



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Second Session

Tuesday 18<sup>th</sup> July 2023

The House met at 2.30 p.m.

*[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]*

#### PRAYER

**Hon. Speaker:** Hon. Members, you may have your seats.

#### QUORUM

**Hon. Speaker:** The attention of the Chair has been drawn to lack of quorum. I direct the Serjeant-at-Arms to leave the door open as he rings the bell, as per Standing Order No. 37 (2) (b), for ten minutes. Thank you.

*(Quorum Bell was rung)*

Hon. Members, we are still lacking quorum, we need about seven members. I direct the Serjeant-at-Arms to ring the bell for a further five minutes.

*(Quorum Bell was rung)*

Hon. Members, the House is properly constituted, we may proceed.

#### COMMUNICATION FROM THE CHAIR

##### WELCOMING MEMBERS FROM SHORT RECESS

**Hon. Speaker:** Hon. Members, I have the following communication to convey in regards to the resumption from the short recess;

Good afternoon, Hon. Members. May I at the outset welcome you back from the deserved short recess in conviction that you had a fulfilling engagement with your constituents and families alike. Accordingly, the sitting is properly convened, the Assembly having adjourned on 7<sup>th</sup> July 2023 in accordance

---

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*



with the calendar. As we embark on this stretch of the second part of the Calendar, it is my belief that God will grant us His mercies to work for the people of Nairobi.

Hon. Members, as at the day of adjournment for the short recess, the Assembly had made remarkable progress with respect to dispensing with numerous business in line with the overarching roles of legislation, oversight, representation and policy making.

Hon. Members, may I register my commendation to the committees for the renewed energy and efforts towards their respective mandates demonstrated through the tabling of a number of reports in the run up to the last adjournment. Indeed, during the workshop held by the Select Committee on Liaison, committee chairpersons presented half year progress reports, in which I believe progress is being made. However, this should not obscure us from the fact that we are yet to achieve our targets and aspirations in terms of number of Motions, Bills and Statements responded to, number of reports of the Auditor General scrutinized, Petitions processed and meeting timelines.

Hon. Members, as we take collective and full responsibility, I note that committees are the driving force behind legislatures. They feed the exhibition, which is the plenary. May I call upon committees not to relent in the execution of their mandates. Most importantly, Hon. Members, we just passed the budget under the current administration. Committees are required to step up their oversight role to ensure that this budget is executed in accordance to laid down plans. Indeed, it is the duty of committees to engage the respective sectors and call for regular implementation reports in accordance with Article 183 (3) of the Constitution of Kenya, 2010 and Section 166 of the Public Finance Management Act, 2012. Further, committees are required to conclude all pending business and present to the plenary for consideration. In addition, I rally the Assembly leadership and the Select Committee on Liaison to provide continuous support to committees' processes by properly addressing any challenges, and collectively we will deliver a city to work, live and invest in.

Hon. Members, the Office of the Clerk provides critical support to the operations of the County Assembly. I commend this continuous support from the Clerk's Office to Members, committees and plenary. I call upon the Clerk to streamline administrative processes to ensure that Assembly Business is seamless and within the timelines required. From where I sit as the Chairman of the Board, I encourage all Assembly officers to always uphold professionalism and observe the code of conduct in discharging their duties.

#### DEVOLUTION CONFERENCE

Hon. Members, as you may be aware, the Council of Governors has already announced the 8<sup>th</sup> Devolution Conference will be held in Eldoret, Uasin Gishu County from 15<sup>th</sup> to 19<sup>th</sup> August 2023. Accordingly, online registration of participants is ongoing. I am happy to inform you that the County Executive has already settled the requisite entry fee for all Members of the County Assembly and they have been accredited by the Council of Governors. A notification has been sent to all Members via SMS to your respective mobile phones.

*(Applause)*

As at today, all Members are dully registered, accredited and invited to attend the said conference on the appointed dates. The Office of the Clerk will be undertaking the other incidental processes and

procedures and communicate to the Members. The Office of the Clerk will be willing and ready to assist any Member who may want further clarification or may not have received the said notification on their phones.

