



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fifth Session

Thursday 22nd July 2021

The House met at 2.30 p.m.

[Hon. Temporary Deputy Speaker (Ms Immapet Kemunto) in the Chair]

PRAYERS

QUORUM

Hon. Temporary Deputy Speaker: Clerk, confirm if we have the quorum. Members on Zoom, please join.

(Clerk-at-the Table confirmed there was no quorum)

Sejeant-at-Arms, ring the bell for ten minutes. Hon. Mbutia, please go and dress well then come and join us.

(Quorum bell was rung for ten minutes)

Clerk, proceed!

NOTICES OF MOTION

Hon. Temporary Deputy Speaker: Hon. Millicent Jagero.

ESTABLISHMENT OF STRATEGIC WATER POINTS ACROSS THE COUNTY

Hon. Millicent Jagero: Hon. I beg to give notice of the following Motion:

THAT, aware that Article 43 (1) (d) of the Constitution of Kenya, 2010, states that every person has a right to a clean and safe water in adequate quantities; further aware that Paragraph 11 (b) of the Part Two of the Fourth Schedule to the Constitution stipulates that the County Government is to provide County public works and services, including water and sanitation services; concerned that most parts of the County, especially in informal settlements, lack clean, safe, sufficient and affordable water, which has led to introduction of untreated water supply businesses within the County; acknowledging that the Nairobi City Water and Sewerage Company has continuously rehabilitated various sources of its waters to ensure clean and adequate water supply; noting that the increasing population in the County implies increasing demand

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for basic amenities such as water supply; this Assembly urges the County Executive, in conjunction with the Nairobi Metropolitan Services, to establish strategic water points across the County to enable residents to have access to adequate, clean and safe water.

DEVELOPMENT OF PROGRAMMES AND TRAININGS FOR REHABILITATION AND REINTEGRATION OF EX-CONVICT YOUTH IN THE COUNTY

Hon. Millicent Jagero: Hon. Speaker I beg to give notice of the following Motion; THAT aware that Article 55 of the Constitution provides for the state to take measures including affirmative action programmes to ensure 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 ware that part two of the Fourth Schedule of the Constitution provides for the function of the County Government which includes 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, powers and participation in governance in the local level. Concerned that most youth who are ex-convicts face scorn, ridicule, discrimination and isolation by the society after their release, which makes their free life full of misery. Further concerned that such discrimination acts and isolation made by the society are the major cause for the repeat offences by the ex-convicts who get refined while in correctional centers. The frustrations push them to the extreme often pushing them back to crime. Noting that the County has the potential to provide employment opportunities through programmes and trainings for such youths from environmental and garbage management to art and sports sector if well leveraged. This Assembly urges the County Executive to develop programmes and trainings for rehabilitation and reintegration of ex-convict youth in the County. Thank you Madam Speaker. I beg to lay

STATEMENTS

REQUEST FOR STATEMENT REGARDING THE MANHANDLING OF HAWKERS BY THE CITY INSPECTORATE OFFICERS IN THE COUNTY

Hon. Temporary Deputy Speaker: Hon. Waithera Chege!

Hon. Waithera Chege: Thank you Madam Speaker. I rise pursuant to Standing Order number 45 (2)(c) and I wish to request for a Statement from the chairperson of the sectoral committee on Justice and Legal Affairs regarding the manhandling of hawkers by the City Inspectorate officers in the County.

Madam Speaker, the Constitution of Kenya 2010 grants the citizens of this Republic comprehensive rights and fundamental freedoms. However, there are increase in cases of arbitrary arrests, harassment and extortion of hawkers by City Inspectorate thus infringing on rights and fundamental freedoms of the citizens.

Madam Speaker, a few days ago, a hawker lost all his teeth after he was allegedly handcuffed and bitterly whipped with a metal rod by the County askaris before they exited the scene in a County registered vehicle.

Madam Speaker, in a modern civilized generation which we are in, such heinous actions by Government officers should not be entertained.

Madam Speaker, in the modern civilized generation we are in, such heinous actions by Government officers should not be entertained.

Madam Speaker, in this Statement, the Chairperson should inquire into and report on:

1. Action taken on the officers who did such heinous actions to the hawkers;
2. Whether an investigation into the conduct of the officers have been done, they should provide a report on the same; and
3. Measures the County Executive and the Nairobi Metropolitan services are taking to see the infamous ruthless handling of residents and traders by the City Inspectorate.

Madam Speaker, I would also wish that you invoke Standing Order No. 1 because it really gives you a lot of powers. As I wait for the answers to this question, I wish to remind you that in the year 2014, another hawker almost lost his eyesight, and in the year 2018, Mr. Rashid Mohammed also lost his teeth in this same city.

Therefore, Madam Speaker, I wish to request that even as I wait for this report, let us do whatever is necessary within the mandate and powers given by this Standing Order to allow - because Kenya has the highest number of unemployed young people in this Country. Let us do our best to protect these people. I know it is possible and you can be able to do it using that Standing Order No.1.

I would like to request and urge the Members of this County Assembly that let us do something to protect these hawkers. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Noted, Hon. Waithera Chege. This is a weighty matter and I hope the Chair of Legal [committee] will respond promptly. I hope he is around. Chair of Legal, Hon. Komu? Any other Member of Legal Committee? Yes, Deputy Majority Leader.

Hon. Peter Wanyoike: Thank you, Madam Speaker. Let me take up the matter and contact the Legal Committee and then report back after two weeks.

Hon. Temporary Deputy Speaker: Hon. Waithera, before you respond, to the Legal Committee, if it was your father or mother who has been injured, it requires money. Can you reduce the time so that we can help the society in one way or the other?

Hon. Peter Wanyoike: Thank you very much, Madam Speaker. Due to unavoidable circumstances, we have to write to the Executive and give them seven days to respond. I think it would be appropriate for us to give a response within ten days.

Hon. Waithera Chege: Thank you, Madam Speaker for coming to my aid. I think these are very straight-forward questions. I agree that we need to give them seven days, but I think it is possible to do this even below ten days. I agree with the ten days but I will appreciate if they get the answers below the ten days.

MOTION

REINTRODUCTION OF CHEQUES IN DISBURSEMENT OF BURSARY FUNDS

Hon. Temporary Deputy Speaker: I understand there is a Motion by Hon. Kennedy Oyugi but it has been deferred till Tuesday next week. Liaise with the House Business Committee so that it can be rescheduled.

(Motion deferred)

Hon. Members, I have one major concern before we finish the business of the day. Members who are joining us from Zoom, please dress up accordingly. Some of us are showing us their bare tummies and chests. We are not concerned about that, we are here to help mwananchi and implement laws that will be followed even after we have left this Assembly. Please style up, it is a disgrace.

ADJOURNMENT

Hon. Temporary Deputy Speaker: There being no other business, the House stands adjourned till next week Tuesday, 27th July 2021. Thank you.

The House rose at 3:00 p.m.