



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Second Session

Wednesday 7th June 2023

The House met at 2.30 p.m.

[The Temporary Speaker (Hon. Malyun Abdi) in the Chair]

PRAYER

Hon. Temporary Speaker: Hon. Members, you may be seated.

QUORUM

Hon. Temporary Speaker: Clerk, please confirm if we have quorum.

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

Serjeant-at-Arms, kindly ring the bell for 10 minutes.

(Quorum bell was rung)

Order, Hon. Members! Clerk.

STATEMENT

BUSINESS APPEARING BEFORE THE ASSEMBLY FOR THE WEEK

Hon. Temporary Speaker: Hon. Emily Oduor.

Hon. Emily Oduor: Thank you, Hon. Chair. This is a statement from the House Business Committee. 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 Wednesday 7th June 2023.

Hon. Speaker, the Assembly Business Committee met on Tuesday 6th June 2023, to allocate business for the week for consideration by the Assembly. In that regard, Hon. Speaker, allow me to brief the Assembly as follows, THAT; -

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1. Today, Wednesday 7th June 2023, under Order No. 8, we will be considering a substantive Motion by Hon. Deonysias Mwangi Waithera, Member for Githurai Ward, urging the County Executive to:
 - i. To formulate a policy to provide for the installation of outdoor security lighting in all buildings, gates, plots, and streets to provide a safer environment for the community; and
 - ii. Ensure all building plans for residential buildings have provision for the installation of outdoor security lighting.
2. Further, on Thursday 8th June 2023, under Order No. 8, the Assembly shall be considering the Motion by Kennedy Sakwa, Member for Gatina Ward, urging the County Executive to:
 - i. Issue a public notice prohibiting public transport (PSVs) from using roundabouts as termini, road shoulders, laybys, and/or parking areas in contravention of the law;
 - ii. Continuously enforce the foregoing prohibition notice using enforcement officers at the county and sub-county levels; and,
 - iii. Formulate regulations to the Nairobi City County Transport Act, 2020 forthwith to provide for punitive measures for operators who illegally use roundabouts as termini, laybys, or parking.
3. Lastly, Hon. Speaker, on Tuesday 13th June 2023, the Assembly will be considering the Motion by Hon. Joyce Kamau, MCA, urging that:
 - i. Nairobi City County, in conjunction with Athi Water Works, constructs sewer trunks through informal settlements within the County.
 - ii. Nairobi City County seeks partnerships with non-governmental organizations (NGOs) to install sewer lines within informal settlements and embarks on a drive to connect entities and residential housing units to the sewer lines;
 - iii. Formulate a sanitation policy to guide the provision of sanitation services within the County, to provide a framework for accessible sanitation services, and to provide the basis for a law to guide sanitation services in the County.

Hon. Speaker, the Assembly Business Committee 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, the Assembly Business Committee shall be informing this Assembly every Wednesday through its designee on the allotted business every Wednesday during the Statement Hour for timely preparation.

Finally, Hon. Speaker, the Assembly Business Committee will again meet on Tuesday 13th June 2023 at the rise of the Assembly to ballot business for the subsequent week.

Hon. Speaker, I now wish to lay the statement on the table of the House. Thank You.

(Applause)

Hon. Temporary Speaker: Thank you. Clerk!

MOTION

PROVISION OF OUTDOOR SECURITY LIGHTING IN THE COUNTY

Hon. Temporary Speaker: Hon. Deonysias Mwangi Waithera.

Hon. Deonysias Mwangi: Thank you, Hon. Speaker. I beg to move the following Motion:

THAT, aware that Article 29 of the Constitution of Kenya, 2010 grants every citizen a right to freedom and security; further aware that Paragraph 5 of Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 provides for street lighting as a function of the county government; noting that recent years have witnessed a marked increase in the number of insecurity incidences across the country, and more so in Nairobi City County; concerned that most of the streets in the County are in darkness due to a lack of proper lighting, which has contributed to an increase in crime within the country as evidenced by muggings and other violent crimes; further concerned that some buildings and plots across the County have no adequate lighting as per standard practice worldwide; noting that for the County to realize a 24-hour economy, security for business people and residents is indispensable; acknowledging that Paragraph 8 of Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 provides for a county planning and development, including housing as a county function; this Assembly urges the County Executive to:-

- i. Formulate a policy to provide for the installation of outdoor security lighting in all buildings, gates, plots, and streets to provide a safer environment for the community; and
- ii. To ensure all building plans for residential buildings have provisions for installation of outdoor security lighting.

