



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Third Session

Tuesday 9th April 2019

The House met at 2.30 p.m.

[Hon. Deputy Speaker (Mr John Nyumu) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Serjeant-at-Arms, there is no quorum, ring the bell for ten minutes.

(Quorum bell was rang)

Clerk, proceed, we have the quorum.

COMMUNICATION FROM THE CHAIR

APOLOGY FROM HON. MARY ARIVIZA

Hon. Deputy Speaker: Hon. Members, we have Hon. Mary Ariviza in this House. You all know that Hon. Ariviza had a punishment, and before we allow her to sit with us, the condition was that she must apologize to the House so that we can proceed with the other businesses.

Hon. Ariviza, please proceed to the bar and apologize.

Hon. Mary Mwami: Good afternoon, Hon. Members? Good afternoon, Mr. Speaker? It has been a long time and I have really missed all of you and was looking forward to be with you. I apologize. Thank you very much.

(Applause)

Hon. Deputy Speaker: Hon. Ariviza, you are now accepted to the House. You may take your position.
Thank you.

PETITION

Hon. Deputy Speaker: Is Hon. Karani present? He is absent, Clerk, proceed.

STATEMENTS

Hon. Deputy Speaker: Chairperson of Legal Committee. Before you proceed, Hon. Adow, were you called by the Committee?

Hon. Jayendra Malde: Yes, he was called to the Committee.

Hon. Deputy Speaker: Hon. Adow, confirm.

Hon. Osman Adow: Yes, Mr. Speaker.

Hon. Deputy Speaker: Thank you, you may sit now.

RESPONSE TO A STATEMENT REGARDING CORRUPTION AND IMPROPRIETY BY OFFICERS OF THE
COUNTY INSPECTORATE DEPARTMENT

Hon. Jayendra Malde: Hon. Speaker, on 14th March 2019, Hon. Osman, MCA, rose on the floor of the Assembly pursuant to Standing Order 45 (2) (c) and requested for a statement from the Chairperson of Sectoral Committee on Justice and Legal Affairs regarding corruption and impropriety by officers of the County Inspectorate Department.

Hon. Speaker, the officers of the Inspectorate department who operates in Eastleigh often make habitual arrests, for instance frequent arrests of milk hawkers and demand exorbitant bribes by the said officers. According to the member, recently a group of milk hawkers were arrested on 7th February 2019. Some were presented before the City court and issued with punitive fines as high as Kshs.60,000. But despite paying the fines, the hawkers were still forced by Inspectorate officers to part with Kshs.2,000 each to secure their release from custody. Others were neither presented before court nor informed of the offence for which they had been arrested but were forced to part with hefty bribes for their release.

The member further asked the Chairperson to inquire into and report on;

- i. Record of arrests and prosecutions relating to hawkers in Eastleigh?
- ii. Procedures under the law used by the County officers when prosecuting individuals
- iii. Measures put in place by the County Executive to safeguard the rights of hawkers and other such traders who find themselves at the mercy of the County officers

Hon. Speaker, the Committee wrote to the County Executive Committee Member responsible for Security and Compliance on 20th March, 2019 inviting him to a meeting of the Committee that was held on 27th March, 2019. The purpose of the meeting was to enable the Chief Officer to furnish the Committee with response of the statement requested by the member.

In this regard, Hon. Speaker, I wish to report to the Assembly as follows;

Record of arrests and prosecutions relating to hawkers in Eastleigh and procedures under the law used by the County officers when prosecuting individuals

Hon. Speaker, the Committee was informed that a group of milk hawkers were arrested on 27th February 2019 and actual number arrested were four, namely; Said Abdullahi Hammad, Habiba Walu

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Muhammad, Daabu Muhammad, and Welisi Abdi. They were all arrested selling camel milk on estates. Copies of the charges and copies of court register are attached.

Measures put in place by the County Executive to safeguard the rights of hawkers and other such traders who find themselves at the mercy of the County officers

Hon. Speaker, the Committee was informed that it is within the mandate of the Security and Compliance Department to enforce County Laws and Acts of Parliament. This enables the department to ensure law and order is maintained.

