



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – First Session

Wednesday 23rd November 2022

The House met at 2.30 p.m.

[Hon. Temporary Deputy Speaker (Ms. Diana Mwangangi) in the Chair]

PRAYER

QUORUM

Hon. Temporary Deputy Speaker: Clerk, confirm the quorum.

(The Clerk-at-the-Table confirmed there was quorum)

There is quorum, we can proceed.

STATEMENTS

Hon. Temporary Deputy Speaker: Hon. Moses Ogeto.

BUSINESS APPEARING BEFORE THE ASSEMBLY FOR THE WEEK BEGINNING 23RD NOVEMBER 2022

Hon. Moses Ogeto: Thank you, Madam Speaker, first I want to give my sincere congratulations to you for having been selected at the Speaker's panel list.

Hon. Speaker, Pursuant to Standing Order 47 (2) (a), on behalf of the Assembly Business Committee, I rise to give the following Statement regarding the business appearing before the Assembly for the week beginning 23rd November 2022.

Hon. Speaker, the Assembly Business Committee met on Tuesday, 22nd November 2022 to locate the business for the week for consideration by this Assembly. In that regard, Hon. Speaker, allow me to brief the Assembly as follows, that:

- 1) Today, Wednesday, 23rd November 2022 under Order No. 8, this Assembly will consider the Motion by the Hon. Fathiya Mohammed, MCA, urging the County Public Service Board to urgently advertise, recruit and forward the names of the nominees for the County Policing

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- Authority, pursuant to Section 41 (1) (e) of the Police Service Act, 2011 for vetting and subsequent approval by the Assembly as a way of augmenting policing initiatives in the County.
- 2) Further, on Thursday, 24th November 2022, under Order No. 8, the Assembly shall be considering the Motion by the Hon Nasra Nanda, MCA, which seeks to resolve that, the County Executive issues a one month closure and subsequent relocation notice to all liquor outlets and pubs operating within the three hundred meters radius from any nursery, primary, secondary or other learning institutions for persons under the age of 18 years in the County; a similar one month notice to all supermarkets and other outlets stores to ensure restricted access to liquor section from persons under the age of 18; and revocation of liquor license for non-compliance business outfits at the end of the one month notice forthwith.
 - 3) Lastly, Hon. Speaker, on Tuesday, 28 November 2022, the Assembly will be considering the Motion by Hon. Waithera Chege, MCA, urging the County Executive to undertake the following measures towards the protection of the children in the County from socio-economic exploitation:
 - i. Issue a one-month public notice be issued to the general public on the removal of all the street children dwelling and purporting to engage in socio-economic activities in the County;
 - ii. Fast track the construction and equipping of Ruai Rehabilitation Centre,
 - iii. Apprehend and direct to Ruai Rehabilitation Centre any street children upon the expiry of one month's notice; and,
 - iv. Develops a County Street Children Exploitation Prevention Policy that will seek to deter street children exploitation and promotion of school enrollment forthwith.

Subsequently, Hon. Speaker, I urge Members of this Assembly to familiarize themselves with the aforementioned Motions and prepare accordingly for debate through the help of our Research department. Details of the Motions can be obtained in the Notice Paper, being the last page of the day's Order Paper.

Hon. Speaker, as the Majority Party Whip and designated Member for the conveyance of the allotted Business on behalf of the Assembly Business Committee pursuant to Standing Order No. 47 (2) (a), I shall be informing this Assembly every Wednesday during the Statement Hour on the allotted business for timely preparation.

Finally, Hon. Speaker, the Assembly Business Committee will again meet on Tuesday, 28 November 2022 at the rise of the Assembly to consider Business for the subsequent week and Members shall be informed accordingly.

Hon. Speaker, I now wish to lay the Statement on the Table of the House. Thank you.

GRATITUDE TO THE MEMBERS OF THE COUNTY ASSEMBLY

Hon. Peter Imwatak: Hon. Speaker, I rise to appreciate this House. The Standing Order allows either the Leader of the Majority, Minority or the Whips to stand on Statement Hour to give gratitude to the Members of the County Assembly or any other aspect that must be addressed to.

Honorable Members, I just want to arise and say thank you so much for the respect and the honour you have shown me as the leader of this House on my birthday yesterday, and more importantly, the birthday

of our Hon. Speaker. It is a great privilege to be respected and honoured by your colleagues. I want to convey that on behalf of the Speaker and to the entire House and to say congratulation on your nomination to the Speaker's panel. More so, you are holding our flag up there, you know what I mean. May God bless this House and bless you so much. Thank you so much.

(Applause)

REQUEST FOR STATEMENT REGARDING COLLECTION OF SOLID WASTE
BY THE NAIROBI CITY COUNTY TRUCKS IN LUCKY SUMMER WARD

Hon. Victor Ochola: Hon. Speaker, I have a request for a Statement. Pursuant to Standing Order 47(2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources regarding the collection of solid waste by the Nairobi City County trucks in Lucky Summer Ward.

