



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – First Session

Wednesday 29th November, 2017

The House met at 2:30 p.m.

[Hon. Speaker (Ms. Beatrice Elachi) in the Chair]

PRAYERS

PAPERS

Hon. John Nyumu: Thank you Madam Speaker, on behalf of the Majority Leader who is not with us today, I would like to lay some papers on his behalf. Pursuant to Article 228(6) of the Constitution of Kenya 2010 I beg to lay the following papers on the Table of the Assembly today Wednesday 29th November 2017:

1. The County Government Budget Implementation Review Report for half year 2016/2017
2. The Annual County Budget Implementation Review Report for the year 2016/2017
3. The County Budget Implementation Review Report for the first 9 month of the year 2016/2017
4. The Annual National Government Budget Implementation Review Report for year 2016
5. The National Government Budget Implementation Review Report half year for year 2016/2017
6. The National Government Budget Implementation Review Report third quarter for the year 2016/2017.

Hon. Speaker: Thank you Deputy Speaker, I will commit all those reports to the Budget committee to do their report and I hope the Clerk of the Budget committee will be able to support them and ensure we have summaries for them to be able to understand the reports. Next order?

NOTICES OF MOTION

Hon. Speaker: Hon. Mwangi Njihia?

Hon. Abraham Njihia: Thank you Madam Speaker, I wish to give notice of the following Motion: That aware that commercial sex work in Nairobi City County has been on the rise in years; further aware that commercial sex work had become prevalent in most Sub-Counties, in Wards in the County; deeply concerned that section 153 and 154 of the penal code chapter 63 of the laws of Kenya prohibits men and women from living wholly or partly on earnings or soliciting through commercial sex work; further concerned that the implementation of the said provisions of the penal code remains unproductive; noting that unlawful practice is today happening rampantly and openly within our communities without repercussions on the offenders as provided in law. This Assembly urges the County Executive to move with speed and robustly to enforce the provisions of the law to deter commercial sex work in the County. I beg to table.

Hon. Speaker: Mheshimiwa it is a notice of Motion so it is ok, you don't need to table! Next order?
(Point of Order)

Hon. Speaker: Hon. Maurice, you have a Point of Order?

Hon. Maurice Gari: Madam Speaker you didn't see my gadget but I have notice of Motion on Standing Order 56.

Madam Speaker I rise under Standing Order 56 regarding question privilege: That this Assembly takes notice of Members concern over the lack of Car and Mortgage Committee to give life to Members' entitlement and privilege as regards to benefits. Three months since the commissioning of this session no one has received the facility to date. Thank you Madam Speaker.

(Applause)

Hon. Speaker: Thank you Mheshimiwa, while I know you are in order using that Standing Order, but I will want to say this; I know it is an issue and am hoping tomorrow the leadership will table the names of the Loans Committee because I was expecting it to be in the House today but I am hoping that by tomorrow we shall have the names so that we can proceed. Hon. Gari we cannot do anything without that Committee, so you will indulge with us but I am hoping that by tomorrow we shall have the list of the members.

(Applause)

Next order?

STATEMENTS

Hon. Speaker: Hon. Karani?

Hon. Patrick Karani: Thank you Madam Speaker, pursuant to Standing Order 45 (2)(c) I wish to request for a statement from the Chairperson of Sectoral Committee on Planning and Housing regarding the ownership status of the land LR 6845/1/19, 6845/1/20, 6845/1/21, 6845/1/22 in Utawala Ward.

Hon. Speaker the said parcel of land is a property of the County Government of Nairobi City however there are indications that private persons have already encroached on it. In the statement the Chairperson should inquire into and report on:

1. The current ownership status of the said numbers, providing supporting documents
2. What actions is the County Government is taking to secure County owned properties from encroachment by private developers?

Thank you.

Hon. Speaker: Chair? Any Member? Where are the Members of the Committee? The Chair has arrived but he will not answer because he did not hear. Hon. Minority Leader?

Hon. Elias Okumu: Thank you, Madam Speaker. Give us two weeks because they are going to do investigations before they bring the report to the Assembly. Two weeks is enough.

Hon. Speaker: Okay. Chair you will pick the Statement so as to understand. Member, are you satisfied?

Hon. Patrick Karani: Yes, Madam Speaker.

Hon. Speaker: Hon. Osman.

Hon. Osman Adow: Thank you, Madam Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the provision of clean water to Nairobi City County residents.