In addition, Mr. Speaker, the committee was further informed that measures put in place by the County Executive to safeguard the rights of hawkers and other such traders are;

- a. Right of information depending on the subject matter and legitimacy of trading space. This is clear on designated areas of doing business and the kind of business.
- b. The sensitivity of the merchandise or the product. In this regard, the product in question is camel milk which was rampantly being hawked along the streets without observing proper hygiene. Public participation was carried out along Eastleigh 4th Street to all milk vendors notifying them to vacate

Mr. Speaker, the Committee was further informed that the milk vendors defied to vacate, and the County, let by the technical officers from Public Health carried out an operation jointly with the City Inspectorate Enforcement team from Kamukunji Sub County on the aforementioned date. Four people were arrested and arraigned in court and fined Kshs.60,000 each.

Measures put in place by the County Executive to curb such practices in the County.

Mr. Speaker, the Committee was informed that the allegation of extortion and bribery collection from milk vendors is subject to investigation and appropriate action will be taken.

That those found culpable will face court of law.

That any officer implicated with corruption will bear the burden individually.

That the department has continued to sensitize commanders regarding the vice, which equally trickles down to the junior officers within their jurisdiction.

That every officer in the department was issued with a code of conduct and regulations in the work place.

Hon. Speaker, Hon. Osman Adow was satisfied with the response. A copy of the detailed response was given to Hon. Osman Adow, and a further copy, is hereby attached to this report.

Hon. Speaker, I beg to lay this response. Thank you.

Hon. Deputy Speaker: Hon. Adow, are you comfortable with the response?

Hon. Osman Adow: Thank you, Mr. Speaker, I am satisfied with the response. However, I would like to point that when people are arrested and are in County vehicles, they should be treated as our guests and not harassed the way they are being harassed currently. It is inhuman.

The other issue that came up was that the punishment did not fit the crime. This was excessive. I am happy with the Committee that they have taken amongst themselves that they will take responsibility and do more investigations and bring changes to the department so that arrests and prosecutions are in line with the new Constitution. Thank you.

Hon. Deputy Speaker: Hon. Warutere. Is Hon. Samora around? He is not in. Let us give him time.

Hon. Peter Warutere: Hon. Speaker, I am alluding to what the Deputy Whip is saying. We had agreed that we have to dispense off with all statements. Hon. Samora came to our Committee, he agreed with the response and the best we can do is to dispense off with this response. In case he will have any other issue, he will come.

Hon. Deputy Speaker: Okay, proceed.

RESPONSE TO A STATEMENT REGARDING STALLED CONSTRUCTION OF MAJI MAZURI HEALTH CENTRE

Hon. Peter Warutere: Mr. Speaker, on 26th March 2019, Hon. Samora Mwaura, MCA rose on the floor of the Assembly pursuant to Standing Order 45 (2) (c) and requested the Chairperson of the Sectoral Committee on Health Services for a Statement regarding the stalled construction of public health facilities in Nairobi County for instance, Maji Mazuri Health Centre.

In the Statement, the Member requested that the Chairperson should inquire into and report on;

- i. When the construction of Maji Mazuri Health Centre will be completed;
- ii. Plans put in place by the County Government to equip the hospital with drugs and medical equipment; and
- iii. Measures put in place by the County Government to ensure contractors are paid in time to avert such delays going forward.

Mr. Speaker, the Committee wrote to the County Executive Committee Member responsible for Health Services on 28th March 2019 inviting him to a meeting of the Committee on Tuesday 2nd April 2019. The purpose of the meeting was to enable the CEC Member to furnish the Committee with the response to the Statement requested by the Member.

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

When the construction of Maji Mazuri Health Centre will be completed

Mr. Speaker, the Committee was informed that the project commenced in the FY 2015/16 and is referred to as 'Proposed Clay City Health Centre' with the objective of providing accessible health care and maternity services to the people of Maji Mazuri and its environs. It is a one storey building located at Maji Mazuri area, Clay City ward, Kasarani Constituency.