#### FINANCIAL OBLIGATIONS

Hon. Members, as the institutional head, I take cognizance of your welfare very seriously and I will always endeavor to address them. One amongst the welfare issues is the outstanding payments with respect to Assembly activities attended. Hon. Members, you may appreciate that financial procedures and processes are relatively rigid and we always endeavor to be in good books with independent institutions by following the law.

Hon. Members, may I bring to your attention that as at the closure of the last financial year 2022-2023, the Assembly had made requisitions to a tune of Kshs.211 million, which was pending at the Office of the Controller of Budget. These funds were intended to pay per diems for Members and staff, payment of ward offices imprests and settle institutional obligations to suppliers. The coming to the end of the last financial year means that the processing of the said funds will be re-done within the current financial year as the first charge of the recently passed budget.

Hon. Members, it is my assurance that once the budget of the current financial year is loaded and live on IFMIS, the Assembly will be in a position to settle all outstanding payments due to Members and staff. The delayed payments are not the making of the Assembly but occasioned by lack of funds in the County Revenue Fund (CRF).

In addition, it is noteworthy that the payment of rent for ward offices from January 2023 has also faced delays partly due to delayed filing of returns by members. This will nonetheless be settled once the FY 2023-2024 budget is loaded and funds made available in the County Revenue Fund (CRF).

#### CHANGES IN THE COUNTY EXECUTIVE

Hon. Members, my office is in receipt of a communication from the Office of the County Secretary vide a letter Ref. NCC/CS/PAA/635 dated 17<sup>th</sup> July 2023, on changes in the County Executive Committee by H.E the Governor. In the letter, H.E the Governor has made the following changes: -

1. Ms. Maureen Njeri has been moved from Green Nairobi Sector to Business and Hustler Opportunities Sector;
2. Ms. Suzanne Silantoi has been moved from Inclusivity, Public Participation and Customer Service Sector to Health, Wellness and Nutrition Sector;
3. Mr. Patrick Mbogo has been moved from Mobility and Works Sector to Boroughs, Administration and Personnel Sector;
4. Ms. Rosemary Kariuki has been moved from Business and Hustler Opportunities to Talents, Skills and Care Sector;
5. Mr. Ibrahim Auma Nyangoya has been moved from Boroughs, Administration and Personnel Sector to Greener Nairobi Sector;
6. Ms. Anastasia Nyalita moved from Health, Wellness and Nutrition to Inclusivity, Public Participation and Customer Service Sector;

7. Mr. Brian Mulama moved from Talent, Skills and Care to Mobility and Works Sector;
8. Mr. Charles Kerich remains in the Finance and Economic Affairs Sector;
9. Mr. Stephen Gathuita Mwangi remains in Built Environment and Urban Planning Sector; and
10. Mr. Michael Magero Gumo remains in Innovation and Digital Economy Sector.

Hon. Members, in addition, H. E the Governor has made the following appointments: -

1. Dr. Stephen Gachie has been appointed as the Economic Affairs Advisor; and
2. Mr. Bernard Kioko has been appointed as the Creative Economy Advisor.

Hon. Members, Kindly note that the foregoing changes and appointments took effect on 13<sup>th</sup> July 2023.

Hon. Members, you may be informed. Thank you.

## PAPERS

REPORT OF THE AUDITOR GENERAL ON NAIROBI CITY WATER AND SEWERAGE COMPANY LIMITED

**Hon. Speaker:** Hon. Deputy Speaker.

**Hon. Paul Kados:** Thank you, Hon. Speaker. Pursuant to Article 229 (7) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of the Assembly, today, Tuesday 18<sup>th</sup> July 2023:

The report of the Auditor General on Nairobi City Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2022.

I beg to lay, Hon. Speaker.

