



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Fourth Session

Tuesday 10<sup>th</sup> November 2020

The House met at 9.30 a.m.

*[Hon. Temporary Deputy Speaker (Mr. John Kamangu) in the Chair]*

#### PRAYER

#### QUORUM

**Hon. Temporary Deputy Speaker:** Clerk, confirm whether we have a quorum.

*(The Hon. Temporary Deputy Speaker consulted the Clerk-at-The Table)*

I understand we have 72 Members so we have a quorum. Clerk proceed.

#### NOTICE OF MOTION

**Hon. Temporary Deputy Speaker:** Clerk, Hon. Moseiya is coming, just proceed [to the next order];we shall go back to it. Proceed!

#### BILL

##### *First Reading*

THE NAIROBI CITY COUNTY FINANCE BILL, 2020 (ASSEMBLY BILL NO. 7 OF 2020)

(A Bill for an Act of Nairobi City County Assembly to amend various County legislation relating to taxes, fees and charges for services and for other revenue sharing measures by the County Government and for matters incidental thereto)

**Hon. Temporary Deputy Speaker:** I invoke the Standing Order 41 (2). Hon. Moseiya please you are late. Can you please proceed with your Notice of Motion.

**NOTICES OF MOTION**

## DEVELOPMENT OF A POLICY OF ARTS AND TALENTS MANAGEMENT IN THE COUNTY

**Hon. Silvy Moseiya:** Apologies Mr. Speaker, I beg to give Notice to the following Motion. That, aware that Article 55 of the Constitution provides for the state to take measures, including affirmative action programmes to ensure that the youth have opportunities to associate, be represented and participate in political, social, economic and other spheres of life, access employment and are protected from harmful cultural practices and exploitation; further aware that Part Two of the Fourth Schedule to the Constitution provides for the functions of the County Government which include ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level; concerned that there is mass joblessness among bright and innovative youth with enormous talents in the County which is a drag on the economy as it forces unemployed adults to depend on small working class thus stretching family resources and savings for future investment; further concerned that the creative arts and talents sector is overlooked, under-appreciated window of opportunity for youth in the county where youth with talents can be invigorated to discover, unfurl and build up their capacities; noting that high expectations, disappointing employment and life prospects, and marginalization among young people fuels frustration and desperation and in response, some of these youths have turned to socially and legally unacceptable vices such as violence, substance abuse, commercial sex work and even suicide, which have negative repercussions on the young people themselves and contribute to growing security, moral and psychological instability in the society; further noting that in many developed countries creative arts such as films, music, dance, painting amongst others have proved to be well-paying and important sources of revenue and livelihood, this Assembly urges the County Executive to develop a policy to establish for development and management of arts and talents in the County. Thank you, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you, Hon. Moseiya. Clerk proceed!

**MOTION**

## ADOPTION OF REPORT ON THE INQUIRY INTO THE ALLEGED TRANSFER OF THE NAIROBI EARLY CHILDHOOD EDUCATION TRAINING CENTRE TO NAIROBI MILIMANI SECONDARY SCHOOL

**Hon. Temporary Deputy Speaker:** Hon. Moseiya!

**Hon. Silvy Moseiya:** Thank you again, Mr. Speaker, I beg to move the following Motion: That, this Assembly adopts the Report of the Sectoral Committee on Children, Early Childhood Education & Vocational Training on the inquiry into the alleged transfer of the Nairobi Early Childhood Education Training Centre to Nairobi Milimani Secondary School, laid on the table of the Assembly on Tuesday, 6<sup>th</sup> October 2020.

Hon. Speaker, on Thursday, 12<sup>th</sup> March 2020, Hon. Mary Ariviza Mwami, MCA, pursuant to the provisions of Standing Order 45 (2) (c) requested for a Statement from the Chairperson of the Sectoral Committee on Children, Early Childhood Education and Vocational Training regarding the handing over of Early Childhood Development Centre to Nairobi Milimani Secondary School.

Subsequently, the Committee received a letter from the Kenya County Government Workers Union, written to the County Executive Committee Member responsible for the Education, Youth, Sports, Gender & Social Services Sector, protesting and expressing their reservations on the alleged handing over of the Nairobi Early Childhood Education Training Centre to Milimani Secondary School by the County Executive Committee Member, which had left the workers of the Centre in a state of disarray.

Hon. Speaker, the Committee having considered the statement by the Member and received the letter from the Kenya County Government Workers Union on the matter and having resolved to pursue the matter it commenced its investigations by undertaking a site visit to the Nairobi Early Childhood Education Training Centre premises in 1<sup>st</sup> July 2020 to ascertain the status of the Institution. From the site visit, the Committee held meetings with County Executive Committee Member responsible for Education, Youth and Social Services and the Boards of Management of the Nairobi Early Childhood Education Training Centre; and the Nairobi Primary School respectively.