The project was awarded to M/S MARIO BUILDERS P.O. BOX 26227- 00100 NAIROBI on 18th November, 2016 Tender No. NCC/HEALTH/RT/296/2015-16 contract sum total of Ksh. 15,029,029.60. The project commenced after possession of site with expected completion date being 15th April, 2017. The first payment voucher of Ksh. 8,264,164 was raised on 30th March, 2017 however, after tax deductions the final computed figure was Ksh. 7,601,607. The certificate was submitted to committee of pending bills and after scrutiny and verification it is now at Internet Banking.

On the enquiry about when the health facility will be completed; the project is at 60% with the remaining major works being wiring, tiling and painting. The contractor is committed to complete within one month upon payment of Ksh. 7,601,607

Plans put in place by the County Government to equip the hospital with drugs and medical equipment

The plans put in place to equip the facility with drugs and medical equipment is that this will be factored in the budget for FY 2019/20.

Measures the County Executive has put in place to ensure that all health facilities operating in the County are licensed/ registered

Mr. Speaker, the Committee was informed that Measures have been put in place by the County Government to ensure contractors are paid in time to avert such delays going forward. The County is committed to undertake projects that are within the budgetary allocation and adhere to Public Procurement and Asset Disposal Act and PFM Act 2012.

Mr. Speaker, Hon. Samora Mwaura was satisfied with the response given by the County Executive Officers from the Health Sector.

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

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

Hon. Deputy Speaker: Chairperson, Health, proceed. Is Hon. Ngesa here?

Hon. Peter Warutere: Thank you Ho. Speaker. I want to respond to a statement requested by Hon. Francis Ngesa, Member from Dandora. Mr. Speaker, on 19th February, 2019, Hon. Francis Ngesa, MCA rose on the floor of the Assembly pursuant to Standing Order 45 (2) (c) and requested the Chairperson of the Sectoral Committee on Health Services for a Statement regarding the alleged operations of illegal clinics in the County specifically the recent case of the late human rights activist Caroline Mwatha who allegedly passed on due to botched abortion in a reportedly unregistered clinic in Dandora, i.e New Njiru Clinic in Dadora Ward

In the Statement, the Member requested that the Chairperson should inquire into and report on;

- i. Why the County Government has allowed unlicensed/ unregistered clinics i.e New Njiru Clinic to operate in the County;
- ii. A list of all licensed clinics in the County; and
- iii. What measures the County Executive has put in place to ensure that all health facilities operating in the County are licensed/ registered.

Mr. Speaker, the Committee wrote to the County Executive Committee Member responsible for Health Services on 26th March 2019 inviting him to a meeting of the Committee on Tuesday 2nd April 2019.

The purpose of the meeting was to enable the CEC Member to furnish the Committee with the response to the Statement requested by the Member.

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

Why the County Government has allowed unlicensed/ unregistered clinics i.e New Njiru Clinic to operate in the County

Mr. Speaker, the Committee was informed that the role of the County is to do inspections of health facilities upon request from the proprietor who must be accredited to operate a Medical Institution by the respective regulatory boards and must have a valid practicing license. Inspection of Medical Institutions is done once for the purpose of registration.

The regulatory boards include Kenya Medical Practitioners and Dentist board, Nursing Council, Clinical Officers' Council, Laboratory Board, Radiation Board, Pharmacy and Poisons Board. The regulatory boards are expected to ensure compliance of the personnel as per their various regulations.

Standalone pharmacies, Laboratory and Radiology services are not regulated directly from the Kenya Medical Practitioners and Dentist Board. Inspection of the said facilities and licensure are conducted directly by their respective boards.

On the status of New Njiru Clinic

The facility is located off John Osogo road in Dandora Phase IV between residential houses. The Proprietor of the facility has never applied for inspection and licensure of the facility. The facility was repainted and has remained closed since 9/2/2019.

A list of all licensed clinics in the County

Mr. Speaker, the Committee was informed that there are 1079 licensed health facilities in the County as at 29th March, 2019. A list of the health facilities is hereby attached.