Hon. Speaker, clean water is essential for human survival and the Nairobi City Water and Sewerage Company is legally obligated to provide residents of this City with clean water for consumption and other domestic uses.

Hon. Speaker, it is ironical that most City residence's taps are dry while the water sellers are minting money from their water selling businesses.

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

- i) List of water sellers in every Ward;
- ii) The amount of water consumed by each seller in the last six months;
- iii) The amount of money each seller has paid to Nairobi City Water and Sewerage Company in the last six months;
- iv) When the company will end the water rationing programme since we have had adequate rainfall in the County.

Thank you, Madam Speaker.

Hon. Speaker: Chair on Water Committee? The Deputy or any Member?

Hon. Leah Supuko: Madam Speaker, the Member will get the response in two weeks.

Hon. Speaker: Hon. Osman, are you okay with two weeks or is it urgent?

Hon. Osman Adow: Madam Speaker, I think that is okay. If they want to take a little bit longer so that we can get adequate response, those two weeks is okay.

Hon. Speaker: Minority Whip, you have something?

Hon. Peter Imwatok: Madam Speaker, with all due respect to the Government side, I see a bad precedence being set in this House. Aware the calendar of this Assembly for this year is ending in the next one week from now, every question brought to this House, the Chairpersons requests for two weeks. This means the answers to these questions will be responded next year. It is very clear that we don't have officers operating in these respective departments. I am aware we now have CECs, acting Chief Officers and Directors. I think we must set good precedence from the word go.

(Applause)

Hon. Speaker: I believe we are going for a long recess, so, I agree with the Minority Whip. I request that those Statements and others that have not been brought back, next week, we must ensure we exhaust all.

Hon. Members, I know there are Statements that are due for response. There is a Statement requested by Hon. Chege Mwaura from the Chairperson of the Sectoral Committee on Planning and Housing regarding the stationing and management of floodlights across the City and particularly the 30 meter high floodlight located at Fig tree Stage along Murang'a Road, Ngara Ward. Hon. Chair, do we have the answers of the Statement?

Hon. Anthony Karanja: We are not ready with the answer because we had planned to meet the CEC on 28th, November 2017, which was yesterday. I would have been ready by today but unfortunately yesterday was a public holiday. We will give a comprehensive answer next week, Tuesday, 5th December 2017 because we have not been able to reschedule the meeting with the CEC. I am still trying to find him so that can we have a meeting.

Hon. Speaker: Hon Mwaura? He left?

Hon. Anthony Karanja: I have just spoken to him. He is well aware of where we are on this issue. He is okay with Tuesday next week.

Hon. Speaker: Okay. There is also a Statement requested by Hon. Patrick Karani, MCA, to Chairperson of the Select Committee on Public Accounts regarding the status of the first quarter Internal Audit Review report of the County Executive. Chairperson?

Hon. Wilfred Odalo: Madam Speaker, we are not ready to respond now because Standing Order 45 (d) requires the CEC to appear before us, but yesterday they were not able. We request to respond next week, Tuesday, 5th December 2017. Thank you.

Hon. Speaker: Will the CEC then have appeared before the Committee?

Hon. Wilfred Odalo: We have a written response, but they should appear before the Committee for us to ascertain some facts.

Hon. Speaker: Hon. Karani, you are okay with that?

Hon. Patrick Karani: Yes, I am okay.

Hon. Speaker: There is also a Statement requested by Hon. Peter Wanyoike, MCA, from the Chairperson of the Sectoral Committee on Culture and Community Services regarding the accounts of the Nairobi City County Liquor Licensing and Betting Control Board. Chair Culture?

Hon. Abraham Njehia: Hon. Speaker, on Wednesday 8th November 2017, Hon. Peter Wanyoike, MCA, rose on the floor of the Assembly pursuant to Standing Order 45 (2) (c) and requested the Chairperson of the Sectoral Committee on Culture and Community Services for a Statement regarding the accounts of the Nairobi City County Liquor Licensing and Betting Control Board. He further asked the Chairperson to inquire into and report on:

1. Financial status of the two Boards;
2. Statement of account of the Bboard since its inception in 2014 and
3. How much was approved by the Liquor Licensing and Betting Control Board for the for the inaugural Governor's Cup under the former County administration.

