Response to a statement requested by Hon. Elias Otieno, MCA from the Chairperson of the Sectoral Committee on Planning and Housing. Mr. Speaker---

**Hon. Samuel Nyang'wara:** Point of Order! Mr. Speaker the response that is about to be tabled on the floor was requested by one Elias Otieno and you are aware he is out at the moment. Being a senior Member in this House, I was requesting whether it can be referred next time when he is around.

**Hon. Speaker:** Hon. Nyangwara, this is the property of the Assembly, we will give him if there any query because we are going for recess. I will explain to him when I meet him later.

**Hon. Maxwell Ochar:** Thank you for your direction Mr. Speaker because yesterday it was Hon. Nyangwara who was on the Chair, and he made a ruling that today whether the person is in the House or not, we shall proceed Mr. Speaker. I wonder the reason why Mr. Nyang'wara is the one again coming against his ruling of yesterday. Thank you, Mr. Speaker.

Mr. Speaker sir, on Wednesday 2<sup>nd</sup> December 2015 the Hon. Elias Okumu, MCA rose on the floor of the Assembly pursuant to Standing Order No. 41 (2c) and requested for a statement from the Chairperson of the Sectoral Committee on Planning, Housing and Lands for a statement regarding the proposed development of a 47 storey building on Chiromo Lane, Westlands in Nairobi County.

Mr. Speaker, the Committee wrote to the County Executive on 21<sup>st</sup> January 2016 as you can remember very well that we were on recess and requested to be furnished with a written response to the statement requested by Hon. Elias Okumu. The Chief Officer Lands responded vide a letter ref. ADMIN/LANDS/010/2061/2mk/link dated 29<sup>th</sup> January 2016. Mr. Speaker only addressing issues related to land and you can remember very well when you were hard on the Committee, we told you that we have received a response from the Lands department but Planning we have never received up to now, Mr. Speaker.

Now we are requesting your seat Mr. Speaker to give a summon to one Chief Officer of Planning Mrs. Rose Mwema. I have signed that and I think it is in your office. According to the Planning Committee, they amalgamated process of the plot L.R. No. 209/73/1/75/173/073/374/470/6 including public roads by the County Executive.

Mr. Speaker sir, the Committee was informed as follows by the Lands department; the land parcels recorded in the application for the proposed development were as read there. Mr. Speaker, we read about the land how it was done and we agreed and Mr. Speaker sir, already indicated the Committee is yet to receive the other crucial information requested during the site visit. The Committee observed that the construction work had already begun. However, the contractor or developer and the officers from the County Executive who accompanied the Committee could not provide the architectural plan of the proposed building in addition. Both the contractor and the developer and the said officer could not agree on the actual number of the storeys of the proposed building.

Mr. Speaker sir with the foregoing, and the consideration that the issue raised are weighty and considering that both the developer and the County Executive are unable to provide the required information, the Committee had no choice but to ask the County Assembly to direct for the suspension of the ongoing construction until all the information requested is provided, Mr. Speaker. This will also act as a proof of compliance of the proposed building to the relevant construction regulators. Meanwhile, the Committee has requested the Speaker to issue summon to the relevant Chief Officer to attend a meeting of the Committee and submit the required documents and information. Mr. Speaker sir, I beg to lay this response, thank you.

**Mr. Speaker:** Thank you very much, Hon. Ochar. I will look for those summons and we will deal with that accordingly. Hon. Jaffer?

**Hon. Member for Parklands/Highridge (Mr. Jaffer Kassam):** Mr. Speaker, I want to commend the Committee and also add that we were told that the building will accommodate 1500 parking spaces and I am wondering what will happen to Westlands when all these vehicles come out. So, this is some additional information we are received and I want to say that this could be a very big disaster in the making. Therefore, as the area Member of the Ward I would appreciate if the recommendations of the Committee are taken up.

**Mr. Speaker:** Very well, Hon. Jaffer Kassam. Hon. Petronilla, this is Westlands.

**Hon. Member of Dagoretti North (Ms. Petronilla Achieng):** Thank you, Mr. Speaker sir. I also want to comment to the Committee that as a Resident Association and business community in that area we are concerned. I personally went to the site and I wanted to get the traffic and the infrastructure study and all of these reports are missing. So, Mr. Speaker, just as my colleague has said, actually there are two buildings of 47 stories each. The Planning Department--- one is on the left side and the other one is on the right side. The left side is going to have 1200 parking spaces, the other side is having 1000 parking spaces. Chiromo Road. as it stands right now two big Lorries cannot pass each other on the road.