Measures the County Executive has put in place to ensure that all health facilities operating in the County are licensed/ registered

Mr. Speaker, the Committee was informed that;

1. Nairobi County in collaboration with all the regulatory boards and Councils conducted a crackdown on Health facilities between 5th- 7th December, 2018 where inspections were jointly conducted and over 147 facilities inspected. Facilities that did not comply with Health requirements were closed down.
2. The County in collaboration with the Ministry of Health and all the regulatory Boards and Council trained five (5) Health Inspectors. The Officers are in the Process of being gazetted as Joint Health Inspectors and will be mandated to inspect all facilities to enhance Patients safety and care.
3. The Public Health Officers are currently on the ground verifying the facilities without valid licenses (using updated list) and taking corrective measures in terms of compliance.

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

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

Hon. Deputy Speaker: Hon. Ngesa, are you comfortable with the response?

Hon. Francis Ngesa: Thank you, Mr. Speaker. It is worrying from where you sit you can also attest to what the Chairman is saying. Out of 27 Health Centers in my Ward, only three are licensed, including the one that has operated for over 10 years. Therefore, Hon. Speaker, I am not satisfied. Thank you.

(Point of order)

Hon. Peter Imwatok: Hon. Speaker, allow me to delve on this because my member has raised a very important issue. We cannot take it on face value that the Chair of Health Committee has tabled a report. I remember very well that *Mheshimiwa* Oti Frank wrote this statement because somebody had lost a life. The person who lost a life was an activist. If you are a political scientist, you are told in the 1980s after the pre-colonial period the activist was the only voice of reason among the personal rulers in Africa. The woman was

laid to rest and business is back to normal. It is also perturbing that there are only three clinics at the report in the entire Dandora Ward of a population of more than 100,000 residences is registered.

Hon. Speaker, I expected as the Chairman rose to respond to this statement that out of 27 clinics that are not registered, the Executive has closed them, but as you can see they are still in operation. That gives me the reason to question the credibility of the Chair to present such a report before the representatives of people of Nairobi.

Hon. Speaker, if you are serious that we need to safeguard the lives of Nairobians, then the Chair of the Committee must be serious. Giving us tabulations without urgent and attainable precautions is not really adding value to the citizens of Nairobi. Those who have been appointed chairs to the committees should be serious with their jobs because this year it should not be business as usual. The Chair must be able to be investigative enough.

I sit in the Committee and the witness before the Committee that day was so irrational and to my surprise, the Chair was so protective to the witness but today he has never closed 27 clinics which are quacks in these respective wards. It is a shame and a fact.

(Loud Consultations)

Hon. Deputy Speaker: Hon. Warutere.

Hon. Peter Warutere: Hon. Speaker, as far as I know, this is a House of rules and procedures and for the senior member to categorically state here that it is work of the Chairman of Health Committee to close Clinics will be absurd, to say the least. We must draw the line between what is there for the Executive and what is there for this House. We only oversight and that is the furthest that I can go. I believe in his populist move because we understand him, he needs to guide this House well as Minority Chief Whip through facts that can be presented at any house and court. I do not think we need time for him to labour on issues that are not there. Talk of issues that are there and focus and I will appreciate.

Hon. Peter Imwatok: Medulla oblongata sometimes differs from one person to the other. Mr. Speaker, allow me to also question the credibility of the first class honours because it does not---

Hon. Deputy Speaker: Can you dwell on issues and not personalities.

Hon. Peter Imwatok: Hon. Speaker I want to put this, we want to deviate from reality. As we sit on this side as the opposition, we speak for the masses. What we are speaking about is the recommendation of the Committee of Health. It should be out of the statement that was asked by Hon. Franklin Otieno that we have recommended the closure of all other clinics that are not licensed. What has the Committee done beyond tabling the response? We lost somebody's wife who was a very prominent woman in the County. We cannot watch the Chairman coming with big English to tell us how things are normal and they are not. We are opening clinics on our daily bases, the Chair is telling us that the job of the County is only to inspect the clinics and give approval, and give licenses, which is not true. The Work of the County as it is in Article 96 of the Constitution is to protect its citizens. Let us be so categorical when a Member is saying he is standing on a point of order and he comes backs and says, "Chair, this is a house of rules and procedures" and he has not even followed the rules and procedures that is right.