Madam Speaker, the County Executive Committee Member responsible for Commerce, Tourism and Cooperatives was invited for meeting on 29th November 2017. The Committee held a meeting on 29th November 2017 and Hon. Peter Wanyoike was invited pursuant to Standing Order 45 (2) (c).

Madam Speaker, the Committee was seeking to respond to the Statement on Wednesday 6th December 2017, after being furnished with more information by the CEC Member responsible for Commerce, Tourism and Cooperatives. Thank you, Madam Speaker.

Hon. Speaker: So, Chair, in other words you are telling us the answer will come on 6th December, 2017? Have you checked your calendar which day is that?

Hon. Abraham Njihia: It will be on Wednesday.

Hon. Speaker: Hon. Wanyoike.

Hon. Peter Wanyoike: Thank you, Madam Speaker. I am comfortable with the dates.

Hon. Speaker: Statement by Hon. Mwangi Njehia, MCA, to the Select Committee on County Finance, Budget and Appropriations regarding the bank accounts of the Nairobi City County Government. Chair Budget? Member?

Hon. Peter Karani: Madam Speaker, we have the report but we request up to next week, Tuesday 5th December 2017 so that we can give the Member time to peruse the report.

Hon. Speaker: Hon. Member, you are saying you have the report?

Hon. Peter Karani: Yes.

Hon. Speaker: The report is the property of the House. So, as you give the Member a copy to peruse, you also need to also report back to this House on what the report says. You see you are putting us into a very interesting situation. The question is not just for the Member. The moment you table anything in this House, it becomes the property of the House. So, when the question is done, it is for the Member and the House because other Members can be interested to bring in other issues or maybe there were Members who were interested when the question was being asked and they were waiting for the answers. If you have the report in the House, you will read it tomorrow, Wednesday 30th November 2017.

Because you have the report and it is in the House. I therefore expect it to be read in the House and the Member to have perused through it because he cannot stay for a week reading it. It will be unfortunate for us to operate like that in the House. If the report will be within the precincts of the Assembly tomorrow, then kindly read it. Are you okay on that?

(Point of Order)

Hon. Peter Imwatok: Madam Speaker, as this other side of the House, we say that everything must be done under the rules and procedures of the House. The Chair of Budget and Appropriations Committee has stated clearly that there is a report. Either Madam Speaker he withdraws that by saying that there is no report before this Assembly because the procedure is very clear. Before you put a statement to be answered on the Order Paper, the Clerk must have asserted that the report is there. Unless he is lying to this House. He must confirm to us Madam Speaker or else we will be setting a very bad precedence and all the other Chairmen will be standing up and saying that they have reports but they have given it to someone to read through it first before bringing it to the House. That is not the procedure.

Hon. Speaker: Hon. Karani, is the report with the Chair or with you?

Hon. Patrick Karani: Madam Speaker, the report is with the Committee. We shared it with the Honorable Member today and he requested up to Tuesday next week to peruse through the report because it was voluminous. So it was upon the request of the Member that we decided to table it next week but tomorrow we will table the report. Thank you.

Hon. Speaker: How any pages is the report since you have just said it is a volume? I request the Clerks that when a report comes in from the Executive side, it is important for them to look at the report and if it is a huge report, have it summarized since you are the technocrats and give the committee's recommendations. Hon. Members I will be lying here when I say that you read reports. Summarize them so that Members are able to read through and articulate the same. Let us see the report tomorrow. There was a statement by Hon. Joseph Ouma Donje who was requesting the Committee on Housing and Planning regarding ownership of land LR/1870/11/217 located in Wetlands. Chairperson?

Hon. Anthony Karanja: Madam Speaker, we were not able to meet with the CEC yesterday. We shall therefore give a comprehensive report once we sit with him anytime this week. So the response shall come on Tuesday next week.

Hon. Speaker: Okay. There was a statement from Hon. Ester Waithera Chege to the Chairperson of the sectorial committee on Environment and Natural resources regarding the collections of solid waste by the Nairobi City County Government trucks in Nairobi South B Ward. Chair Environment?

Hon. Abraham Njehia: Madam Speaker, on Tuesday 13th November 2017, Hon. Ester Waithera Chege, MCA rose on the floor of the Assembly pursuant to Standing Order 45 2 © and requested the Environment and Natural Resources committee for a statement regarding the collection of waste by the Nairobi City County Government trucks in Nairobi South B Ward. In the statement, the Member sought to know the following;

1. Why the County has not been collecting solid waste from the Ward since August
2. Measures taken by the County Executive to ensure that solid waste is collected consistently in South B Ward and other parts of the County?