Hon. Speaker, insecurity and importance of street lighting in the city or cities across the globe are significant issues that affect people's safety and wellbeing. Criminals often take advantage of the darkness and poor lit areas or dark streets to engage in criminal activities such as mugging, theft, kidnapping, and assaults.

Hon. Speaker, street lighting is a critical aspect of city planning and plays a significant role in people's safety and comfort, particularly at night. Adequate street lighting improves visibility, which is essential for pedestrians' and motorists to navigate through roads, crosswalks, and intersections safely. It also provides a sense of security to residents and visitors alike, making people feel safe and relaxed as they walk or drive around the city.

Moreover, street lighting also contributes to other essential city services, such as emergency services, and emergency responders such as police, fire brigade and ambulance drivers use the illumination provided by streetlights to navigate their routes safely.

Hon. Speaker, there have been past interventions to light up the streets in Nairobi by the Government through the Kenya Power and Lighting Company project, like Mulika Mwizi and by private investors, such as Hon. Passaris's led initiative, which was Adopt a Light.

The Mulika Mwizi project was a government project of installing street lights masts in urban poor neighborhoods within Kenya to try to light up the street and curb high crime rates. Kenya Power and Lighting Company (KPLC) and Nairobi City County in 2015 set aside Kshs.875 million to erect street lights across Nairobi City with an aim of enabling a well-lit city as well as promote a 24-hour economy.

Hon. Passaris spearheaded the Adopt a Light business model that made a social positive impact in Kenya. Private investors and partners were brought on board and collaborated with Nairobi City County and Parliament of Kenya through National Government Constituency Development Fund (NGCDF). The Passaris

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led initiative was spearheaded in 2002 with the intention of making highways and street safer by lighting up Nairobi through streets infrastructure. The Nairobi City Council paved way and gave the project the license to kick-start. The initiative become active in 2005 in the slums. The aim of the project was to: -

1. Improve the quality of people's lives by ensuring that public spaces, slums, streets, parks and neighborhoods remain well lit after sunset through an effective partnership between the private and public sectors to finance and facilitate the installation of lights;
2. To improve security, safety and aesthetics of public areas;
3. Enable population to more fully enjoy their lives and participate in economy and recreation activities; and
4. To provide financial sponsors with quality advertising services.

The Adopt a Light initiative was a successful project that used a multi sector approach model. The National Government, City Council, private sectors, local leaders and administrators joined hands in order to find most convincing locations to set up street lights, particularly in slum areas.

Hon. Speaker, an impact study was later conducted and it was concluded that the rate of insecurity had greatly reduced in the slum areas and that residents were able to conduct their business until late hours. The project improved social lives immensely as they were now able to extend their income earning hours and walk home without fear. However, due to vandalism and high demand of scrap metals, the city has returned to the old days of darkness and insecurity as the street masts are greatly vandalized. It is however important to note that scrap metal dealings are banned in Kenya under Scrap Metal Act, 2015. The Act of Parliament makes provision for the regulation of dealings in scrap metal and to provide for the establishment of Scrap Metal Council that regulates and curbs the illegal scrap metal dealings.

Hon. Speaker, therefore, acknowledging that Paragraph 8 of Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 provides for a county planning and development, including housing as a county function; this Assembly urges the County Executive to: -

- i. Formulate a policy to provide for the installation of outdoor security lighting in all buildings, gates, plots, and streets to provide a safer environment for the community; and
- ii. To ensure all building plans for residential buildings have provisions for installation of outdoor security lighting.

Hon. Speaker, before I call a Member to second the Motion, you can see that the County had set Kshs.875 million for the security lights. If every building across the city has a spotlight and a security light on the gates, the money can be used on other important issues and we will no longer keep on calling these street lights guys every now and then to come and light our areas, which maybe the lights have gone off. You find Hon. Members in this Assembly going to an extent of using their money to fuel the vehicles and doing other logistics for the lights to be put on.

I now call upon Hon. Clarence Munga. I can see Hon. Clarence Munga is not in the House, so, I call Hon. Kimemia to second the Motion. Thank you.

Hon. Antony Gathumbi: Thank you very much, Mheshimiwa Deonysias for asking me to second your Motion. I know you had asked me earlier in the morning but I had promised that I was not going to be around, but now am available.