Hon. Speaker, the provisions of Article 42 of the Constitution of Kenya, 2010 as read together with Section 5 of the Nairobi City County Solid Waste Management Act, 2015 and the National Solid Waste Management Regulations, 2006, guarantees every person a right to a clean and healthy environment

Hon. Speaker, in Lucky Summer Ward, there exists a site occupied by garbage, which rests right in the middle of residential houses subjecting residents to health risks. The site in question is not designated as a disposal point as it is a private land.

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

- i. Steps the County is taking to remove the said garbage and designate a waste collection point in the Ward; and
- ii. Measures the County Executive is taking to ensure that garbage collected at different points in the city are transported to the designated point in time.

Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: The Chairperson Health Committee. Is he in the House? Vice-Chairperson?

Hon. Kamau Fiunifiu: Thank you, Madam Speaker, we are going to respond to this Statement promptly.

Hon. Temporary Deputy Speaker: What do you mean by saying promptly?

Hon. Kamau Fiunifiu: Hon. Speaker, I have just said that we are going to respond to this Statement as the Committee of Environment and Natural Resources, promptly. We are not in the business of saying two weeks or three weeks.

Hon. Temporary Deputy Speaker: Hon. Malyun. I can see she just came in. Chairperson, Environment, Hon. Fiunifiu, can you be specific on the timeline because a promptly can mean many things.

Hon. Kamau Fiunifiu: Thank you, Hon Speaker, I give an undertaking that in the cause of the coming month, we are going to give a response to this Statement.

(Point of Order)

Hon. Temporary Deputy Speaker: What is your point of Order?

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Hon. Geophrey Majiwa: This is a House of rules and procedures and we are setting precedence here --- (*Spoke off record*) ---it is not even clear what answers you are going to give to your people and you are being told that in the course of coming week, they will respond. In course of coming week is not time, madam Speaker, we give definite answers here. If he has no capacity to answer, then let the next person answer the question.

Hon. Kamau Fiunifiu: What I mean by promptly is that we shall be punctual and we take---

Hon. Temporary Deputy Speaker: Hon. Fiunifiu, can you be specific with the timeline?

Hon. Kamau Fiunifiu: Hon. Speaker, in 21 days.

Hon. Temporary Deputy Speaker: Thank you. Hon. Malyun. Hon. Redson Otieno

Hon. Malyun Abdi: Madam Speaker, I think there is a bit of confusion, I have stood for the second time. I need to be given a chance.

Hon. Temporary Deputy Speaker: Apologies. You can proceed, Hon. Malyun.

REQUEST FOR STATEMENT REGARDING OPERATION, MANAGEMENT AND REHABILITATION
OF THE SEWERAGE SYSTEM AND SANITATION INFRASTRUCTURE

Hon. Malyun Abdi: Thank you, Madam Speaker and congratulation, it is not an easy task ahead. Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the operation, management and rehabilitation of the sewerage system and sanitation infrastructure across the County.

Hon. Speaker, Article 43 (b) of the Constitution of Kenya, 2010 provides every person the right to reasonable standards of sanitation. Nairobi residents are still facing challenges in accessing proper sanitation due to the dilapidated state of the sewer systems dated from pre-colonial time across the County.

Hon. Speaker, the poor state of management and operation of sanitation infrastructure within the County is alarming, as evidenced by thick sewage roves down to the water bodies and some roads especially in informal settlements choking with tonnes of all sorts of waste across the County.

Hon. Speaker, poor infrastructure and squalid living conditions are prevalent in informal settlements, and overcrowding has exacerbated the already hazardous health conditions.

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

- i. The operation and management of the sanitation infrastructure and sewerage system across the County; and
- ii. Measures the County Executive has put in place to rehabilitate and upgrade the existing sanitation infrastructure and sewerage system and ensure all households are connected to properly developed sewerage systems across the County.

Thank you, Hon. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Chairperson, Water.

Hon. Redson Onyango: Hon. Speaker, give us 14 days.

Hon. Temporary Deputy Speaker: Hon. Malyun, 14 days on that.

REQUEST FOR STATEMENT REGARDING CONSTRUCTION
OF A PUBLIC HEALTH CENTER IN LUCKY SUMMER WARD

Hon. Victor Ochola: Thank you, Madam Speaker. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the construction of a Public Health center in Lucky Summer Ward.

Hon. Speaker. Article 43 (1) (a) of the Constitution, 2010 entitles all Kenyans to the right to health care services, including reproductive health care. To guarantee this right, there is a need for easy access to health amenities with the requisite facilities. In Lucky Summer Ward, there aren't any public amenities with regard to the provision of health services hence the residents have to travel a long distance to access health services, specifically those that offer maternity and emergency ambulance services.