Another thing they have done, the first day I went there I found a plan and this plan the hotel is on the 37<sup>th</sup> floor and it has already been approved but the building itself has not been approved. When we went back the following day the contractor decided to hide the plan. So, there are a lot of stories about this building and we are just waiting for the Planning Committee to finish and we are going to bring a petition in this Assembly. Thank you.

**Mr. Speaker:** Very well Hon. Petronilla. Let us proceed, Hon. Ochar.

**Hon. Member for Korogocho (Mr. Maxwell Ochar):** Mr. Speaker I do agree with the two previous speakers. For one, Mr. Speaker, if you go to Chiromo Lane now before the building is constructed, it is a mess. We should expand the road and they did not have a plan to expand the road. Number two, Mr. Speaker, all the services including water pipes have not been upgraded and this includes the sewerage line, the electricity line, all of them have not been upgraded. Mr. Speaker that is the reason why these people are hiding their plans because it cannot accommodate the area residents. Mr. Speaker, the scope of work which will be there is amazing and that is the reason that the Planning Committee is saying no, no, no even before the plans were laid on the table of the Committee. Thank you, Mr. Speaker.

**Mr. Speaker:** Hon. Imwatok, you have something?

**Hon. Member for Makongeni (Mr. Peter Imwatok):** Mr. Speaker, thank you for giving me an opportunity. I have seen the mood of the House and the interest this building has elicited. Mr. Speaker, it leaves the question that begs that before this land was given to this investor did we have the County Government or did we have the City Council?

Mr. Speaker, if indeed we had the County Government who gave out this land? Mr. Speaker, it is high time the Planning Committee should stop playing fouls and stop always complaining in this Assembly. Let them bring a respected Member of the Committee whom they feel is not doing justice to Nairobians or to this Assembly. Mr. Speaker, I can remember that since we were sworn in there is nothing whatsoever this Committee of Planning has ever brought before this House including those buildings that have been done irregularly.

Mr. Speaker, according to the ethics of this House I might not be allowed to pronounce the words as I should on behalf of this Committee. Mr. Speaker, we should look critically at this Committee of Planning which is failing this Assembly and failing the entire country. Mr. Speaker, the constructions are sprouting every now and then including on the Riparian land but when we ask a question there is a blame game and the Executive has no answer and neither does the Committee.

**Hon. Member for Makongeni Ward (Mr. Peter Imwatok):** It is high time Mr. Speaker you take a stand as the Speaker of this House and summon this Committee to get factual answers. I sent them to my



Ward to bring me a report where a new road was trenched two weeks after construction but the report which came here was contrary to what was happening on the ground. I think that the Chair and the respective Committee members of this Committee must be serious with Nairobianians. I beg to differ with the entire report.

**Hon. Speaker:** Hon. Members that is a very serious allegation. The Committee works like any other Committee receiving information from the County Executive. While I agree with you on the reparian we went with the Committee and recommended stoppage of construction houses but that has not happened. After we come back from recess then I will have a meeting with the Planning Committee so that we get to know what problems they have. I thank you. Hon. Otieno Alex

**Hon. Member for Mugumoini Ward (Mr. Alex Ouda):** Thank you Mr. Speaker. The Planning department as a sector has a problem. We may be blaming the Committee but we all know that it is a department that needs discussing via a Motion. This is long overdue, it is a department where when you ask for something then you will be taken round and not get your answer on time. Let us consider our fellow colleagues as our Chairman has said. This issue needs a concerted effort and ensure that we are not taken for granted. Thank you.

**Hon. Speaker:** One last one please

**Hon. Nominated Member (Ms. Jacqueline Nyangala):** Mr. Speaker I asked a question to the Planning Committee and they came with a response from the Executive. I went to ask on the pedestrian path on riverside and the Engineer said that the approval was given by the City Engineer and he sent me to the City Engineer which I refused because it is not my work. We cannot blame the Planning Committee because they ask questions and are given answers and the people who give them answers when asked say that the work was done by another department. What are we supposed to do? We do not work for the Executive and so we can't go asking questions point for point. We need to do something. Thank you.