This Motion is long overdue. In our wards, when we want spotlights and lighting at the gates or the plots of individuals, you are told that it is illegal. So, this Motion goes a long way to ensure that we are provided for by the landlords, by the owner of gates and by resident associations to put up lights that are going to be safeguarded by the people and the community who are using the lights. As he said, it is going to save the County a lot of money because we shall not be calling upon every other time people of the electrical section to come and repair. If light has been put on my wall, I have a responsibility of ensuring that light is safeguarded, it is well connected and it is lit throughout.

I stand to second this Motion, and it is important for every Member in the House to support this Motion because most of the time we find our areas very dark. Like now, if you go to Highway, there are no equipment, materials, cables and lamps. So, if this had been done before, the money that was allocated to this section would maybe allocated to other things like bursaries. He has said we have set Kshs.875 million for lighting yet we are not giving bursaries three terms consecutively. This the third time we are not going to be giving bursaries. If this money can go to bursaries for our children for the third term, which if I calculate it is about Kshs.250 million, it will be a drop in the sea.

Mheshimiwa Mwangi Waithera, I congratulate you and urge you to also ensure that this money goes to our children (the bursaries) because now we are only giving for first term and second term. Third term we need Kshs.250 million. Thank you very much, Madam Speaker. I second the Motion.

(Applause)

(Question proposed)

Hon. Temporary Speaker: Hon. Members, you may now debate on the Motion. Hon. Davidson.

Hon. Davidson Ngibuini: Thank you, Madam Speaker. This is a very pertinent Motion that I have personally followed with the public works on lack of lighting equipment for several months now. I would like to report to this House that I have engaged the CEC, the Chief Officer and Director in charge of this sector and I am always told that the energy sector procured lanterns and ADC cables as soon as we took oath of office. Sadly, these items have not been delivered and are none in store. This begs several questions that I would like to ask:

1. What does it take for the Nairobi City County Government to procure lanterns and ADC cables and why is there prolonged delay in their procurement since we took office last year;
2. When will we see some seriousness from the energy sector and public works for that matter regarding transforming Nairobi from the current status being the city in the dark to be the illuminated city in the sun; and
3. Why is procurement sabotaging procurement of goods and subsequent adoption of sector budgets?

We are currently in the budget cycle and I attended a public participation in Kibera. We pass these budgets but when it comes to supplying goods needed for us to light up the city, then it becomes a story. It has been a story for several months now and we do not know why. I beg to ask the question; what happened to our lighting repair schedule? We used to get monthly schedules allocated to our wards but that is not the case now. We need the County Executive and the public works sector to style up and get serious in its mandate to light up Nairobi. Darkness is not our portion, Mr. Speaker. It cannot be the definition of Nairobi

City. This is the capital city, so why are we in the dark? This is a city that is talking about having 24-hour business and being the economic hub in East Africa's competing against the likes of Kigali, Addis Ababa and Dar es Salaam. Why are we in the dark?

As I conclude, Hon. Speaker, as the lanterns and ADC cables get installed, I would like the sector to install them overhead because we have an issue of them being stolen by thieves. Asante and I support this Motion.

Hon. Temporary Speaker: Thank you. Hon. Lawi

Hon. Lawrence Odhiambo: Thank you, Madam Speaker. This is a good Motion, however, what is lacking here is that the light alone cannot do away with the insecurity in our areas, he could have included the installation of CCTVs. We support the Motion and hope that they will include installation of CCTVs as well. Thank you, Madam Speaker.

Hon. Temporary Speaker: Thank you. Hon. Jeremiah Themendu

Hon. Jeremiah Themendu: Thank you, Madam Speaker for giving me this chance to contribute to the Motion. For a city to be great, then we must have streetlights and eliminate darkness because we all need a secure place. Evils are always experienced in places of darkness. Of late, we have been using our department of transport to light our areas as well as KPLC. I know that there was a program whereby the National Government set aside money where you can go to the Kenya Power and Lighting engineers and show them where you want the posts to be erected for lighting in the wards. As we speak, I have a problem with brackets in my ward yet it is a very simple thing. Can I proceed?

Hon. Temporary Speaker: Proceed, Hon. Member.

Hon. Jeremiah Themendu: The cost of power is a lot and many people do not need to use the outdoor lighting at night. I would encourage the transport sector and Kenya Power to proceed and put more lights in our wards so that we can eliminate darkness. With those few remarks, I support the Motion. Thank you, Madam Speaker.