*(The Paper was laid on the Table of the Assembly)*

**Hon. Speaker:** Thank you Hon. Deputy Speaker.

## STATEMENTS

**Hon. Speaker:** Hon. Akama, you have a statement?

RESPONSE TO STATEMENT REGARDING HARASSMENT OF HAWKERS OPERATING WITHIN THE CBD

**Hon. Jared Ondieki:** Hon. Speaker, I have a response to a statement requested by Hon. Mwaniki Kwenya on 4<sup>th</sup> May 2023. He rose on the floor of the House pursuant to Standing Order No. 47 (2) (c) and requested for a statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding harassment of hawkers operating within the Central Business District in the County.

**Hon. Speaker:** Excuse me, Chair, is the Hon. Member in question present? Who is he?

**Hon. Jared Ondieki:** Hon. Mwaniki Kwenya. Hon. Speaker, he appeared in our committee and was very much satisfied with the response because he got the opportunity to engage the Chief Officer and the sector at large.

**Hon. Speaker:** Do we have a Member to hold brief on behalf of the said Member?

**Hon. Jared Ondieki:** The Hon. Minority Leader.

**Hon. Speaker:** Minority Leader, will you be in a position to take up the responsibility?

**Hon. Anthony Karanja:** Hon. Speaker, can I ask the Hon. Member to repeat what he has just read?

**Hon. Speaker:** It is a response to the statement requested by Hon. Member who happens not to be present in the plenary today.

**Hon. Anthony Karanja:** Hon. Speaker, I don't have a briefing from the Member but I think he has enough experience to know whether I can ask the Member.

**Hon. Speaker:** If I may ask the House, is it in order to respond to a statement request when the Member is not around? Are okay with that? I am made to understand that the Member appeared before the Committee before the report was brought to the plenary. Is that the correct position?

**Hon. Jared Ondieki:** Very much in order, Hon. Speaker. But I would like to advice that once a Member of this House asks for a statement, the statement becomes owned by this Assembly at the end of the day.

**Hon. Speaker:** But you see at some point a Member might raise an objection.

**Hon. Jared Ondieki:** He came, he was satisfied and he gave us a go ahead to give a response.

**Hon. Speaker:** Okay, let your word count. So, you may proceed.

**Hon. Jared Ondieki:** Thank you, Hon. Speaker.

**Hon. Speaker:** On the highlights.

**Hon. Jared Ondieki:** I appreciate it, Hon. Speaker. If I can start again, Hon. Speaker, on 4<sup>th</sup> May 2023, Hon. Mwaniki Kwenya, MCA, rose on the floor of the Assembly pursuant to Standing Order No. 47 (2) (c) and requested that the Chairperson of the Sectorial Committee on Justice and Legal Affairs for a statement regarding harassment of hawkers operating within the Central Business District (CBD) in the County.

In the statement, the Member requested that the Chairperson should enquire into and report on:

- i. Whether the County Executive is in the process of formulating regulations to streamline the operation of the hawkers in the County;
- ii. The procedures applied by the County Inspectorate Officers in confiscating merchandise belonging to the hawkers; and
- iii. Measures that the County Executive is putting in place to ensure that the Inspectorate officers enforce County laws without harassment and ill treatment of hawkers.

Hon. Speaker, the Committee invited the Chief Officer for Security and Compliance to attend its meeting on Tuesday 16<sup>th</sup> May 2023, but the meeting was postponed following a request from the Chief Officer who needed to attend to urgent official duty. The Committee resolved to reschedule the meeting and sought leave on the floor of the Assembly to respond in two weeks.

Hon. Speaker, the County Chief Officer for Security and Compliance appeared before the Committee on 21<sup>st</sup> June 2023 to respond to the statement of Hon. Mwaniki Kwenya, who was present in the meeting. The Member was furnished with a copy of the response and confirmed to the Committee that he was satisfied with the same.