**Hon. Speaker:** Hon. Members I promise that after the recess we will be working with the Planning department in consultation with the leadership of this Assembly which includes the Liaison Committee. As the Hon. Members are saying, we cannot be blaming Committees. Committee Chairmen and membership are getting a lot of problems in accessing information from the other side. Even when we were councilors that was the case. I have medicine for those people and once we are back from recess I will let you know. Let us proceed. The following statements are due for Kenneth Irungu, Elkana Mauti and Moses Ogeto.

**Hon. Minority Leader:** Mr. Speaker sir I stand here on behalf of Hon. Kenneth Irungu. He is attending an urgent matter and asked that the response be differed until the Assembly resumes. With your indulgence.

**Hon. Speaker:** Very well. It is so ordered. Chairperson for Wards Development? Planning Committee regarding the grabbing of land allotment number 366?



**Hon. Member for Korogocho Ward** (Mr. Maxwell Ochar): Mr. Speaker I gave an undertaking yesterday. It is not ready and I talked to the CEO Mr. Mwangi and he told us that he will issue us with a response immediately after recess.

**Hon. Speaker:** Very well Hon. Ochar. Chairperson Transport?

**Hon. Member for Lucky Summer Ward** (Mr. Kennedy Oduru): Thank you Mr. Speaker sir. We got the response from CEC but it was not satisfactory to the Committee and was therefore referred back. We therefore request with due respect that you give us until one week after recess.

**Hon. Speaker:** Very well. One week after recess.

**Hon. Member for Harambee Ward** (Mr. Ronald Milare): Thank you Mr. Speaker. We are yet to receive the response and we are asking that we respond to it after the recess.

**Hon. Speaker:** Second week after recess. Hon. Shadrack Juma from the Chairperson of Select Committee on Water and Sanitation. Are you ready?

**Hon. Alex Otieno:** Mr. Speaker, the first week after the recess.

**Hon. Speaker:** Very well. It is so directed. The procedural Motion? The Hon. Leader of Minority can do this in the absence---

**Hon. Leader of Minority:** That pursuant to the provision of section 17 of the County Government Act 2012, and section 10 of the National Assembly Powers and Privileges Act, this Assembly approves the appointment of the following 10 members to the Select Committee on Privileges in addition to the members contemplated under section 10 (1) of the National Assembly's Powers and Privileges Act;

Hon. Elias Okumu.

Hon. Maurice Akuk.

Hon. Beatrice Kwamboka.

Hon. William Abuka.

Hon. Alexandar Mulatya.

Hon. I. Hassan.

Hon. Peter Wahinya.

Hon. Andrew Macharia.

Hon. Anthony Karanja.

Hon. Christine Abuto.

Thank you Mr. Speaker sir.

**Hon. Speaker:** The seconder of the Motion?

**Hon. Leader of Minority:** Mr. Speaker sir, I propose Hon. Jaffer to second.

**Hon. Jaffer Kassam:** Mr. Speaker sir, I second the Motion.

*(Question proposed)*

**Hon. Speaker:** Hon. Imwatok.

**Hon. Peter Imwatok:** Mr. Speaker, thank you again. Aware that you are almost exhausted some of us because we are looking forward to the two weeks recess. But Mr. Speaker, as our Standing Order tells us and the County Government Act, that this is a House of procedures. First of all, I want to stand here today as I have always said, it is better a war that is led by one lion of a hundred sheep than a war to be led a sheep of hundred lions.

Mr. Speaker, I stand here to oppose this list. Number one, it is time we correct the anomalies that we have always exercised in this House. This is a Committee of ten members. What is one third of ten members Mr. Speaker? We need to respect our ladies in this House. The time where men will always say 2.9 is equivalent to a man is long gone. It is high time we saw 2.9 should be a woman in this House Mr. Speaker.