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

- i. A report on the status of health facilities in Lucky Summer Ward;
- ii. Whether the County Executive has set aside a budget for the construction of a health center in Lucky Summer Ward in this financial year; and
- iii. Measures the County Executive has put in place to ensure all residents of Nairobi get access to adequate health facilities in the County.

Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Chairperson, Health.

Hon. Maurice Onyango: Thank you, Madam Speaker. In 14 days, we will bring the report to the Assembly.

Hon. Temporary Deputy Speaker: Thank you. Now I proceed to the Statement by Hon. Redson Otieno. You may proceed.

REQUEST FOR STATEMENT REGARDING ALLEGED GRABBING OF PUBLIC LAND
BY KAMINDI SUPERMARKET IN DONHOLM

Hon. Redson Onyango: Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of Sectoral Committee on Lands, Planning and Housing regarding the alleged grabbing of public land by Kamindi Supermarket in Donholm, Upper Savannah Ward.

Hon. Speaker. Article 61 (1) of the Constitution of Kenya, 2010 presupposes that all land in Kenya belongs to the people of Kenya collectively as a nation, as communities and as individuals.

Hon. Speaker, public land in most of the wards is designated for use by the public, for instance building of schools, social halls and playgrounds. However, this has not been the case since some of the public land owned by the Nairobi City County Government has continuously been irregularly acquired by unscrupulous developers and converting them for personal use.

Hon. Speaker, Kamindi Supermarket have allegedly irregularly acquired a public piece of land that has been designated for public use by the residents of Upper Savanah.

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

- i. A report on the history of ownership of the said land; and
- ii. Plans the County Government has put in place to curb such incidences of irregular acquisition of public property in the County.

Thank you.

Hon. Temporary Deputy Speaker: Thank you, Hon. Redson. Chairperson, Lands and Planning?

Hon. Alvin Palapala: Thank you, Madam Speaker. As I always say, the only committee that has Members who have brains is the Planning Committee. I beg for two weeks.

Hon. Temporary Deputy Speaker: Mheshimiwa Redson, two weeks! There were those who were not in when I was reading. Hon. Joseph Ndungu, is he ready?

REQUEST FOR STATEMENT REGARDING NOISE POLLUTION
FROM CLUB PIPES IN CLAY CITY WARD

Hon. Joseph Ndung'u: Thank you, Madam Speaker. Pursuant to Standing Order 47(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Culture and Community Services regarding noise pollution from Club Pipes in Clay City Ward.

Hon. Speaker, Legal Notice No. 61 of 2009, the Environmental Management and Co-ordination (Noise and Excessive Vibrations Pollution Control) Regulations were enacted to regulate the prevention of noise and vibration pollution. The Regulations define noise pollution as the emission of uncontrolled noise that is likely to cause danger to human health and damage to the environment

Hon Speaker, the prevention of noise and vibration pollution is recognized as a component of a clean and healthy environment. With this in mind, when nightclubs are allowed to operate in a manner that causes excessive noise and vibration, that might lead to injury of the body and disruption of peace and comfort enjoyed by the residents. It is for this reason that there is a need to regulate the levels of noise and vibrations.

Hon. Speaker, there have been numerous complaints from the residents of Clay City Ward to the Nairobi County Environment Compliance and Enforcement officers and despite arrests and arraignment in court, the proprietors have refused to comply and continue to contravene the stipulated licensing conditions.

Hon. Speaker, the Nairobi City County Liquor Board recently revoked licenses from 43 clubs in Nairobi, this was a result of the incessant noise pollution.

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

- i. Whether the Nairobi City County Liquor Board issued an operating license to Club Pipes; and
- ii. A report on the measures the County Executive has put in place to ensure that clubs are not a nuisance in the residential buildings.

Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Joseph Ndung'u. Chairperson Culture!

(Point of Information)

Hon. Temporary Deputy Speaker: What is your point of information?

Hon. Silas Matara: In light with the Statement from the honorable Member, if I heard well, my point of information is, if the complaint is about noise pollution, that is a mandate squarely for the Environment Committee. Be informed, Hon. Chair.

Hon. Clarence Munga: Madam Speaker, if you allow me, if it is an issue of Liquor Licensing, that squarely touches on Culture and Community Services. Under liquor, we work closely with a team from the

Environment Department. So, the department of Environment will be well presented under Culture and Community Services. Therefore, can I respond Madam Speaker?

Hon. Temporary Deputy Speaker: Just a minute. I will make a ruling on that. Having looked at the Statement, it touches on two committees, the Environment and Culture. I will call upon the chairpersons of both Environment and Culture to respond regarding the timelines.

(Applause)

Hon. Clarence Munga: Thank you, Mr. Speaker, we will work hand in hand with the Environment Committee and we will bring the response to this House in three weeks.