Hon. Speaker, the Committee invited the Board of Management of the Nairobi Milimani Secondary School to a meeting of the Committee on 15<sup>th</sup> July 2020 at 11.00 a.m. in the County Assembly precincts. However, the meeting did not take place as the Board requested for deferment of the meeting to a later date. The Committee having noted the request by the Board of Management of the Secondary School resolved for the Board to furnish it with a report on the allegations of the transfer to the Training Centre to the Secondary School. However, the Board did not respond to the Committee as requested.

Hon. Speaker, from the meetings with the County Executive Sector of Education, the Board of Management of the Nairobi Early Childhood Education Training Centre and the Board of Management of the Nairobi Primary School, the Committee found as follows: -

1. That the ownership of the Nairobi Early Childhood Education Training Centre and all its structures are under the County Government and the Nairobi Milimani Secondary School is temporarily hosted at the Training Centre awaiting relocation to its own plot;
2. That from the Minutes of the Board of Governors of the Secondary School held on 23<sup>rd</sup> May 1991, the School Management discussed on the development plans for the proposed new site, which was ready for development. From the documents, the site plan and drawing plan for development of the Secondary School were done by the then Department of City Planning and Architecture. The Department had also procured Survey Plan for the Nairobi Primary School for the sub-division to be undertaken and separate Titles be issued to the Institution;
3. That there was the letter from the City Education officer to the Provincial education officer appealing for the Secondary School to move to its allocated site just like others such as St. George's Girls and Hospital Hill High Schools which started in the Primary School but later constructed their own facilities;
4. That the request by the Secondary School Management to use the Teachers Training Centre kitchen facility was rejected by the then City Council Education department citing past experiences where there was frequent interference of the property by students;

5. That the Secondary School was to relocate to its own place to allow for the development of the Early Childhood Education Training Centre which was to be funded by the World Bank. However, the project was not undertaken due to a strained relationship between the Institutions;
6. That the Secondary School started as a mixed School. However, the School Management resolved to turn the School into a boys' Boarding School. In a letter dated 20<sup>th</sup> January 2017 from the then Nairobi Teachers Training Centre Administrator to the then Chief Officer for Education, the officer envisaged a situation where the Secondary may ensnare the Department of Education to surrender the entire Training Centre.

That in a consultative meeting held on 23<sup>rd</sup> January 2018 attended by the then County Executive Committee Member responsible for Education and representatives of the three Institutions, the following resolutions were made – some of them I will just highlight: -

- a) That the Secondary School should make use of the 7.97 acres allocated to it to build a proper facility instead of using the Training Centre;
- b) That there should be an evaluation of the School to assess whether it is conducive as a boarding facility; among others.

Hon. Speaker, From the submissions by the County Executive Sector of Education, the Board of Management of the Nairobi Early Childhood Education Training Centre and the Board of Management of the Nairobi Primary School; and the site visit held on 1<sup>st</sup> July 2020, the Committee recommends as follows:

1. That the County Executive Committee Member responsible for Education should unlock all the offices and toilets of the Training Centre within one week of the adoption of this report and ensure that the facilities are fully under the County Government and the Management of the Training Centre for use by the staff and the students of the Centre;
2. That the County Executive Committee Member responsible for Education should provide a 24-hour security to the Training Centre facilities;
3. That all the ongoing constructions and renovations at the Training Centre be stopped by the County Executive responsible for Education within fourteen (14) days after the adoption of this report;
4. That the County Executive in conjunction with the Nairobi Metropolitan Services and the National Government through the Ministry of Education should identify an alternative land to relocate the Nairobi Milimani Secondary School. This will reduce the exposure of the pupils from the students who the Primary School Management declared to be a threat to the boarding pupils. It will also allow the Training Centre to effectively perform its function and supplement the Primary School;
5. That a survey and demarcation of the land be done to determine the boundaries for the two Institutions (the Primary School and the Training College) and each Institution to have its own Title Deed; however, the two Institutions should remain symbiotic;
6. That County Executive Committee Member responsible for Education should allocate a budget for renovation, fencing and upgrading of the Training Centre which is in a dilapidated state;
7. That the County Executive Member responsible for Education should map the Training Centre appropriately on the County Government organogram to show where the Head and the Board of Management of the Centre reports to since the current structure is not clear;

8. That County Executive Member responsible for Education to provide the Training Centre with adequate resources for the implementation of the Centre Strategic Plan which will help in rebranding of the Centre and enable it to implement the competence-based curriculum;
9. That County Executive Member responsible for Education should prioritize rehabilitation and upgrading of the existing County Early Childhood Education Teacher Training Centres before initiating construction of new ones;
10. That the County Executive Member responsible for Education through the County Public Service Board should issue the appointment letters to the staff working at the Training Centre in month after the adoption of this report with the applicable and appropriate terms of service including developing of a scheme of service in line with their responsibilities and functions and the remittance of their Pension Scheme be updated; and
11. That the County Executive Member responsible for Education should recall back to the Training Centre all officers who were brusquely transferred within a month after the adoption of this report.

Hon. Speaker, the Committee has confidence that the implementation of these recommendations will go a long way in improving the status of the County Early Childhood Education Training Centres in the County in addition to revenue collection.

Hon. Speaker, I call upon Hon. Deputy Majority Leader to second the Motion.