In regards, Hon. Speaker, I wish to report to the Assembly as follows:

Whether the County Executive is in the process of formulating regulations to strategize the operations of the hawkers in the County;

On that issue, Hon. Speaker, the Committee was informed that the County Executive is in the process of formulating regulations to streamline the operations of the hawkers within the County. The Committee was also informed that a comprehensive plan is being put in place to end the cat and mouse game between the hawkers and the enforcement officers when they seek to arrest them for trading in barred areas.

Upon completion of the plan, the vendors and hawkers within the CBD will be relocated from the main streets to the alleys. This is in line with the Governor's ambition to an orderly and working capital. The Committee was further informed this activity is being coordinated by the multi-sectoral team who have demarcated the lines and cleared all garbage to make them conducive for the traders upon completion. Ten lanes will serve as a prototype in the decongestion plan, a demonstration on how to implement the policy options. This will make the policy real for the people and allow the policy maker to test the ground based on what they have learnt.

On the matter of procedures applied by the County Inspectorate officers in confiscating merchandise belonging to the hawkers;

Hon. Speaker the Committee was informed that the City Inspectorate officers do not confiscate any merchandise. However, they are allowed to impound items. The Chief Officer stated that there were two scenarios that led to this:

- i. Impounding articles as an exhibit and obtaining the articles so that they can be produced in a court of law to ascertain allegations.
- ii. If the owner runs away, taking charge of or holding of all unclaimed articles left behind during operations for safe keeping. In both situations, an inventory describing the merchandise is done awaiting production as exhibit in the court of law and the claimant to appear with established ownership depending on the condition which is handled procedurally.

The Committee was further informed that the items which are perishable e.g. groceries are dealt with in such a manner as prescribed by the magistrate having jurisdiction on the area. The magistrate usually gives the order for their disposal.

Measures that the County Executive that has put in place to ensure that Inspectorate Officers enforce County laws without harassing and ill treatment of the hawkers;

Hon. Speaker, the Committee was informed as follows:

- i. Reforms. The Inspectorate Department is currently undergoing thorough transformation by adopting a policy that will make responsive to the needs of the traders. Several successful meetings have been held with the stakeholder to liberate on the way forward.
- ii. Accountability. Officers have been made aware that they have a duty to account for their action---

Hon. Speaker, please protect me from my---

**Hon. Speaker:** What is not happening?

**Hon. Jared Ondieki:** He is playing very funny videos, Hon. Speaker.

*(Laughter)*

**Hon. Speaker:** Can you confirm to the House what kind of funny videos you have just noticed?

**Hon. Dabar Mohamed:** Hon. Speaker, as you know, Hon. Akama always is funny. I want him to withdraw that statement because he is disrespectful to the House by saying that I am playing a funny video yet I have not done such a thing.

**Hon. Speaker:** Hon. Dabar, please can you take another seat adjacent to where you are? Thank you.

**Hon. Jared Ondieki:** Thank you, Hon. Speaker for protecting me, especially when I am reading a very serious statement.

**Hon. Speaker:** You are protected, Hon. Chair.

**Hon. Jared Ondieki:** I can assure you he is playing very funny videos.

Hon. Speaker, on the issues of accountability, officers have been made aware that they have a duty to account for their actions and will be held liable for any act that contravenes the spirit of the law. They are made aware that traders are their primary clients and ought to be handled with care and dignity.

iii. The training officers are reinstated. Officers are retrained refresher courses from time to time and non-commissioned officers are trained by being taken through a supervisory course in order to supervise junior officers accordingly.

iv. Sensitization. The Inspectorate Department is sensitizing the public on the need to operate business as required by the County laws through the established community policing docket.

Hon. Speaker, the Committee was finally informed that the County Policy Department also works together with the newly established sector for the Public Participation and Customer Care in order to address issues of complaints and sensitize the public on the importance of lodging complaints.

Hon. Speaker, I beg to lay this response and thank you very much.

**Hon. Speaker:** Thank you. The Chairperson for Health Committee on the response that was deferred on the previous sitting. Is Hon. Samora in the Assembly? The Chair Health you may proceed and give out the response. We cannot afford to defer the same again.