Madam Speaker, the Committee held a meeting with the County Executive Committee member and acting Chief Officer responsible for Environment and Natural Resources sector on Tuesday 15th November 2017 and Hon. Ester Waithera Chege was invited pursuant to Standing Order 45 2(e). Madam Speaker, the Member was satisfied with the response provided for by the acting chief officer responsible for Environment and Natural resources. I beg to lay this response.

Hon. Speaker: Hon. Chair, before you lay your response, what is the response? The House would wish to know so that if there is another challenge in another Ward and the challenges of South B have been cleared then they will be able to tell you so that you are able to pick. Sorry for that Chair, I know that you will read it out for us. Kindly sit for a minute so that I can elaborate on this.

(Hon. Abraham Njehia took to the chair)

When you bring a statement to the House, it is a statement to assist the citizens of Nairobi in an area where the statement has been asked. It is a statement that affects maybe the whole County and therefore within the response from the CEC to the Chair, it assists Members to bring out other issues that we can pick out and ask the Chair to go back to the CEC because the response is one that still needs a lot



of answers. Always when you have a statement, read the way the Executive has returned the answer to us so that we understand as per the questions listed such as a, b and c. read the whole statement and if there are any queries, members will ask and if there are none, it's okay. It is the role of the Chairperson to read out the statement and the Member comes in to tell us as a House whether they are satisfied with the response or not. Chair, with my indulgence, I would request you to read the statement to us.

Hon. Abraham Njihia: Madam Speaker, on the steps taken to ensure regular collection of garbage in the County. The Nairobi City County Government and fleet. The sector has devolved its solid waste collection and transportation trucks to all Sub-Counties for ease of operational utilization therefore the Sub-County Environmental Officers would be fully in charge of utilization of trucks assigned to them. He mentioned that the County has 60 refuse collection trucks.

2. Devolution of the fueling system for the trucks: he stated that the sector was in the process of facilitating the Sub-County Environmental Officers to manage the fueling of the respective trucks as departure from the previous centralized arrangement.

3. Facilitating repair upon trucks breakdown; the sector headquarters management would continue fast tracking repairs of trucks since this could not be left to Sub-County Environment Officers.

4. Acquisition of additional fleet capacity; he stated that in the current financial year, the sector had requested for acquisition of an assortment of trucks and equipment. Madam Speaker.

Hon. Speaker: Hon. Waithera.

Hon. Ester Waithera: Thank you Madam Speaker. I have two things to say. It is true that I met the CEC for Environment. However, the first part of implementation was done and then two weeks later it stalled. Nothing has happened and I do not know whether to say that I am satisfied because on one part I am satisfied and on the other side I am not. There is still a lot of garbage lying in my Ward and I don't know how we are going to approach garbage in my Ward. I seek for your guidance Madam Speaker.

Hon. Speaker: Hon. David, are you on a Point of Order? Proceed on the same statement

Hon. David Okello: As per Standing Order number 141 Madam Speaker, I don't concur with the statement of the Chairman of Environment. This is because in my Ward we are having a serious problem on garbage collection which will see my people demonstrate tomorrow. Deep inside the estates of Huruma Ward, garbage has blocked the roads thus making it hard for the residents to pass through that road. I wish that the Chairman could tell us when they intend to collect the garbage. Is it tomorrow? Or Saturday, next week or in the next two weeks as they always say? Madam Speaker, I want a response for this today before the end of session.

Hon. Speaker: Hon. Okello you are complementing your challenges on the same statement. Chair I hope that you are writing all these so that you pick all and give us an answer on how you will summarize the same and take it back to the CEC. I want to know whether Millicent is on the same issue of garbage. It should be within the statement.

Hon. Millicent Mugadi: Madam Speaker, I would like to advice the Chair a little bet because I am also posing the same problem and once we are facing the problem like garbage collection it comes along with so many challenges, rats and diseases.

So we would kindly wish the Chair to sort it out with the department that deals with the Environment, so that we can have our garbage collected because some of us, get into our pocket to pay garbage trucks to come and collect garbage for us which is very expensive and we have garbage trucks and people who have been appointed to do that job. Thank you.

Hon. Speaker: Hon Osman, are you on the same?

