



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Second Session

Tuesday 7<sup>th</sup> March 2023

The House met at 2.30 p.m.

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

PRAYER

**QUORUM**

**Hon. Speaker:** Hon. Members, the attention of Chair has been raised to the lack of quorum in the Assembly. Under Standing Order 37 (2), I direct the Serjeant-at-Arms that the door remains open as he rings the bell for 10 minutes.

*(Quorum bell was rung)*

Hon. Members, we may proceed. Clerk.

**PAPER**

REPORT ON CONSTITUTION OF THE ASSEMBLY SELECT AND SECTORAL COMMITTEES

**Hon. Speaker:** May you brief the Minority Leader on the Papers to be laid before the Assembly. Clerk, please assist the Minority Leader.

**Hon. Antony Karanja:** Thank you, Hon. Speaker. Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 7<sup>th</sup> March 2023:

The Third Report of the Select Committee on Selection on constitution of the Assembly Select and Sectoral committees.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Clerk, kindly proceed.

**MOTION**

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## DEPLOYMENT OF TRAFFIC MARSHALS NEAR SCHOOLS FOR SCHOOL GOING CHILDREN'S SAFETY

**Hon. Speaker:** Hon. Chairperson of Education [committee].

**Hon. Perpetua Mponjiwa:** Thank you, Hon. Members, I rise to move the following Motion:

THAT, aware that Article 26 (1) of the Constitution of Kenya 2010 provides that every person has the right to life; Further Article 53 (2) of the Constitution states that a child's best interests are of paramount importance in every matter concerning the child; concerned that there is increased rate of road accidents involving school going children in Nairobi City County especially in public schools; further concerned that many schools children travel longer distances to access the few available education facilities that are affordable; cognizant of the vulnerability of unaccompanied school children crisscrossing Nairobi highways and busy roads to access the few affordable education institutions endangers their lives; acknowledging that the National Transport and Safety Authority (NTSA) has put in place measures to ensure road safety performance in line with international best practice, this Assembly urges the County Executive to:

1. Erect or put bumps and signals along County roads that are near schools and other social amenities to save vulnerable school children from accidents on roads; and
2. Deploy traffic marshals at all zebra crossing lanes on all major roads in Nairobi City to help school children in Nairobi safely cross the road to and from school, on or before the beginning of the new 2023 school calendar.

Hon. Speaker, this Motion is self-explanatory, it is for our beloved children who are going to school. If you happen to come from Eastlands, on Jogoo Road, you will see children in Makongeni trying to cross from one side of the road to the other side. It is a menace that needs to be cured by this House through passing of this Motion.

The NTSA in their research, has stated that 28% of the road accidents involve the school going children. So, on this matter I request my good friend, Member of the County Assembly, Hon. Rex Omolleh to rise and second. Thank you.

**Hon. Speaker:** Is Hon. Rex in the House?

**Hon. Rex Omolleh:** Good Afternoon, Hon. Members. Hon. Speaker, I rise to second the Motion in support of--- Hon. Speaker, I need to be protected, someone is harassing me here.

**Hon. Speaker:** You are protected, Hon. Omolleh, you may proceed.

**Hon. Rex Omolleh:** Thank you. I rise to second the Motion. Thank you.

*(Question Proposed)*

**Hon. Speaker:** Hon. Members, you may now debate. Hon. Themendu, your mic is on.

**Hon. Jeremiah Themendu:** Hon. Speaker, thank you very much for giving me this chance. I would like to first congratulate Hon. Perpetua Mponjiwa for the good Motion. Education is a very important and basic thing to give our children. By doing so, we need to protect them, Hon. Speaker. I have witnessed some students in my ward being hit by a motor vehicle while crossing the road because there were no bumps at the area. It will be important for the County to protect the children because they vulnerable by implementing this Motion. I support and thank Hon. Mponjiwa for bringing this Motion on behalf of our children. I ask all the Members to support it. Thank you.

**Hon. Speaker:** Hon. Ami.

**Hon. Ami Ambala:** Thank you, Hon. Speaker. I rise to support this Motion as a mother and a human being. There are multitudes of schools in this County that lack markings on the roads for kids to cross. So many children walk from Kawangware and other places to go to Lavington Primary School. On that basis, I support my colleague's Motion.

**Hon. Speaker:** Hon. Machanje

**Hon. Shadrack Machanje:** Thank you, Mr. Speaker sir for this opportunity. I rise to support this---

**Hon. Speaker:** Hon. Member of the Speaker's Panel, kindly switch off your microphone.

**Hon. Shadrack Machanje:** I rise to support this Motion noting that not only should traffic marshals be deployed to guide our pupils, but also that zebra crossings and bumps should be added where there are public and private schools so that we ensure that our students get better education. It is upon us who are in leadership positions to give good guidance to our pupils. They are the next leaders of this nation. Let us add bumps and also zebra crossing. Thank you.