Hon. Temporary Speaker: Thank you. Hon. Lily Akoth

Hon. Lily Kidenda: Thank you, Hon. Speaker. I would like to thank and congratulate my colleague, Hon. Deonysias for this very timely and good Motion. It has been well articulated and I agree with the Hon Member who contributed and said that maybe they can take it a notch higher and have CCTVs in strategic places. The issue of insecurity in the city in the sun is a concern, and if it can be implemented, it will enhance the security of the city.

Besides that, I would like to mention that there are street lights which are white elephants. They have been installed and long died and nobody takes notice. If this Motion is pushed to where I think it should get, then maintenance angle of the street lights should be made mandatory and the people needed to have this done, provision be made for as part of the component. There are situations in parts of Nairobi where the lights are available and in working conditions but are never turned on. So, let it be on point that what is installed works and maintenance is put in place. I pray that the department involved in this will take all those to consideration. I beg to support.

Hon. Temporary Speaker: Hon. Kamau Joyce

Hon. Joyce Kamau: Thank you, Madam Speaker. I rise to support this well thought out Motion. I think the lighting and infrastructure department together with the Kenya Power are doing a good job in Nairobi by installing the security lights, but they are facing challenges like vandalism after the lights have been installed.

The landlords need to come in as stakeholders and assist in making sure that security is paramount by putting security lights in their buildings. This will help in improving the security of Nairobi. This can also help us in saving money which can be diverted to other sectors and will help in reducing theft of materials. I support this Motion, and congratulations Mheshimiwa.

Hon. Temporary Speaker: Thank you. Hon. Emily Oduor.

Hon. Emily Oduor: Thank you, Madam Speaker. I stand to support this Motion. As Nairobians, it is very difficult to walk at night because some streets are normally dark. And as Hon. Joyce has said, they are usually vandalized. I think they need to be put high so that people will not be able to reach them.

We have been going round the city doing public participation as the Budget Committee. One of the key things that Nairobi residents are asking are lights. When we did CIDP public participation in Dandora, they told us that there is an area there that you cannot pass at night, even if somebody is dying they cannot go there. They requested that they rather have lights being put there than a hospital. I think this is replicated in other areas like Kibra, Mathare and other areas, their biggest problem is light. In areas where it is well lit, you find small traders selling their wares there. Bachelors who pass there during late hours buy their cut sukuma wiki and other vegetables and the traders make money. Security will help our small traders sell their wares even during the night. From the estate where I come from, the shopping center has bloomed because of the lights. It will help us have a 24-hour economy.

With those few remarks, Madam Speaker, I beg to support.

Hon. Temporary Speaker: Thank you. Hon. Emmy Isalambo.

Hon. Emmy Isalambo: Thank you, Madam Speaker for honoring me this afternoon. Hon. Deonysias, the chair of Trade, this is a very good Motion, I think it will help our youth who are still in school because even if they have not paid for electricity, they can use the security lights to do their homework.

Secondly, we urge the landlords if they can adopt-a-light so that one can maintain the lights they have adopted through our county systems. By doing this, they will have saved money for the County and many businesses will come up e.g. salons. Imagine a plot with light, the music is playing and the ambience is cool, this will help in increasing revenue for the County. I support this Motion, thank you.

Hon. Temporary Speaker: The mover to reply.

Hon. Deonysias Mwangi: Thank you, Hon. Speaker. First, I want to appreciate all Members who have support the Motion, starting with Hon. Kimemia who has seconded the Motion and Hon. DNG. It is true we need to ask ourselves why the capital city, Nairobi, is dark. Hon. Lawi, thank you for the CCTV idea. Hon. Themendu, thank you very much. Hon. Lily Kidenda, asante sana, Thank you so much, Hon. Joyce Muthoni. Hon. Emily Oduor and Hon. Emmy, thank you very much.

This is a Motion that will help the residents of Nairobi. I do not think that people will not be willing to put those security lights. Hon. Speaker, if we do simple mathematics, the cost of a bulb is less than Kshs.500

per month and if this divided among the tenants, every tenant would be contributing may be Kshs.10 and we will have dealt with the insecurity issues.

Hon. Speaker, my gratitude goes to the Assembly for the support in consideration of this Motion. I beg to reply.

(Applause)

Hon. Temporary Speaker: Thank you.

(Question put and agreed to)

ADJOURNMENT

Hon. Temporary Speaker: Hon. Members, there being no other business, the Assembly stands adjourned till tomorrow, Thursday 8th June 2023 at 2.30 p.m. Thank you for your co-operation.

The House rose at 3.34 p.m.