(Hon. Member spoke off the record)

Hon. Deputy Speaker: Hon. Gathundo you are misleading the House.

Hon. Peter Imwatok: Hon. Speaker, you can see that we have a problem in this House, most of the members fear even to read the Standing Orders yet they have been in this House for more than 10 years.

Hon. Chair what we are saying as opposing side is we must work for Nairobians. If the Government side will not work for Nairobians, we will work for them. Thank you, Hon. Speaker.

(Loud Consultations)

Hon. Deputy Speaker: Can you wind up.

Hon. Charles Thuo: Thank you, Hon. Speaker. We are aware that we are in control of this Assembly and we have confidence in you and it is through your guidance that we are doing the work. Thank you so much that we have you. I am also confidently aware that you cannot be intimidated by cheap second class English that has been learned in the back streets.

Hon. Speaker, the Clinic in question is actually closed. I spoke to the health officers because it is in my Ward and it is in a constituency that I am going to be the next Member of Parliament. It is wrong and misleading and backward for someone to stand here and waste the time of the House asking for a clinic to be closed that has been already closed. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Hon. Warutere do you have anything?

Hon. Peter Warutere: Hon. Speaker, I usually have a problem with this particular Hon. Member. The clinic that was in question was Njiru Clinic and the Committee has tackled the issue that was in the reference point. The fact is that the clinic has been closed and that was the end of the story. The Hon. Member did not object on specific issues, how I wish he raised some specific issues that we could have addressed after the response.

Hon. Speaker, this is a process and we must all agree that we cannot wake up one day and give a response and close those clinics and sack the workers without a good reason. Basically what we are saying is this is a systematic issue. We dealt with the issues that were raised by the specific Member.

The Minority Whip who purports to be speaking on behalf of everyone else has his issues. I know we have had an issue with him in the morning that he is trying to settle vide this. He should be honest that we have satisfied the Members. But if he has any other underlying issues, we will address them at committee level. Thank you.

Hon. Deputy Speaker: Thank you, Hon. Warutere. Hon. Karani!

REQUEST TO A STATEMENT REGARDING COUNTY MEDICAL SCHEME

Hon. Patrick Karani: Thank you, Mr. Speaker. Pursuant to Standing Order 45(2) (c) I wish to request a statement from the chairperson Sectoral Committee on Labour and Social Services regarding medical scheme, it is alleged that the County Government and Public Procurement and Asset and Disposal Authority participated in irregular procurement practice.

The County Government staff and PPOA is alleged to have the County Government pay money to AAR insurance despite outcry bover allegation of illegal extension of contract by more than two times. The whole outcome of this is that members of staff have been subjected to unfair treatment given that scheme does not provide adequate cover.

Hon. Speaker, it is further alleged that upon expiry of the contract term---

(A member spoke off-record)

(Loud consultations)

Hon. Deputy Speaker: The Chairperson of the Committee shall report to the Assembly the committee's consideration of the statement request and whether the same was satisfactorily dispensed, with or if there are any challenges that require the Speaker to direct further or the Assembly resolves and unless the Speaker for the convenience of the Assembly directs otherwise a response to statement as tabled by the chairperson of a committee may not be debated. I so order.

Hon. Karani please proceed.

(Loud consultations)

Hon. Patrick Karani: Thank you, Mr. Speaker, I will proceed.

(Loud Consultations)

Hon. Deputy Speaker: Sit down! How many people are standing? As we have said this is a house of rules and regulations. I requested you to go back to the committee for further clarifications. Hon. Karani proceed.

Hon. Patrick Karani: Thank you Hon. Speaker. I will proceed. Further it is alleged that upon expiry of the extended contract for AAR the county advertised the bid for medical cover for the county staff. It has been found that Britam provided better terms than AAR who failed to win the bid. On realizing this the process was subsequently mired in controversy that led to the cancellation of the tender alleging that the advertisement did not factor in the newly recruited 1000 officers in the inspectorate department.

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

1. The total number of staff covered by the county government during 2017/18 and 2018/19 financial years
2. The medical scheme limit across various job groups and the number of staff in each job group
3. Premiums paid to the insurance company for each job group.
4. The staff clinical attendance schedule for the period between 1st July 2017 and 30th March 2019
5. The total cost of the scheme for the same period of time.