Hon. Osman Adow: Yes Madam Speaker, I am on the same, I think the Chairman talked about the future and the question was why the garbage was not being collected? I think I can be able to give the answer on that one, because all the people who have been contracted to collect garbage are in the corridors here chasing for payment and they their trucks are not collecting garbage. When are they going to be paid to that they can continue to collect the garbage? Thank you.

Hon. Speaker: Order! Hon. James, are you on the same within the statement?

Hon. James Kariuki: Madam Speaker, again on the garbage Collection this department needs to be more aggressive because the Ward I come from in Riruta you will find garbage dumped there and some of this roads are actually brought. It has become actually very expensive procedure for us as Members because I am actually organizing a cleanup exercise and I don't know where to take this garbage. We really need to know how first this can be done.

Hon. Speaker: Hon. Kennedy Oyugi, are you on the same?

Hon. Kennedy Oyugi: Madam Speaker, thank you for this opportunity you have given me to contribute towards the menace of garbage. Actually the issue of garbage Mr. Chairman is catting across Nairobi as a County, like in my Ward as my colleague has said that sometimes we usually go deeper into our pocket to supplement.

Now like from next week in Highrise actually garbage menace is not addressed, we are going to take all the garbage within the Ward and dump them on Mbagathi way, so that as a County the Executive can be able to understand the seriousness of the garbage menace. Therefore I agree with Hon. Waithera that serious measures must be taken as a matter of emergence. Thank you.

Hon. Speaker: Hon. Mellab On the same?

Hon. Mallab Lumalah: Thank You Madam Speaker, I would like to echo sentiment from Hon. Waithera, the issue of garbage as the way the MCA of Highrise has mentioned. I would also support that there is a problem in the entire Nairobi.

I would speak on behave of where I come from. We have now a new stage called Dandora, which I think in future we will no longer have an estate. Something just came up as a small hip of litter and it has expanded and even it has covered on the road and now we don't have a road. When the Government is going to spend so much to eradicate the litter and also make sure the road is back in good shape.

I am sorry I am not elected Member from that place but I have talked to one of my colleague from Kawangware Ward who is here. I understand very well how hard it is for him to make sure that the garbage is collected efficiently.

This garbage can pile until you think it is a building when you are from far and it is leaking and making the acidity part of it to flow on the road and affects the road given that it is now a rainy season. Sometimes with the issue of global warming we not know when it is going to rain or not. Most of the water

pipes in our area there have been there for a long time and this contaminates the water that we are using. The garbage issue is almost the same in every Ward.

What I am saying is that I would also like to add what the Committee has found out and the measures they would use. I would rather wish because I have realized there is a cartel of some youths who come up and say that this is our “*shimo*” meaning it is our place.

If it is not so hard we can sit down and say if this is your place how are we going to maintain it. But I am not giving in a solution am just commenting. This is because we tried that place called Dandora in Kawangware and we were told that this is our place. I would not know how people get those places because I initially used to see houses there which are no longer there and they were swallowed by the garbage.

Therefore, it is generally a County issue that we have to look into and make sure that Nairobi is clean and back where it is supposed to be. This will help us even stop the diseases that are spreading through health hazard places thank you Madam Speaker.

Hon. Speaker: Patricia and then I will leave the Chair to give us.....

Hon. Patricia Musili: Thank you Madam Speaker, mine is a quick one and I just wanted to know if we have a budget allocation within the Sectorial Committee of Environment on awareness of garbage disposal and so on and so forth. If yes, how is it been utilized, because we can talk about solution of immediate painkillers but we need to find a lasting solution on this and I would emphasize more on actually awareness and bring Nairobi back to glory. Actually what is our remedy because I understand our Ward offices are actually lacking basic equipment to even do the basic cleaning, what is the way forward? I would like some answers thank you.

Hon. Speaker: Hon. Mary Ariviza!

Hon. Mary Mwami: Thank you Madam Speaker, I am a Citizen of Nairobi and I have gone over the years and found our City instead of it becoming splendor, it is deteriorating because of this garbage collection.

One, the City center especially is contaminated and I think one of the issues we have to deal with as a County and I think it needs to be approached from many angles is the hawkers. The hawkers come and they are everywhere in the road and after they are through, we don't have a mechanism whereby the garbage is collected and at the same time. So probably we need to deal with the issue of hawkers especially in the City CBD.