#### RESPONSE TO STATEMENT REGARDING THE YELLOW FEVER VACCINATION AND VACCINE PREMISES ACROSS THE COUNTY

**Hon. Lily Kidenda:** Thank you, Hon. Speaker for the opportunity we have as Health Sector to respond to this enquiry by the Hon. Member.

Hon. Speaker, on Wednesday 9<sup>th</sup> November 2022, Hon. Samora Mwaura, MCA, rose on the House of the Assembly pursuant to Standing Order No. 47 (2) (c) and requested for a statement from the Chairperson of the Sectorial Committee of Health Services regarding the Yellow Fever vaccination and vaccine premises across the County.

In the statement, the Member requested that the Chairperson should enquire into and report on:

- i. The number of gazetted vaccination centres and premises across the County and those that are issuing travel vaccine certificates;
- ii. Legal framework governing issuance of vaccine certificates in the County;
- iii. Whether the charges and tariffs levelled are anchored on any law or regulation;

- iv. Whether the gazette vaccine centres and premises generate any revenue to the County and total annual collection for the past year;
- v. The management and maintenance of the vaccination centres and premises across the County.
- vi. Reasons for delay in supplying the necessary vaccines to the vaccination centres and the inoculation centres at the City Hall;
- vii. Whether the said centres have a budget to operate on; and
- viii. Measures the County Executive is taking to ensure the County gazetted vaccination centres and premises are supplied with vaccines and other equipment necessary for the seamless operations.

Hon. Speaker, the County Executive Committee Members for Health, Wellness and Nutrition appeared before the Committee on Wednesday 28<sup>th</sup> June 2023 to respond to the statement, and Hon. Samora was also in attendance. The Member was furnished with a copy of the response and confirmed to the Committee that he was satisfied with the same.

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

The number of a gazetted vaccine centres and premises across the County and those that are issuing travel vaccine certificates;

Hon. Speaker, the Committee was informed that the gazetted vaccination centres in Nairobi County are as per the attached copy of the press statement from the Cabinet Secretary, Ministry of Health on the Validity of Certificates and the Vaccines Against Yellow Fever, dated 8<sup>th</sup> of August 2018.

Legal framework governing issuance of vaccine certificates in the County;

The framework governing the issuance of the vaccination certificate is governed by the International Health Regulation, 2005 as outlined in the Annex 6 and 7. The regulations Annex 7 and part (f) state that the state parties shall designate specific Yellow Fever vaccination centres within their territory in order to ensure the quality and the safety of the procedures and materials employed.

Whether the charges and tariffs levelled are anchored on any law or regulation;

The charges and regulations are as per the County Finance Bill.

Whether the gazette vaccine centres and premises generated any revenue to the County and the total annual collection for the past year;

The vaccination centres at the City Hall generate revenue, however, there has been challenges during the previous administration whereby the centre experienced commodity stock outage out of a period of two years despite having approved budget of the same. The trend has tremendously changed under the current administration, which availed commodities and the vaccination centre is now generating substantial revenue. The vaccination centre raised Kshs. 4,087,500 in the year 2021, Kshs. 3,055,100 in the year 2022, and Kshs. 3,046,900 between January 1<sup>st</sup> and February 17<sup>th</sup> 2023.

The management and maintenance of the vaccination centres and premises across the County;

The management of the vaccination centre is through the Public Health Sub Sector of City Hall. The current centre requires replacement of available furniture and facelift of the interior fittings in order to give the



centre a smart outlook to international standards travels required. This has been budgeted under the County Fiscal Strategy Paper for financial year 2022/2023.

Reasons for delay in supplying the necessary vaccines to the vaccination centres and the inoculation centres at the City Hall;

The requisitions for commodities were raised in the previous administration and forwarded accordingly, but the vaccines were never delivered. However, the situation has changed and currently the requisition is being processed and the vaccination centres has commodities, primary Yellow Fever vaccine and Polio vaccine.