Hon. Temporary Deputy Speaker: Chairperson Environment.

Hon. Silas Matara: Thank you, Hon. Speaker. I want to give a word of advice to the office of the Clerk. I think on a Statement; the Clerk should advise Members accordingly on which subject matter of a Statement should be referred to a specific committee. I had business in my Committee, which is overwhelming, and I will have to commit 14 days to deliver and looking at this matter, it may bring contradiction. But in the interest of our time, I concur with my fellow Chairperson of Culture that given two weeks, will be able to work---

Hon. Temporary Deputy Speaker: It is 21 days.

Hon. Silas Matara: I hope he has taken into account that we are going on recess, Hon. Chair.

Hon. Temporary Deputy Speaker: He has committed as the Chair.

Hon. Silas Matara: I also want to commit as a chair, Hon. Speaker.

(Laughter)

14 days is adequate from my end because the people of the area that Mheshimiwa is talking about, they cannot be allowed to suffer for more than three weeks. So, 14 days is adequate from my end, thank you.

Hon. Temporary Deputy Speaker: We will now proceed with the Order. Hon. Silas Matara, you had a Statement, please, proceed.

REQUEST FOR STATEMENT REGARDING SEVERAL BUILDINGS COLLAPSING IN NAIROBI COUNTY

Hon. Silas Matara: Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Urban Planning and Housing, regarding several buildings collapsing in Nairobi County.

Hon. Speaker, Nairobi County has greatly seen a sudden increase in construction of residential homes in parts of the City. However, some of the residential buildings begin to show signs of weakness, including visible cracks before being fully constructed.

Hon. Speaker, in the past few weeks, we have witnessed several buildings collapsing within the City. Most of the buildings are alleged to not having the requisite approvals and construction permits. For instance, in Kasarani area, a storey building collapsed killing at least three people and six other people rescued from the rubble.

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

- i. Measures the County Executive has put in place to ensure the buildings are constructed with approved construction permits;
- ii. Regularization measures the County Executive has put in place to ensure all buildings in the County are compliant with the County Government laws; and
- iii. Whether the County Executive has enough capacity to conduct environmental impact assessment in the County.

Thank you, Hon. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Chairperson Planning, proceed.

Hon. Alvin Palapala: Thank you, Madam Chair. 14 days is okay for us.

Hon. Temporary Deputy Speaker: Hon. Silas, you have heard him. Hon. Fiunifiu, do you have a Statement?

REQUEST FOR STATEMENT REGARDING OFFICERS SECONDED FROM
THE NATIONAL GOVERNMENT TO COUNTY EXECUTIVE SINCE 2013

Hon. Kamau Fiunifiu: Thank you, Hon. Speaker. I rise pursuant to Standing Order No. 47 (2) (c) to request for a Statement from the Chairperson of Sectoral Committee on Labour and Social Welfare regarding officers seconded from the National Government to County Executive since 2013.

Hon. Speaker, during the transition to devolved government period, a number of officers from the National Government were seconded to the Nairobi City County Government to assist the County Government in the delivery of services that are within its mandate. They were also to help in building capacity to the County Government for effective service delivery. However, it is alleged that until now, there are seconded National Government officers still working at the County Executive ostensibly because their services are still required at the County.

Further, Hon. Speaker, there are officers in the County Executive who were appointed in acting capacities and the six-month acting cap has been exceeded. This is in violation of the law that requires such officers to be confirmed in the respective positions. This has a direct effect on service delivery in the County for there are functions that officers in the acting positions cannot discharge.

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

- i. A list of officers who were seconded from the National Government to the County Executive and whether their continued working in the County is in violation of their terms and the Public Service Human Resource Policy;
- ii. Whether it is the intention of the County Executive to absorb the officers seconded from the National Government to the County Public Service or the said officers will be sent back to the parent MDAs at the National Government; and
- iii. Reasons why officers in acting positions have not resumed substantive positions or confirmed despite the lapse of the six-month period as envisaged in Government Human Resource Policy.

Hon. Temporary Deputy Speaker: Chairperson of Labour.

Hon. Member: Madam Speaker, I beg to be given 21 days.

REQUEST FOR STATEMENT REGARDING HABIT BY COMPANIES CUTTING DOWN
TREES WHILE UNDERTAKING CONSTRUCTION PROJECTS

Hon. Kamau Fiunifiu: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources regarding the persistent habit by companies contracted by the National and County Government of cutting down trees while undertaking construction projects within the County, more so, during the construction of the Nairobi Expressway.

Hon. Speaker, Article 42 of the Constitution of Kenya, 2010 guarantees the right to clean and healthy environment and requires the environment to be protected from present and future generations. Further Article 69---

(Point of Order)

Hon. Temporary Deputy Speaker: There is a point of order from the Minority Whip.