Secondly, you have to walk on the road and they are all over so I think they are part of what is making especially our CBD untidy and dirty. At the same time it is also dangerous because most of the time when we are walking we have to walk on the road because of space.

So it is something that we actually need to look into all over us as leaders of the Nairobi County. That is what I just wanted to say because I have heard vey many friends, once they realize that I am a Member of this House, I have met about three people this week who have complained about the filth within the City CBD especially. Thank you Madam Speaker.

Hon. Speaker: Hon. Ayo!

Hon. David Ayoi: Thank you Madam Speaker, maybe just to echo what the Hon. Members have just been debating on, I would actually contribute regarding the same. I come from a place whereby, the issue of waste is becoming a menace. In fact, as the Hon. Member said some of us are forced to dig deep into our pocket so that these vehicles can come pick the waste from our places.

Recently I had a very big heap that had blocked the 56 route, you realize that not even the waste being hazardous to us, it is actually going cause a lot of diseases unto our people. There is a time I called one of the area representatives who is in charge of collecting the garbage and the moment these trucks come, they come when they are full so it takes time for them to get rid of this waste.

Therefore, this is an issue whereby we need a serious intervention and argent measures to ensure that people leave in a conducive, environment. With those few remarks, I beg to support by saying that we need to do something as far as the issue of garbage collection is concerned or else we will take the responsibilities ourselves. We know how well to do it and everybody will just come up to assist us because we will take the garbage and pour everywhere so that you guys can wake up and see that we are leaving in an Environment whereby we need your support thank you.

Hon. Speaker: Hon. James!

Hon. James Kariuki: Madam Speaker on the issue of garbage and refuse collection in Nairobi, it has always been a transfer of garbage from Kawangware to Dandora. On the way it keeps littering, from South B it litters all the way on Mombasa Road to wherever it is being taken to. In Developed countries and not all developed countries the waste is money. On the other hand, our hospitals here, the water companies have incinerators instead of diverting the tax payer money into buying trucks that will break along the way, why don't the Environment department go the modern way and incinerate the *takataka* and make it more useful.

The youth should collect the *takataka* and then separate what is usable and make it into good use. We collect paper bags and *sukumawiki* from Kawangware go through Route 56 where the Hon. Member is talking about, it will liter all the way. Why do we have to pay transporters to take the *takataka* instead of buying incinerators which are even more cheaper, will create employment and also give an instant solution to this menace because we cannot entertain *takataka* for year. It is going to happen within a week which is more environmental friendly. Thank you, Madam Speaker.

Hon. Speaker: Minority Leader.

Hon. Elias Okumu: Madam Speaker as much as you are discussing about this environment thing, it is very sensitive but we must know also note that Rome was not built in a day. Let us give these people like two months for them to--- because they will do it gradually they cannot do it in a day. It is too big; it is a very huge docket. So let us give them time to learn because right now I think the CEC in that department has been in the office for about three weeks. It is not enough for her to learn that department. The Chairman of the department also needs to do thorough induction again for him to know what you should answer on the floor of the House. So that you cannot just come here to say that you have a report and you did not table it on the floor. You need to go back for a thorough induction ---

(Loud consultations)

Let us just put it into rest this one because even the Governor is three months in the office plus the CEC's. Let us give them more time and we just do this gradually. Thank you.

Hon. Speaker: Minority Chief Whip

Hon. Peter Imwatok: Madam Speaker as much as the Minority Leader has a case in requesting us to give time to these officers, I'm so much deeply concerned because Nairobi has become worse than four months ago. Madam Speaker, I wish to bring to the attention of the Chair whom I respect so much, let him understand that Environment is not about water, it is not about how many days of rationing we have in a week, it is about lives of people. Madam Speaker, I was one of those people who were privileged yesterday during the swearing-in in Kasarani and vis-a-vis the Jacaranda events who managed to reach Jacaranda inside the Grounds. I was so much perturbed that more than 13 lorries of feaces were poured in Jacaranda Grounds, a place surrounded by residential houses where more than a 100,000 people live. These people yesterday could not eat. My take is that as the Chairman goes back to the sector---

Madam Speaker I want as the Chairman goes back to the sector to understand that Environment is about humanity and humanity must live in a serene place. So anyone, in fact the Chair of Environment must take seriously and investigate who is this person who drove 13 trucks of feaces and brought into the grounds. However much we have insecurity issues but dropping feaces into where these people are living is uncalled for Madam Speaker. Therefore the Chair of Environment you have to up your game and make sure we know in this House and personally I am doing a Motion compelling the County government to give us who and why he did this. Thank you Madam Speaker.