Whether the said centres have a budget to operate on;

The inoculation centres has a budget to operate on. There was allocation of Kshs. 34,532,639 for the Supplementary Estimates of the financial year 2022/2023.

Measures the County Executive is taking to ensure the County gazetted vaccination centres and premises are supplied with vaccines and other equipment necessary for the seamless operations;

The County Executive, in liaison with the Procurement, have moved to ensure that the commodities are procured on time so as to avoid stock out in the future. Measures are also taken to factor in the same in the 2023/2024 budget allocation that will allocate the existing gaps in the maintenance of the premises.

Mr. Speaker, herewith, find attached submissions from the Executive.

I beg to lay this response before the Assembly.

**Hon. Speaker:** Chair, Culture?

#### ***Point of Order***

**Hon. Speaker:** Who is that?

*(Hon. Peter Imwatok spoke off the record)*

**Hon. Speaker:** Have you been replaced?

**Hon. Peter Imwatok:** *(Off the record)* ---the Republic of Kenya, Raila Amolo Odinga has not done so.

**Hon. Speaker:** But you have abandoned your position which is designated.

**Hon. Peter Imwatok:** The position still stands; it is only that I have changed seats because of my situation. I need more fresh air because I have been sick from last week.

**Hon. Speaker:** Oh, you are unwell, sorry for that.

**Hon. Peter Imwatok:** Thank you, Hon. Speaker.

**Hon. Speaker:** The honorable Majority was admitted at Aga Khan Hospital where he spent two nights but now he is on his feet. Glory to God.

**Hon. Peter Imwatok:** I am on my feet. My lungs, chest and lips are functioning well. I came out because tomorrow is the day.

*(Applause)*

Allow me to thank the Leader of Minority and the entire Assembly for the prayers I received. It shows unity of purpose in this House. That is my main message this afternoon. I am also well informed that tomorrow

will be a two party affair that I do not want us to engage in person but in the streets. I believe that the Leader of Minority will have guts with his team tomorrow. For us, we will hold peaceful demonstrations.

Being the neutral arbiter in this House, Hon. Speaker, don't be in the streets. I guarantee this House that it will be peaceful. Don't be shocked to see us walking in the streets together with the Minority Leader. I wish you peaceful holidays from tomorrow till we meet again on Tuesday.

*(Applause)*

**Hon. Speaker:** Hon. Majority Leader, you are out of Order! That is not the business within our limits. We wish you good health and a quick recovery.

Hon. Members, the House will be on tomorrow and Thursday as per the calendar.

*(Hon. Peter Imwatok spoke off the record)*

Hon. Majority Leader, I hope you are not inciting Azimio Coalition Party Members.

**Hon. Peter Imwatok:** As a party leader, I want to confirm the party position that any Azimio Member who will be in the House tomorrow, I will automatically de-whip him or her from all the committees.

**Hon. Speaker:** Order, Hon. Majority Leader! Chair, Culture.

#### RESPONSE TO STATEMENT REGARDING MUSHROOMING OF LIQUOR KIOSKS IN THE LOWER CBD

**Hon. Clarence Munga:** Thank you, Mr. Speaker. As directed by our Majority Leader---

**Hon. Speaker:** Order, Hon. Member! Can you respond!

**Hon. Clarence Munga:** I would like to respond to a statement requested by Mheshimiwa Perpetua Mponjiwa.

On Wednesday 26<sup>th</sup> April 2023, Hon. Perpetua Mponjiwa, MCA, rose on the floor of the Assembly pursuant to Standing Order No 47 (2) (c) and requested the Chairperson of the Culture and Community Services Committee for a statement regarding the mushrooming of liquor kiosks in the lower Central Business District. She further asked the Chairperson to inquire into and report on;

- i. Approval of liquor kiosks within the County and especially the lower part of the Central Business District;
- ii. Whether such liquor kiosks are licensed to operate and the time of operation; and
- iii. Measures the County Executive is taking to control and stop the mushrooming of liquor stores within the County and especially the lower Central Business District.