Hon. Mark Mugambi: He is the Vice Chair of Environment; hence he cannot rise to request for a statement from a Committee that he chairs.

Hon. Temporary Deputy Speaker: Hon. Fiunifiu, you are out of Order.

Hon. Kamau Fiunifiu: I was misled, Madam Speaker. Can I donate this to Hon. Majiwa?

Hon. Mark Mugambi: Madam Speaker, I think that the Environment Committee needs to be taken for induction.

Hon. Temporary Deputy Speaker: Thank you, Minority Whip. Hon. Fiunifiu, I concur with the Minority that you are indeed out of Order. If you are a member of the Committee, then you should not be requesting for a Statement from the House but at your Committee meetings. Handle it at that level.

(Applause)

(Statement withdrawn)

Hon. Temporary Deputy Speaker: Clerk, proceed.

MOTION

Hon. Temporary Deputy Speaker: Hon. Fathiya Mohammed.

CONSTITUTION OF THE COUNTY POLICING AUTHORITY

Hon. Fathiya Mohammed: Thank you, Madam Speaker. I beg to move the following Motion:

THAT, aware that Section 41 of the National Police Act, 2011 establishes the County Policing Authority for each county, comprising of: -

- a) the Governor or a member of the County Executive Committee appointed by the Governor, who shall be the chairperson;

- b) county representatives appointed by the Inspector-General, who shall comprise the heads of the National Police Service, the National Intelligence Service and the Directorate of Criminal Investigations at the county level;
- c) two elected members nominated by the County Assembly;
- d) the chairperson of the County Security Committee;
- e) at least six other members appointed by the Governor, from among the following categories of persons ordinarily resident in the county: -
 - (i) the business sector;
 - (ii) community based organizations;
 - (iii) women;
 - (iv) persons with special needs;
 - (v) religious organizations; and
 - (vi) the youth.

Acknowledging that Section 41 (3) of the same Act requires the aforementioned names once nominated to be vetted by a County Security Committee and subsequent approval by the County Assembly; appreciating the functions of the County Policing Authority as stipulated in Section 41(9) being inter-alia to develop proposals on priorities, objectives and targets for police performance in the County, monitor trends and patterns of crime in the county including those with a specific impact on women and children; promote community policing initiatives in the County; deeply concerned with the high rise of insecurity in the County and country at large such as broad day muggings, robberies and to some extent murder; now therefore, this Assembly urges the County Public Service Board to urgently advertise, recruit and forward the names of the nominees for the County Policing Authority, pursuant to Section 41 (1) (e) of the Police Service Act, 2011 for vetting and subsequent approval by the Assembly as a way of augmenting policing initiatives in the County.

Hon. Speaker, security is paramount to the success of any society. Worryingly, there has been a sharp rise in crime recently within the city as reported by thousands of Nairobi's on social media. Glaring cases of muggings, theft, robberies are the order of the day. Residents of Nairobi are tensed as they walk on the city streets and other surrounding suburbs. Phones, tablets, laptops and cash are considered to be the most desired items on the list of the armed criminals whose aggressions and violation mode of operation reflect the growing state of lawlessness. These criminal gangs often carry clubs, knives and guns no matter what time it is or how safe or unsafe the place is considered to be.

Hon. Speaker, we have seen people being mugged in broad daylight in Mombasa Road and across Kenyatta Avenue, places where such things never happened in the past. Usually, pedestrians, traders and motorists are the main targets of muggings and opportunist robberies. Of concern is the characteristic nature of these criminals who camouflage as motorcycle riders, boda boda taxis, and these enable them to undertake daring robberies in broad daylight and quickly escape in between traffic.

Hon. Speaker, according to a recently released security report, the police have marked several areas as crime hotspots, and these notorious spots include Drive-in Flyover up to KCA along Thika Road, KCA Underpass and Total exit along Thika Road, Globe Cinema Roundabout and Kipande Road, ABC Place and Kangemi along Waiyaki Way. Within CBD, the areas affected include Rive Road, National Archives area,

Kencom, Kirinyaga Road and around Fig Tree. Bus terminuses are targeted during rush hour. Further, there is a reported case of vehicle burglary in unmarked parking slots.

Hon. Speaker, notably, these crime cases range from the middle-income settlements to the CBD and affluent areas such as Kilimani and Karen. For instance, on October 31st 2022, a gang robbed three pedestrians of their phones and monies along Haile Selassie Avenue, as reported by K-24 Digital. Such crimes have become a menace and a threat to lives of many in this city.

Therefore, I urge this Assembly to pass this Motion as it will kick start the process of constituting the County Policing Authority as the key organ that will help secure our city.

Hon. Speaker, I call upon Hon. Matara to second the Motion.

Hon. Temporary Deputy Speaker: Hon. Matara.