Mr. Speaker, if you see this list, these are the same names we had last time. If you go to the Constitution, which is the supreme law of this Country, which overrides any other Act in the law, says even what this Committee will ever make as a decision of this House in a way it can be challenged in a court of law. Therefore Mr. Speaker, I urge the mover of the Motion, who is my Hon. Minority Leader, if possible to withdraw this Motion or the Members to reject this Motion with the energy it deserves. I beg to oppose.

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

**Hon. Karen Wanjiku:** Mr. Speaker sir, I beg to oppose this Motion. First of all, Mr. Speaker sir, we had Hon. Rose Mary who was the only Vice Chair of this whole Assembly. And what does the Constitution say? We cannot ignore article 81 (B) that talks about a 3<sup>rd</sup> gender rule. Further, in our Committees, whether in the jobs that we are employing, we cannot ignore that fact. We are not talking about parties here. We are talking about the law and the rule of law must be observed. We are lawmakers Mr. Speaker sir and we cannot be leading people to break the law. Mr. Speaker sir, I beg Hon. Members, the ones who love the law and who understand what they are doing in Nairobi County representing people, to oppose this Motion until it is constituted. We need three women in this Committee, which is a 3<sup>rd</sup> of eleven. Thank you Mr. Speaker.

**Hon. Speaker:** Yes, Hon. Hassan.

**Hon. Leader of Minority:** Mr. Speaker sir, I want to refresh the mind of my learned friend Hon. Jateso that, even the Supreme Court ruling 2014 states that getting 1/3 will be gradual. Mr. Speaker sir, so it is not a must and you know the Supreme Court ruling is final. Mr. Speaker sir, with those few remark I thank you.

**Hon. Speaker:** Hon. Petronillar!

**Hon. Petronillar Achieng** (Nominated Member): Thank you Mr. Speaker sir, I rise to oppose this Motion and I want also to remind my friend the Hon. Minority Leader through you that we have been abusing the law, in this House and let him not look at the Supreme Court because we are not the Supreme Court, we are the County Assembly of Nairobi.

The County Assembly of Nairobi cannot override the Constitution therefore, we want to urge that this Assembly must conform to the Constitution and the Gender rule is not just a picture in that Constitution but it is a law that has always been there and that is why we are here today.

So we urge you with your leadership to help us because this law has been abused in this House and even Members, have been abused and it is now going too much, whereby when we go for election we shall be the same ladies that they will be coming to votes us, therefore I oppose the Motion.

**Hon. Speaker:** Hon. Members! I call the mover of the Motion to reply.

**Hon. Leader of Minority:** Thank you Mr. Speaker sir, I think in this Motion we have tried as much as possible to attain 1/3 Gender rule. Mr. Speaker sir, as you are aware, in the National Assembly as we are speaking now, last week part one, the Majority Leader tabled a Bill which proposes the way forward for 1/3 Gender rule.

Mr. Speaker sir, 1/3 Gender rule cannot be attained overnight, if we say each and everything must be attained 1/3 Gender rule. *(Laughing)* I am replying Mr. Speaker sir, and when I am replying I don't need to be informed by Hon. Jateso. *(Laughing)*

**Hon. Speaker:** Order!

**Hon. Leader of Minority:** Mr. Speaker sir, am not misleading the House, if these leaders goes to the website of National Assembly they will see that the deal of 1/3 rule has been tabled there and I can assure that Bill, will not see the light of the day.

Mr. Speaker sir, this issue of 1/3 Gender rule has become problematic to this Nation. It has become a burden to this County and that is why we are saying we need to relook at this 2010 Constitution because it has overburdened the Kenyan tax payer Mr. Speaker sir.

**Hon. Speaker:** Order!

**Hon. Leader of Minority:** Mr. Speaker I am replying! I want to urge my fellow ladies Hon. Members who are here they should know how to go about and look for votes instead of asking Kenyans...

**Hon. Speaker:** Order Hon. Members, Order!

**Hon. Leader of Minority:** Mr. Speaker sir, let me withdraw that because my senior sister Marion has complained a lot let me withdraw that.

Mr. Speaker sir, we cannot attain the Gender rule overnight. If you look into this thing we have two ladies and this Assembly has to be commended for that because we have done much better, than the National Assembly. We don't have to be castigated Hon. Jateso, if you go to your Standing Order, when the Member is replying you cannot be given chances to speak Mr. Speaker sir. *(Laughing)*

Mr. Speaker sir, with those few remarks I beg to move.