Hon. Speaker, the Committee therefore resolved to request for information from the County Executive Committee Member responsible for Hustler and Business Opportunities, who responded on the above issues that Hon. Mponjiwa sought vide letter Ref. NCC/BHO/TDI/3/138/2023, dated 29<sup>th</sup> May 2023.

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

On approval of liquor kiosks within the County and especially the lower part of the Central Business District;

Hon. Speaker, the Nairobi City County Alcoholic Drinks Control and Licensing Board does not issue licenses to kiosks. The licenses are issued to premises that meet the criteria set out in the Nairobi City County Alcoholic Drinks Control and Licensing Act.

Whether such liquor kiosks are licensed to operate and the time of operation;

Hon. Speaker, surveillance conducted in the recent past revealed that there are several outlets operating within the CBD without licenses. Further, the premises licensed operate while contravening the law. The operating time for liquor outlets is set out in the Third Schedule of the Nairobi City County Alcoholic Drinks Control and Licensing Act. However, premises operating as wines and spirits and wholesalers, operate from 10 a.m. to 8:30 p.m.

Measures the County Executive is taking to control and stop the mushrooming of liquor stores within the County and especially the lower Central Business District;

- i. The Liquor Department has intensified enforcement operation in the Central Business District with a view to control the proliferation of liquor outlets. Over the last two months, 112 people have been arrested in the CBD for contravening the law.
- ii. A multiagency approach has been adopted in a bid to ensure that the issue is addressed considering that these outlets are used to perpetrate other illegal activities as well.
- iii. The Nairobi City County Alcoholic Drinks Control and Licensing Board has proposed to increase liquor fees and charges for both wines and spirits and general retail licensing through the Finance Bill, 2023 by reverting to the initial charges to discourage setting up small liquor joints.
- iv. The County has proposed zoning policies that will set out the areas that will be used for liquor business. The proposal will be subjected to public participation before being adopted.

Committee observation;

Hon. Perpetua Mponjiwa was satisfied with the response given. The Committee further resolved to undertake a follow up on the zoning policy so that it is submitted to the committee for consideration and ratification.

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

**Hon. Speaker:** Thank you, Hon Chairperson.

Hon. Members, on Paper Laid, this is on the report of the Auditor General on Nairobi City Water and Sewerage Company limited for the year ended 30<sup>th</sup> June 2022. I commit this document to the Public Investments Committee. Thank you.

### MOTION

#### REGULATIONS FOR BUILDING PLANS FOR RESIDENTIAL BUILDINGS TO HAVE PARKING SPACES FOR TENANTS

*(Resumption of debate interrupted on Thursday 6<sup>th</sup> July 2023 at 2:30.)*

**Hon. Speaker:** Hon. Members, as you are aware, the Motion was interrupted and it is a requirement that we proceed from where we left. Hon. Fiunifu was on the floor. If he is present, he may proceed from where he had left. If he is not, then I wish to call upon any Member who would want to inject any further input into the motion.


Hon Members are you aware of the Motion? The building plans to have adequate parking for tenants.

**Hon. Members:** Yes!

I have a request from Irungu Mukuru. Mheshimiwa Irungu?

---

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*



*(Hon. Member spoke off the record)*

**Hon. Speaker:** Thank you. Mheshimiwa Karanja?

**Hon. Anthony Karanja:** Hon. Speaker, I think it is clear that despite saying 'yes' a lot of Members cannot even remember the Motion. Hon. Speaker, I think it is long overdue that we need to provide tablets to Members of this County Assembly so that they can have memory and something to keep track of what happens in this House.

Hon Speaker, between the year 2013 and 2017 when you were the Deputy Speaker, we used to have tablets and all we needed to do was to scroll so that could be able to see the HANSARD of the previous day. Just like what we are requesting today, we can pick up from where we left and we are able to continue--

**Hon. Speaker:** Minority Leader, may be you will be doing a lot of disservice to this Hon House by not providing the correct and clear position of what happened during the Second Assembly that did not make sure Members were promptly provided with the tablets. In the First Assembly all the 127 Members had tablets. So, what happened in the Second Assembly?