Hon. Silas Matara: Thank you, Hon. Speaker for this opportunity. Congratulations are in order to my colleague, Hon. Fathiya from this well thought out and timely Motion. When you read the newspapers and listen to the news, you find that almost half of it is a security issue, both locally and internationally. This is a very serious issue and Hon. Palapala spoke about it yesterday. Through this authority that will be headed by our able Governor, they will ensure that they put it up and implementation of the same is realized. It should have come earlier but we are grateful that the honorable Member has been able to bring it before the House. The membership of the committee also includes Members of this House and business people, which I find inclusive. It is therefore my prayer and hope that the resolution of this House is acted upon with the urgency and importance that it deserves. With that, I beg to second the Motion.

(Question proposed)

Hon. Temporary Deputy Speaker: Hon. Robert Alai.

Hon. Robert Alai: I support this Motion. I believe that security wise, this County and country is far behind. I wish that this came in the previous assemblies. The country needs to be properly policed, and Nairobi being the headquarter of this country needs to lead on that. When you walk into a police station, then you realize that they have stagnated in the state that it was in 1960's. The city is fast developing but our security services have stagnated far much behind. The City Inspectorate and enforcement has remained in state that it should not be. I think that the County Policing Authority will be a welcome step in taking the security of this County seriously.

I wish that we can go deeper and address the root cause of insecurity in this city. Issues such as income inequalities, that is lack of opportunity for some while others have unending opportunities. If we address that, then it will be good. I hope that the people who are also positioning themselves to be part of the policing authority have not been the root cause of the recently witnessed insecurity in the County because the country can sometimes be interesting; people do something with an intention of getting themselves employment and business opportunities. With that rider, Hon. Speaker, I support this Motion. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Hon. Mark Mugambi, Minority Whip.

Hon. Mark Mugambi: Thank you, Hon. Speaker. I stand to support the Motion by Hon. Fathiya. It is a timely Motion, just as my brother, Hon. Alai has said. This should also overlap, not only to the security, but

also to our traffic officers. You can see a city like Mombasa, traffic is well organized due to the fact that they use their own traffic marshals to control the traffic within the city. I will also try and come up with a Motion independently on the same. It will be important that the Governor and Members of this Assembly be in a security committee for the county similar to the one for the National Government. We desperately need one for the County as soon as possible so that we don't have these cases coming up once the enforcement has been sent to the ground. It will lapse and then come back in the future. Having a security committee in place will tackle once and for all. With those few remarks, I beg to support.

Hon. Temporary Deputy Speaker: Thank you Hon. Mugambi. Lily Akoth Kidenda.

Hon. Lily Kidenda: Thank you, Madam Speaker. Allow me to congratulate you for the honor to be our Speaker and for the excellent job that you have done.

Hon. Temporary Deputy Speaker: Thank you.

Hon. Lily Kidenda: I stand to support and say that it is truly long overdue. I want to thank Hon. Fathiya for putting it concisely and outlining the things that we experience daily as people who live in Nairobi. I can say without fear of contradiction that none of us can say that they have not witnessed or been victims of this kind of hooliganism, mugging and others maimed. I pray that when this County Policing Authority is put together, it will have terms of references that will be measurable. If Nairobi is zoned appropriately and all things are put in place, then we should see in the shortest time possible some change. I would also like to add that our police posts are overwhelmed. Our security officers know most of these people, and I hope something will be put in place for them to be smoked out and we get to feel secure again.

For those of us who have lived in Nairobi long enough, Hon. Speaker, there were days we could walk around estates, but sadly, those days are long gone. It is my prayer that with this authority put in place, sanity and security can be brought back to our city. I beg to support.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Kidenda. [Hon]Peter Maina Mwangi.

Hon. Peter Mwangi: Thank you, Madam Speaker, I support the Motion. Nairobi is not just any city, in fact, we have stagnated for the last 50 years. This is the capital city of our beloved country, therefore, we need to have more than just security policing, we need a metropolitan police because as a city, there are criminals from the whole country. Nairobi is not just a city, the security of our people in the ground is paramount. Nairobi requires a metropolitan police because it is not just a county but a city. Thank you, Madam Speaker.

Hon. Nasra Nanda: Thank you, Madam Speaker. Good afternoon Members of this Assembly. First, I congratulate you, Madam Speaker, for being a Member of the Speaker's Panel and for being the youngest Member of this Assembly to have that opportunity. You are doing a good job, thank you.

Moving to the Motion, I would like to support this Motion by Hon. Fathiya since I believe ultimately we cannot have a green, dignified and a thriving Nairobi, if we do not have security.

Secondly, the rising insecurity has largely been tied to a few groups; one being the bodaboda riders. Not so long ago the Governor released the riders back to the city – which is good – however, we need to ensure that any bodaboda rider goes through an approval system so that the owner is recognized and

approved from a policing perspective by having a good conduct certificate. As they operate the bodaboda, they are easy to identify and also they are members of the society with a good standing with the law. This will help in reducing insecurity.