(Applause)

Hon. Peter Warutere: I was rising on a Point of Order Madam Speaker.

Hon. Speaker: And you know why I rejected it is because we were dealing with a statement within a statement but I am giving you the floor. These are-things we are going to learn.

Hon. Peter Warutere: I am seeking your indulgence on a very important matter Madam Speaker. I thought we have gone overboard because what we are doing as a House is a situation that emanated from a single statement that has been deliberated to a point like it is almost becoming a Motion. This is a sticky matter, it is weighty, we must all agree and I think the best thing to do as a House is to allow a Member to bring a substantial Motion. So that we can deliberate on this matter completely and because all 85 Wards are similar and the issue of garbage is weighty and I don't think it is---

Hon. Speaker: We have a Point of Order, now I am waiting for what was not right---

Hon. Peter Warutere: My Point of Order was, I thought we were discussing a statement and then for a Hon. Member to discuss the issue of Jacaranda on a matter that is not relevant to what we are discussing then I think the Hon. Minority Whip is completely misleading this House. This is a House of rules and procedures. We are discussing this weighty matter, the issue of Jacaranda does not even relate. I think it is in bad taste for him to bring the issue of Jacaranda.

Hon. Speaker: Order! He is on a Point of Order you cannot bring another Point of Order. No. There is no emergency, the rules are very clear. Hon. Members I think the Minority Whip did his part on that statement and I think he was very clear. He took it exactly on the issues of environment. So it is garbage which is at Jacaranda and we will see how we will remove the garbage. But at the same time this is how we

debate in parliament. Hon. Member, a statement is not just brought in the House and read and withdrawn. Nairobians will never understand what that statement was saying. That is why not just here, in all parliaments world over a statement can even generate to a Bill in the end. So it is given time for it, it has its time as long as we don't go beyond the time. A statement can even be discussed for two hours, you need to go and I will give you an example of friends in the Senate and then you listen to how they debate those statements and you will learn about this.

It is a learning process. I think we have learnt a lot that a statement can generate and deal with the issues that are affecting us. It is an issue Chair, I know it is not for you Chair it is for the CEC's to give you an opportunity to ensure you go back to the CEC and tell him the challenge is now not just for South B, but it is a challenge all over Nairobi. You can decide as a Committee of Environment to have your own one day meeting and call the CEC and the members so that when he is replying on that, he is able to explain or we can do a *kamukunji* and bring him here and then he explain everything and finishes. So it is up to the Committee whether you want to have it as a *kamukunji* since it is an issue affecting all the 85 Wards so that you can bring in some more answers especially relating to the owner of the statement who is the Member for South B, Hon. Waitera says that you collected garbage for one week and now since that time you have not been collecting. So we can go back with the same and ask him what really happened and from there you will decide and tell the Clerk whether you want it to be a *kamukunji* on the same.

Thank you very much. Hon. Whips, I am hoping tomorrow we can also finalize with the list of committees and everything, so that we can close that chapter completely.

(Applause)

The Selection Committee it is only that the Whips are the ones who are...but I know it is the Selection Committee to finalize so that we completely finalize anything called committees and all that then we move on.

Hon. Elias Okumu: Madam Speaker I think the names are ready but it is not going to be possible to go because the names must go through the Selection Committee. So the Selection Committee must sit tomorrow then thereafter I think the list will be ready latest by Tuesday next week.

Hon. Speaker: Okay. And also the Loans Committee?

Hon. Elias Okumu: Yah. That is Loans Committee.

Hon. Speaker: All of them?

Hon. Elias Okumu: Yah.

Hon. Speaker: But I hope the Minority Leader you will realize that we are really being pushed by the Members and I will really request if the Selection Committee can sit tomorrow in the morning, go through it, you can leave the ones for committees but we can do the ones for Loans Committee.

Hon. Elias Okumu: Let me liaise with the Majority Leader, Abdi Hassan and then we can convene the meeting for the Loans Committee tomorrow.

Hon. Speaker: Thank you.

ADJOURNMENT

Hon. Speaker: Hon. Members, we come to the end of this session. We adjourn to tomorrow Thursday 30th November at 2.30 p.m. and the House Business Committee will be meeting after this. Thank you.

(The House rose at 3.49 p.m.)