**Hon. Peter Wanyoike:** Thank you, Mr. Speaker. I rise to second this motion and I want to congratulate the Committee of Education for coming up with this such a comprehensive report. I was going through the recommendations and if at all the Executive will implement all these recommendations we can improve our training centres. Mr. Speaker with that, I second the motion. Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Members on Zoom please raise your hand if you want to contribute.

**Hon. Mary Mwami:** Thank you Mr. Speaker sir for this great report that has been brought by the Committee of Education of which I am a member. I raised the issue and I am completely satisfied. When I raised the issue I was not in the committee but later on, I was seconded to the committee by my party. I want to thank the members of the Education Committee for they took it very seriously led by our former Chair. We visited the center and when Hon. Museiya took over as the Chair, she also took it very seriously. She is a former educationist and she knows what this means to our people and our county.

I am very happy about the recommendations and if they are implemented, this will save the school. I want to state here that the Milimani Secondary School has gone ahead and repainted the school, removed the logo of Nairobi Teacher's Centre and they have taken over the hall. We have recommended for 14 days but we would like if the CEC in charge can expedite this quickly so that they don't use impunity and erase anything that was for the Nairobi Teacher's Centre.

Another thing that I would like her to do along with this because she has already repainted the school, is that the secondary school should go ahead and paint the Nairobi Teacher's Centre the way it was at the very beginning. It should be taken into consideration, Mr Speaker, that when we called the Board of Governors for the school they did not come to our meeting. All the other stakeholders came but they did not and they have gone ahead with impunity to erase.

We want the County Government to take this seriously because that is the only center that we have for training our teachers, taking into consideration the Early Childhood Education section of the Government is the only one that is devolved. We must not lose because if we lose where to train our teachers, then we will not have teachers to teach our children in Nairobi. My cousin, who is now working with the County Government of Kakamega also trained at that center. So, it would be very bad for it to be erased. In the history, it should be noted that this center was the first one in the country. It was training people especially from counties that are adjacent to Nairobi like Kajiado, Machakos, Murang'a, and Kiambu.

When we were here with the principal of the school, he said that there has been good coexistence with the Nairobi Teachers Center and he had no problem. However, he had a lot of reservations. Just like what happened in Kyanguli and so on where students invaded dormitories of others and things were done that we don't want to repeat and which we would like to be erased from our history. Those boys have already harassed the ECDE teachers. What about our young boys and girls of up to 13 years who are in Nairobi Primary School and their dormitory is adjacent.

It is important for the County Government and the National Government to work together to make sure that the Milimani Secondary School is relocated to another site for the sake of the primary school because those boys have shown that they are unruly. When the ECDE Administration puts any papers on the wall, they tear them into pieces. What about if they go ahead and invade the adjacent dormitory? Nairobi Primary School is a national primary boarding school and it houses both our young boys and girls. I call upon for the implementation of this report expeditiously so that we don't sit on hot charcoal.

Finally, the principal of the early childhood center is supposed to have students coming in mid-November. They have already repainted the school and they have taken where they normally meet. This report should be done expeditiously, otherwise, we will be there on the media. We don't want to go in that direction. We have authority here which we want to be implemented so that we don't have to fight for our teachers to be taught. It is just in a weeks' time when the students are supposed to be there.

Thank you, Mr. Speaker. I appreciate for this wonderful time and the wonderful report.

**Hon. Temporary Deputy Speaker:** Anyone else who wants to contribute, kindly raise your hand. It seems there is no one. Mover, please reply.

**Hon. Silvy Moseiya:** Hon. Speaker, as I reply, I wish to give my gratitude to Hon. Mary Ariviza for bringing up the issue in her Statement that triggered this entire process. I also wish to thank my predecessor, Hon. Millicent Mugadi, she took a lot of her attention on this matter. She is still calling to make sure that we see through to the end of it.

Hon. Speaker, what we have is a situation like so many other County facilities. It is like a good Samaritan who is welcoming a stranger, the stranger, in turn, brings forth his children and his wives and they want to take over the facility. It is not peculiar to the training center at Milimani, although it has been deeply affected. It is also a situation we are seeing in several vocational training centers. Children's playgrounds in Nairobi County and other education facilities have been invaded. This will pose a big challenge because it is going to be a conflict of land. In law, sometimes you see people can acquire land through long stay in people's pieces of land.

I wish to thank the office of the Speaker and the Clerk for the logistical and technical support accorded to the Committee while conducting the site visits. My appreciation is also extended to the CECM officers who accompanied the Committee to the respective sites. I also thank this Committee. I was not a member by the time they were going through the entire process. I found them at the tail end, but I hope that at this tail end we shall be able to implement this report. Finally, I give my gratitude to this Assembly and the members who supported.

Mr. Speaker, maybe it is time we start thinking about having some Members in the House. Contribution via Zoom is not as it could have been physically. I beg to reply, thank you.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Temporary Deputy Speaker:** There being no any other business, the House adjourns till today afternoon at 2:30 p.m. Thank you and God bless you all.

**The House rose at 10:25 a.m.**