Thirdly, we should engage with our security heads so that we can understand what challenges they face. Whether it is capacity issues, salary, hostile environment, or cartels preventing them from doing their work, we need to do these things as Members in collaboration with the Executive. We need to listen to our security personnel so that we can work together for the benefit of our people.

With that said, I wish to congratulate Hon. Fathiya and honorable Members who have spoken for this Motion because security is the basis of every good thing that allows a county to thrive. With those few remarks, I beg to support this Motion. Thank you.

Hon. Chris Mutumishi: First, is to congratulate you, Madam Speaker, for the good work that you are doing and being nominated as the Speaker today.

Hon. Temporary Deputy Speaker: Thank you.

Hon. Chris Mutumishi: On the Motion, I would like first to congratulate Hon. Fathiya for bringing such a good Motion in the House. Security in Nairobi County is paramount. I support this Motion because this would create employment to our people. The right criteria should be used while employing people to work in this department.

Even as people are being employed in this department, let us have enough CCTVs in Nairobi County especially in areas which are highly populated. I support this Motion and I request Members who were in the previous Assembly to continue supporting us the new Members. Thank you very much.

Hon. Temporary Deputy Speaker: Hon. Emmey Isalambo.

Hon. Emmy Isalambo: Thank you so much, Madam Speaker. It is not easy to sit there, but we as women in this House will always support you. Most Members will agree with me that those in the matatu sector fear the County security officers than the police officers. If we employ these people, they will do a better job in the city like they do in the traffic sector.

If security is maintained in Nairobi being the capital city of Kenya, it will boost tourism. Other cities in the world like Paris, there is security. Tourists should not fear that their valuables like gold rings or chains will be stolen. Security officers in the city should work together with other stakeholders to boost security of Nairobi and visitors. With that, I support the Motion. Thank you, Hon. Fathiya, it is such a wonderful debate.

Hon. Temporary Deputy Speaker: Hon. Ogeto, the Majority Whip.

Hon. Moses Ogeto: Thank you, Madam Speaker. First, I want to sincerely congratulate Hon. Fathiya for bringing such a Motion. This is the best Assembly compared to the First and the Second assemblies, though the Second Assembly was more chaotic. I hope the Third Assembly will be among the best assemblies.

(Applause)

I believe going forward, there will be much peace and Hon. Lily Kidenda will continue praying for this House. I was in the First and the Second Assemblies and I want to tell Mheshimiwa Mutumishi, it was not easy. Members could say, you must go, and you wonder what you have done. That notwithstanding, I hope

this time round nobody will be told to go. If we do a mistake as the leadership, rectify us, we are ready to learn. Hon. Jeremiah Themendu can attest to the fact that the last Assembly was difficult. Hon. Matara, you can feel the ambience of an Assembly has started. In the last Assembly, there was a person who was leading this Assembly as if it is his own kiosk. We want Members to feel part and parcel of the Assembly.

Hon. Speaker, I stand here to support this Motion by Hon. Farthiya. One, when the police authority will be constituted, it will help in finding solutions to the local problems. In the Kenya National Human Rights Commission report, it was very specific on how this police authority will safeguard the counties. Nairobi County has its own unique security problems compared to the other counties. They found out that the only way we can solve the local problems is by ensuring that the members of the public who are going to be nominated by the County Public Service Board, will be able to address the problems that the youth are facing. This will create a favourable environment for the society.

Madam Speaker, the report also mentions the religious organizations. In any country all over the world, there are religious leaders who can pray for offenders for the prosperity of that county. There are also people with special needs and their needs will be catered for in this authority. As Hon. Alai has said, let us hope that the people who are going to serve in this authority will do so for the interests of the public. If they do not do that, then there is no need for Hon. Fathiya to bring this Motion here and be passed but nothing will be done.

Madam Speaker, as I conclude, I want to refer to the report of the KNHRC; security starts with us. We as honorable Members should ensure that the authority must guide the county as a whole because it has its own unique problems. With those few remarks, I beg to support this Motion. Thank you.

Hon. Temporary Deputy Speaker: Thank you, Majority Whip. Hon. Paul Kariuki.

Hon. Paul Kariuki: Thank you, Madam Speaker. I rise to support this Motion. However, I feel that we should not stop by adding more men on the streets, but we need to formulate or act on policies that were formulated before that were geared towards improving security in our city.

Madam Speaker, I had the privilege of walking along Haile Selassie Avenue this afternoon, there are many street families who are snatching things from the pedestrians and harassing them. There was a program by this County to build a rehabilitation center for street families, but it stalled. We should ensure that the rehabilitation center is completed so that the street families can go there to be rehabilitated, which will greatly improve security in our County. Thank you, I support.