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

**Hon. Member:** Thank you, Mr. Speaker. I rise to support this Motion and thank our Chair for Education for the good Motion. It shows that you have the interests of pupils at heart and the future generation. Alongside erecting these bumps as my colleague has said, we need traffic marshals to guide them and have parents sensitized on what age students should be left to go school alone. I support because it is a good Motion.

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

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker for this opportunity. I rise to support this Motion. As I share in the position of the rest of the Members, I feel that an addition of foot bridges and training on road safety should be considered by the proposer of this Motion because they are not only crossing County roads. In a set up like Nairobi, you realize that for a child to access their school they have to cross at least three roads including a super highway and we do not have earmarked spaces for crossing. Thank you.

**Hon. Speaker:** Hon. Katile.

**Hon. Diana Mwangangi:** Thank you, Mr. Speaker. I would like to appreciate the Chairperson for Education for coming up with this worthy Motion, it is self-explanatory. I support it because it is a Motion that aims to protect the right to life and education. The danger that is posed on these roads as a result of dangerous driving poses a threat to life and to a large extent, the right to education. Based on that brief statement, I support the Motion.

**Hon. Speaker:** Yes, Minority Leader.

**Hon. Anthony Karanja:** Thank you, Hon. Speaker. I rise to support this Motion by the Chair for Education and add that this is one Motion that will not cost the county anything to implement. We are aware that our sub-counties have numerous staff who were recruited as traffic marshals in the last Assembly but are currently behaving like enforcement officers in environment, planning and other departments, which they were not trained to do. I can see that we are privileged to have the Chairman of Implementation, Hon. Majiwa and know that this is one of the Motions that can be implemented as soon as possible. Resources are there

and so are the personnel who need to get instructions. These people were trained as Traffic Marshals and on top of controlling the traffic, they can also teach the children how to cross our roads.

Hon. Speaker, when I was young I remember it used to be like a poem taught to us by our teachers that when you get to the road, you look right, left and if there is no vehicle you cross, if there is a vehicle you wait for it first to go and then you cross. You repeated the same poem until you were able to cross the road. I do not know whether our children are able to do this. The Traffic Marshals in the sub-counties can be deployed in every school to make sure that this Motion is implemented as soon as possible. I support and hope that you will be able to push, we will assist to make sure that it will be implemented in the whole of County of Nairobi. Thank you.

**Hon. Speaker:** Hon. Minority Whip.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. Allow me to commend Hon. Perpetua Mpojiwa for this Motion. Allow me also to commend the private citizens that volunteer along Jogoo Road, especially at St. Anne's Primary School in Makadara Constituency because you find them assisting the children to cross that busy road. The zebra crossings are not enough although we really need them. They are not enough solution to help these children.

Hon. Speaker, as we support this Motion, let the Labour Committee also request for additional traffic marshals who can be stationed in all primary schools within Nairobi County where the schools are near the road. As Kenyans, we are very poor in observing the traffic rules and especially rogue drivers for the public vehicles within the CBD. For instance, the same spot I have mentioned along Jogoo Road, the school demonstrated and that is when bumps and zebra crossing were erected there after several accidents. We also have the private citizens who act as traffic marshals.

As I support this Motion, let us see how we can include that part of impelling the Executive in the Motion to deploy traffic marshals to all primary schools be it is public or private. Like the Minority Leader has said, we were told to look right, left and if the road is clear we cross. But nowadays we do not have that to do that because the matatus are using even the pavements, they are ever in a hurry. To spice up this Motion, let us include that part of deploying these traffic marshals within all primary schools that are next to busy roads within Nairobi. Thank you.

**Hon. Speaker:** May the mover rise to reply.

**Hon. Perpetua Mpojiwa:** Thank you, Hon. Speaker and the Members, I really appreciate the support and the recommendations herein. I beg to reply, thank you.

*(Question put and agreed to)*

#### CONTROL OF NOISE POLLUTION FROM BARS, NIGHTCLUBS AND RELIGIOUS BUILDINGS

**Hon. Speaker:** Hon. Members, Motion No. 9 got approval on deferment from the Member who sponsored the Motion. The Member requested the Office of Speaker for deferment of the Motion, and the same was approved. This brings to the conclusion of the business of the day.

*(Motion deferred)*

I request the House Business Committee to have a sitting at the rise of the Assembly.

**ADJOURNMENT**

**Hon. Speaker:** Hon. Members, the House stands adjourned to tomorrow, Thursday 9<sup>th</sup> March 2023 at 2.30 p.m.

**The House rose at 3.21 p.m.**