**Hon. Anthony Karanja:** Hon. Speaker, I think it would be unfair to go back to the failed Second Assembly. I think we have an opportunity to build the Third Assembly bigger and better than the First and the Second. We have learned from our mistakes in the Second Assembly and maybe we need to learn to learn from our successes then and in the First Assembly. My challenge is to the Board to provide Members with tablets so that we are able to keep track and keep records, and be able to perform our duties better because we will be having our information at the touch of a button.

**Hon. Speaker:** So, Hon Members, going forward it will require the House to make a resolve and petition the Board over the concern of Members to be provided with the tablets. Is that in order? The Hon Minority Leader to pick up the issue and raise it appropriately.

*(Hon. Kennedy Oyugi spoke off the record)*

Hon Oyugi.

**Hon. Anthony Karanja:** Hon. Speaker, I think you need to discipline Hon Oyugi because it has become his habit to shout at Members when they are presenting, and now he has gone further and is talking back to the Speaker.

**Hon. Speaker:** Hon. Oyugi, you have been named. You stand suspended for the rest of the sitting of today. So, please can you kindly leave the House.

*(Hon. Kennedy Oyugi spoke off the record)*

**Hon. Speaker:** Please! For the rest of the sitting, you have been suspended.

**Hon. Kennedy Oyugi:** Is that the procedure of naming a Member, Mr. Speaker?

**Hon. Speaker:** You can make a point of coming tomorrow.

**Hon. Kennedy Oyugi:** Tomorrow, I will be on a *(inaudible)*

*(Laughter)*

**Hon. Speaker:** Please, Hon. Oyugi.

*(Hon. Kennedy Oyugi left the Chamber)*

**Hon. Speaker:** Thank you.

Hon. Members, I may call they mover if the Motion to reply. Hon. Brian.

**Hon. Brian Itenya:** Thank you, Hon. Speaker. It is my gratitude to the Mouse for supporting my Motion. Hon Speaker, Members are aware of the Motion are in support of it. Because of time and we have another good Motion we want to pass, I beg to reply. May God bless you. Thank you.

**Hon. Speaker:** Thank you. May God bless the House.

*(Question put and agreed to)*

### MOTION

#### ESTABLISHMENT OF WASTE COLLECTION AND MANAGEMENT SACCOS

**Hon. Speaker:** Hon. Sospeter Mumbi?

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker for this opportunity. However, I wish to disappoint the House by requesting that I be given time to give some more input into my Motion, Hon. Speaker.

**Hon. Speaker:** Hon Member, you want to inform the House on the withdrawal of the Motion?

**Hon. Sospeter Mumbi:** Not withdrawal, I need to do some addition---

**Hon. Speaker:** Are you requesting the Motion to be deferred for a later date?

**Hon. Sospeter Mumbi:** Yes.

**Hon. Speaker:** Kindly, can you convince the House?

**Hon. Sospeter Mumbi:** One, the Motion was proposing to introduce a SACCO, and now looking at the introduction of the SACCO, it is not clearly captured in the act itself. So, for the SACCO idea to fit, I need to propose an amendment into the act for my Motion to find ground, but right now as it is it is not clearly aligned into the Act. I need to work it out with the Clerk so that I have my Motion aligned to the Act, and that is why I request for an extension.

**Hon. Speaker:** Thank you, Hon Member. The Motion stands deferred to a later date. It is the pleasure of the House Business Committee to reconsider the same.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker.

*(Motion deferred)*

### ADJOURNMENT

**Hon. Speaker:** The House stands adjourned to tomorrow 19<sup>th</sup> July 2023 at 2:30. I would request the Business House Committee to sit at the rise of the Assembly. Thank you, Hon Members.

**The House rose at 4: 01 p.m.**