Hon. Anthony Gathumbi: Ahsante sana kwa kunipa hii nafasi. Kwanza niseme kongole kwako, Bi Spika kwa kupata hiyo nafasi, Mwenyezi Mungu ameleta akili na urembo, kwa Kiingereza, wanasema *beauty and brains*.

Pia, nataka kusema kongole kwa Mheshimiwa Fathiya, ambaye ndiye mfadhili wa mswada huu. Vile Kiranja wa Walio Wengi alivyosema, bunge ambalo limepita, hakukuwa na miswada kama hii. Ni ukweli ya kwamba bunge la sasa liko na waheshimiwa wanofikiria, wanaoweza kuzungumza na wanaoweza kuwafunza wengine ingawaje ni wageni. Nasema ahsante sana.

Nikirejelea kwa mswada huu, ni mswada ambao una umuhimu mkubwa. Kama Mheshimiwa ambaye amechaguliwa kwa mara nyingi katika bunge, sikuwahi fikiria kwamba kuna mswada kama huu. Ndio maana

nasema wakati huu tumepata viongozi ambao wako na maono na ni viongozi akina mama. Akina mama wanatosha!

(Makofi)

Mwenzangu amezungumzia juu ya sera, sera itatengenezwa baada ya kuunda kamati hii ambayo itaangalia jinsi usalama wa Nairobi na Kenya kwa jumla inavyofanya kazi. Huu mswada umekuja wakati unaofaa, tumekuwa tukiongelelea kuhusu ukosefu wa usalama hasa hapa Nairobi ambapo watu wanapigwa *ngeta*, kunyongwa ovyo ovyo na kudungwa visu. Tunaona walinda usalama kama polisi wamelegea katika kazi yao. Mswada huu utakuja na sera na jinsi ya kuzuia mambo kama hayo na watajua ya kwamba kuna watu wanaangalia kazi yao.

Nashukuru Mheshimiwa Fathiya na kuunga mkono mswada huu. Ahsante sana.

Hon. Temporary Deputy Speaker: Thank you, Hon. Kimemia.

Hon. Simon Mugo: Congratulations, Hon. Speaker for the good work you are doing. I rise to support this Motion because recently we have witnessed crime patterns that are not good for our country, especially in Nairobi. This Motion will help us to have a team that can have a proposal on the priority areas which can be recommended to our national police to act on. It is timely. We need feedback from the public, and they need a conducive environment where they can volunteer information which can help us to formulate policies that will help us in curbing the crimes we have witnessed in the recent days.

I think it is long overdue because as a country, we are experiencing hard times. We have seen jokes in the social media that when you arrive at Archives [Kenya National Archives], you have first to shout so that these robbers can think that you have already been attacked. We do not want to see a county where people are joking with the security of the people. This is a good Motion and very timely. I beg to support. Thank you so much, Madam Speaker.

(Applause)

Hon. Jeremiah Themendu: Thank you Madam Speaker. Let me first congratulate you for the good job that you are doing. It is your first day but you are doing a great job. I congratulate Hon. Fathiya Mohamed for the good Motion. We discussed this yesterday and the able Hon. Majority Whip brought some issues. It is good that that I am here today, I can respond.

When we were campaigning, we had a slogan 'kazi ni kazi'. What our President meant was that, mama mbogas, mikokoteni pushers, vinyozi and other such kind of jobs can do their businesses, but not stealing. I would like to say, Hon. Speaker, that we are planning to plant more trees. Muggings and related crimes will reduce because they will be doing these jobs.

I support the Motion with the following reasons; in our County today, we have policemen in our 17 sub-counties but some are very lazy. They do not respond to alarms raised about muggers in some areas and they give reasons like, 'they do not have fuel', 'they do not have enough personnel' and some other reasons which are not binding.

Hon. Speaker, I support this because this will be in our 17 sub-counties and they shall be giving reports on hot spots where crimes are happening in our wards. I believe they shall move with speed and

make sure that the County is secure in the shortest possible time. We are heading to the festive season and many people will be leaving Nairobi to upcountry, so thieves will be all over. I support the Motion, thank you.

Hon. Temporary Deputy Speaker: Thank you, Hon. Thenendu. I now call upon the mover to reply.

Hon. Fathiya Mohammed: Hon. Speaker, I register my gratitude to the Members of this County Assembly for their support of this Motion. With those few remarks, I beg to reply.

(Question put and agreed to)

(Applause)

Hon. Temporary Deputy Speaker: A point of direction, as we adjourn, I would like to direct the Office of the Clerk to interrogate Statements before they come to this House to avoid confusions like what was witnessed today.

ADJOURNMENT

Hon. Temporary Deputy Speaker: There being no other business, the House adjourns to Thursday 24th November 2022 at 2.30 p.m.

The House rose at 4:16 p.m.