I beg to request.

Hon. Peter Wanyoike: Thank you Mr. Speaker. I wish to give this response two weeks after recess.

Hon. Patrick Karani: Its OK Mr. Speaker. On point of order 41(2) I will request you to allow me to read a public petition on behalf of residents of Utawala on proposed public land no. 1645/1619 up to 1622.

PETITION

Hon. Patrick Karani: Thank you Mr. Speaker. I am going to read a public petition pursuant to Standing Order 208 by residents of Utawala in Utawala ward on repossession of public land no. 1645/1619 up to 1622 within Nairobi City County.

We the undersigned citizens of Kenya who are residents of Utawala ward Embakasi East Sub County in Nairobi County draw the attention of the Nairobi County Assembly to the following:

Aware that Article 185 of the constitution vest the legislative authority and oversight of the county government in the county assembly; That Article 62 of the constitution mandates the county government to hold in trust public land on behalf of county residents; That the Kenya national land use policy 2017 recognizes the need for social development that take cognizance of provision of basic infrastructure and services; That whereas section 5 (a) of National Land Commission Act 2012 requires the commission to initiate investigation into present and historical land injustices and recommend appropriate redress;

That whereas section 116 of the county government Act 2012 imposes an obligation on the county government and its agencies to deliver services within designated areas of jurisdiction and section 117 (1)(a) provide that the county government shall give priority to basic needs of public to ensure that all members of public have access to basic services; That whereas Njiru Githunguri farm limited in 1996 own land no. 68459 and 16 prior to 1983 the company was desirous of subdividing these parcels of land so that to allocate the plots to its shareholders and sell the same to members of the public in consultation with the city council of Nairobi the company drew subdivision plan which was placed before the city council commission in charge of Nairobi city approval and it is mandatory that the plan be submitted to the local/ county government within whose jurisdiction the land falls for approval.

That erase in the meeting, the then Nairobi city commission on 1st July 1983 a subdivision plan of the company was approved with 13 conditions and these conditions contained in the then Nairobi city commission letter to the commissioner of land dated 21st July 1983. The said letter is the basis of this petition, its condition number 12 stated as reproduced here under.

This condition was that the land current rate in the deposit plan be reserved for public and be surrendered to the government free of cost. That whereas Njiru Githunguri farm 1966 limited went through the conditions set out in the letter and agreed to adhere to the cost the intended subdivision to proceed. That whereas the company allocated the plot arising from the subdivision original titles to its members who in turn wholly or partially shown the same to the petitioner hereunder and as a result several buildings and major developments came up in the area.

The petitioners are also registered voters and residents of the said area.

Mr. Speaker, the prayers of the petitioners is that:

1. The company fully complies with the conditional sub-divisions and approval;

2. That the company which is Njiru-Githunguri Farm 1966 Limited due cause to be surrendered to the government or the Nairobi City County the appropriate DD plan in respect to the public utility plots in issue herein;
3. If it is necessary; the company executes all appropriate papers to ensure that the said plots in the name of the Nairobi City County;
4. The Nairobi City County government in conjunction with the relevant organs and ourselves bring down all the illegal structures built on the said plot and put the rightful owner into physical position; and
5. The Nairobi City County government to secure the said plot and hold it in trust on behalf of the residents.

Your petitioners will ever pray. Presented by Hon. Patrick Karani, MCA Utawala Ward. I would like to lay.

Hon. Patrick Karani: To be forwarded to the Planning Committee for further action. Proceed, Clerk.