*(Question put and agreed to)*

*(Loud Consultation)*

**Hon. Speaker:** Hon. Members! If there is any dispute on that you can stand up. *(Loud Consultation)* Order! Members Order Hon. Karen my sister! *(Loud Consultation)* Can you count? *(Loud Consultation)* Order Hon. Jacky! Hon. Members, next order!

*(Loud consultations)*

**Hon. Leader of Minority:** Mr. Speaker sir, I would like to remind my good friend the lady who is also my neighbor there. We stay together. That--- we stay together *(Laughter)*. No, no we stay in the same estate Mr. Speaker sir.

*(Laughter)*

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

*(Loud consultations)*

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

**Hon. Speaker:** Order Hon. Karen!

**Hon. Leader of Minority:** Mr. Speaker sir, we stay together in the same estate. Not in the same house. Of course I can't have the Hon. Member as my wife as you know me.

*(Laughter)*

*(Loud consultations)*

**Hon. Speaker:** Order Hon. Members! Order! Order Hon. Karen please! No Hon. Member! Our able Member of Health. I want you to go to recess so that you can go and take care of those people.

**Hon. Leader of Minority:** Mr. Speaker sir, if Hon. Karen will allow me, this is a House of rules and procedure and that is the reason why we have ayes and nays. Always, the majority wins.

THAT, pursuant to the provisions of Standing Order 24 (1), this Assembly adjourns until Tuesday, 19th April, 2016, in accordance with the Calendar of the County Assembly (Regular Sessions).

Mr. Speaker sir, I will ask Hon. Njoroge Kairu to second me.

**Hon. Member for Woodley/ Golfcourse Ward** (Mr. Njoroge Kairu): Thank you very much Mr. Speaker sir, I second the Motion.

*(Question proposed)*

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

**Hon. Member for Eastleigh North Ward** (Mr. Osman Adow): Mr. Speaker just judging by the mood of the House I think we should have the mover to reply and we go home.

**Hon. Speaker:** Hon. I. Hassan.

**Hon. Leader of Minority:** Thank you Mr. Speaker sir. Let me take this opportunity to add my voice on what happened in this Assembly. It was very unfortunate but we are brothers and sisters. We don't have to push one another to the courts of law. I beg my sister Hon. Manyala who is not around to rethink her position and resolve matters outside the court of law.

Let me also take this opportunity to ask Members who are elected--- things are becoming hot, take these two weeks and go to the Wards. That is the reason as to why you didn't see me in this House. On the ground things were becoming hotter. I don't want to become one of the Members who will be going home.

I also want to tell the Executive that when we resume this Assembly we are not going to tolerate people who are lazy. We are not going to allow ourselves to be taken home by our electorates. Before they take us home, we will start with them.

With those few remarks, I beg to reply.

**Hon. Speaker:** Thank you very much Hon. I. Hassan and all Members. Next order please.

## MOTION

**Hon. Speaker:** The Hon. Peter Imwatok.

**Hon. Member for Kariobangi North Ward** (Mr. Michael Wainaina): Mr. Speaker, the owner of the Motion is not in the House.

**Hon. Speaker:** Otherwise Hon. Members I think he asked me if we could push this Motion to--- the Hon. Chairperson for Health.

**Hon. Member for Nairobi South Ward** (Mr. Manoah Mboku): Mr. Speaker, the owner of this Motion was here. He would have stood and requested the Motion to be adjourned. He has just walked out. Just defer this Motion because we also have other pending business when we come back from recess, thank you.

**Hon. Speaker:** Very well Hon. Members. After consultation since there is no written appeal on this Motion it is hereby dropped.

## ADJOURNMENT

**Hon. Speaker:** Hon. Members I want to thank you most sincerely. As we go on recess, as the Hon. I. Hassan said, for those who are in the Wards get in those Wards. I wish you well in development and may God bless you. As a family we continue living and staying as a family. This Assembly is adjourned until 19<sup>th</sup> April, 2016 at 2:30 p.m. thank you.

Hon. Members sorry, thank you very much Hon. Njoroge. The Committees are on.

*(The House rose at 4.40 p.m.)*