MOTION

MORE CAR PARKS TO BE ESTABLISHED IN OFF-STREET PARKING AND AREAS OUTSIDE THE CENTRAL BUSINESS DISTRICT

Hon. Jayendra Malde: Thank you Mr. Speaker. Hon. Speaker I beg to move the following motion; THAT, aware that Article 186 (1) of the Constitution of Kenya 2010 and Paragraph 5 of the Fourth Schedule of the Constitution provides for the functions and powers of County government on county transport including county roads, street lighting, public road transport, traffic and parking; further aware that the City has designated preferential parking zones and bus termini throughout the city with parking restrictions for each zone; noting that recent years have witnessed a mark increase in the number of vehicles in the County; concerned that there are limited number of parking slots across the County, making it difficult for motorists to get a slot especially during working hours; further concerned that some of the available parking slots are in a dilapidated state giving motorists options of using private parking services thus denying the County revenue; acknowledging that a good percentage of County revenue is from parking services, this Assembly urges the County Executive to establish more car parks in off-street parking and areas outside the Central Business District (CBD) build multi-story car parks in available county lanes and upgrade the existing ones to ease the pressure on the available spaces provided efficient parking services to motorist and boost revenue collection for the County.

Hon. Deputy Speaker: Who is the seconder of your motion?

Hon. Jayendra Malde: Hon. Speaker, I call upon Hon. Millicent Jagero to second the motion.

Hon. Millicent Jagero: Thank you Hon. Speaker. I rise to second this motion reason being that the designated parking areas that have been slotted are not enough for the public service vehicles. Even when the personal cars are parked there, we don't have enough space for parking. And the ones are in existence you find that some parking boys who man those parking areas and they end up harassing or threatening you that they are going to puncture your car if you refuse to co-operate with them. We need security in those areas more so in the backstreet whereby the motion is suggesting that more parking spaces be allocated. I stand to second.

(Question proposed)

Hon. Mbugua Kabiro: Thank you very much Mr. Speaker. I stand to support this noble motion from the only Indian in the House and I want to actually support it with the following facts. Mr. Speaker, Africa has vision 2060---

(Point of order)

Hon. Deputy Speaker: What is the point of order, Hon. Leah?

Hon. Leah Supuko: Mr. Speaker sir, this young man should not refer Hon. Malde as an Indian, he is a Kenyan by citizen. He should withdraw.

Hon. Deputy Speaker: Take note of that please in future.

Hon. Mbugua Kabiro: Thank you very much Mr. Speaker. I stand guided. He is the only Kenya Indian in the House sir.

Mr. Speaker sir, Africa has an agenda and a goal; which is Vision 2060, Kenya has Vision 2030. I want to believe that by the time we get to Vision 2030, there will be too many cars in this city if the public transport system will not have been done by then.

Mr. Speaker Vision 2030 is not far away, it is a few years to come, actually, two or three elections later. Cars are assets but they are also liabilities. They hamper travel as well as provide travel opportunities to the people who can. Parking in this city has been reduced to a privilege, is in only for the privileged few. People who can afford some small money to pay to the parking boys, people who can afford to pay to guards outside banks to guide their good cars; those are the people that parking is reserved for. The very few Kenyans, the rest of us go around buildings looking for parking slots without any success. This should come to an end, we should get to a point where parking is everywhere and to an extent that we can provide that parking bay as an open space, Mr. Speaker whereby, when I am doing some transactions in the bank, my small children can be playing football in those small parking slots which are there.

Mr. Speaker this is a good idea which should be implemented with speed. I stand to support this motion and urge that this is considered with great speed and that parking be developed with great speed. Thank you, Mr. Speaker.

Hon. Deputy Speaker: The mover?

Hon. Jayendra Malde: Hon. Speaker, investing in car parks offers an attractive investment, opportunities and comes with good return on investment. The returns can be optimized by exploring the innovative parking facilities and intelligent parking technology including the proper choice of location and brand positioning; parking can provide economic opportunities and generate positive revenue.

When dealt with properly, parking will form valuable economic assets of the county. Hon. Speaker, establishing more car parks in the off street parking areas outside the CBD, building multi-storey parkings in the available County lanes and upgrading the existing ones will ease the pressure on the available spaces reduces the wastage of time in search of parking slots, provide efficient parking, service to the motorists and boost revenue collection for the County.

Some of the specific aspects of making parking in Nairobi a nightmare include---

Hon. Deputy Speaker: Conclude, Hon. Malde.

Hon. Jayendra Malde: ... upgrading the existing ones will ease the pressure on the availability and reduce the wastage of time in parking slots, provide efficient parking services to motorists and boost revenue collection for the County. Some of the specific aspects that make parking in Nairobi a nightmare include;

Hon. Deputy Speaker: Conclude Hon. Malde

Hon. Jayendra Malde: Insecurity; the City County fees do not include insecurity fees and guys park at owner's risk. I beg to reply on the motion and register my gratitude to Hon. Millicent Jagero and Hon. Kabiro for supporting this motion. I support.

Hon. Deputy Speaker: Thank you.

(Question put and agreed to)

MOTION

Hon. Deputy Speaker: Hon. Ngengi

Hon. Daniel Ngengi: Thank you Hon. Speaker. I beg to move the following motion; that aware that article 29 of the Constitution of Kenya 2010 grants every citizen a right to freedom and security; further aware that paragraph 5 of part 2 of the fourth schedule of the constitution provides for street lighting as a function of the County Government. Noting that recent months have witnessed a marked increase in the number of insecurity incidences across the County and more so in Nairobi City County. Concerned that most of the streets in the County are in darkness due to lack of lighting which has contributed to an increase in crime in the County as evidenced by mugging and other violent crimes. Further concerned that some buildings have no adequate lighting as per the standard practice worldwide, noting that for the County to realize a 24 hour economy, security for business people and residents is indispensable. This Assembly urges the County Executive to formulate a policy to provide for installation of outdoor security lighting in all buildings, gates and streets in the County to be turned on by 7pm to 6am daily.

Hon. Speaker, cases of insecurity is no longer news in Nairobi County. Lack of lighting in most parts of the County has rendered residents very vulnerable to criminals. Further through that, lack of adequate lighting in most buildings in the County is past the standard practice worldwide which has already contributed to criminal activities in the County. Hon. Speaker, Kenya Power Company came up with the *mulika mwizi* concept which was aimed at lighting slums and urban areas. When you walk around the CBD and any other ward, you will notice shops that are not lit. This is a problem that we have and cannot have a 24 hour economy as a result. When there is insecurity then there is no peace and when there is no lighting those criminals invade. Most of the estates such as Imara Daima and Embakasi you find that their landlords are enjoying rent yet they have not put lighting at the gates. This is also evidenced in the gated communities. These consequences delay the growth of the County but with adequate lighting, this would drastically reduce the criminal activities across the County and enhance the 24 hour economy which we are craving as the capital city of Kenya. I call upon Hon. Emily Oduor to second the motion

Hon. Deputy Speaker: Hon. Emily Oduor, proceed.

Hon. Emily Oduor: Thank you Hon. Speaker. I stand to second the motion. As my colleague has said, we go through a lot of insecurities because of the dark alleys that we have both in the city and estates. If we have enough lighting then it will help the “mama Mboga”. Most of the people in the informal sector trade their wares at night and are forced to use candles or lantern lamps which are quite expensive especially considering their income. So if we have these areas lit then we will be giving them the opportunity so that they are able to take care of their families with the little income that they have. I would also wish to second this motion by saying that most of the streets in the CBD that lack lighting are used to mug people. I have been a victim and lost my handbag simply because the owner of the shop did not light his area or the street wasn't well lit. Thank you and I stand to second.

(Question proposed)

Hon. Deputy Speaker: Hon. Osman

Hon. Osman Adow: Mr. Speaker, I wish to invoke standing order 100 for the mover to reply

Hon. Deputy Speaker: Mover

Hon. Daniel Ngengi: Hon. Speaker, I believe that a few people had a lot of things to say about this motion but I will respect Hon. Adow. I wish to thank Hon. Emily Oduor for supporting me and also mention Hon Mofire, Hon. Warutere, Hon. Leah, Hon. Jagero, Hon. Malde and Hon. Matara for being in the House. Thank you Mr. Speaker and beg to reply

(Question put and agreed to)

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, having gone through the order paper today, we have come to the conclusion that this House stands adjourned to tomorrow, Wednesday, 10th April at 2:30 p.m. Members of the House Business Committee and liaison shall meet immediately after this. Thank you and God bless you.

The House rose at 4:19 p.m.