



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Second Session

Thursday 8th June 2023

The House met at 2.30 p.m.

[The Temporary Speaker (Hon. Antony Gathumbi) in the Chair]

PRAYER

QUORUM

Hon. Temporary Speaker: Hon. Members, we are yet to get quorum. Any Whip around? Serjeant-at-Arms, ring the bell for ten minutes so that we can get the quorum.

(Quorum bell was rung)

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

NOTICE OF MOTION

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

Hon. Temporary Speaker: Mheshimiwa Brian Itenya.

Hon. Brian Ndavua: Thank you, Hon. Speaker. I beg to give notice of Motion of the following Motion:

THAT, aware that Article 196 (1) of the Constitution of Kenya, 2010 and Paragraph 5 of the Fourth Schedule to the Constitution provides that functions and powers of the County Government on County Transport, including regulation of county roads, street lighting and public road transport, traffic and parking; further aware that Paragraph 8 of Part 2 of the Fourth Schedule to the Constitution, 2010 provides for County planning and development, including housing as a county function; acknowledging that recent years have witnessed increase of development of residential apartments within the county, and more so in informal areas; concerned that most residential buildings were built with inadequate parking places for the tenants; further concerned that most tenants have opted to parking their vehicles on the road reserves and pavements

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thus blocking other motorists, this has contributed to increased traffic snarl-ups in some residential areas in the County, especially during rush hours; this Assembly urges the County Executive to develop regulations to provide for all building plans for residential buildings to have adequate parking spaces for tenants.

Thank you, Hon. Speaker.

STATEMENTS

REQUEST FOR STATEMENT REGARDING STALLED DEVELOPMENT ON PUBLIC LAND IN KIBRA SUB COUNTY

Hon. Temporary Speaker: Hon. Samson Jera.

Hon. Samson Ooko: 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 Lands, Planning and Housing regarding the stalled development on public lands in the County, specifically in Kibra Sub County.

Hon. Speaker, a Gazette Notice dated 25th March 2023 was published by the County Secretary declaring Kibra Nubian Community land measuring approximately 288 acres, a special planning area. Consequently, a letter written by the former County Secretary was issued prohibiting any further development in the mentioned area for a period of not more than two years from the date of the Gazette Notice.

Hon. Speaker, the said Gazette Notice and the letter from the County Secretary have consequently prevented the Kibra Community from making any developments on the said public land hence residents cannot get adequate services like water, electricity, ECD centres, schools, hospitals amongst others.

Hon. Speaker, the residents of Kibra Sub-county will continue to suffer unless the said letter is revoked to allow development projects on the said public land.

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

- i. The legality of the Gazette Notice and the letter from the County Secretary;
- ii. Reasons why the County Executive has not revoked the said letter from the County Secretary; and
- iii. Measures that the County Executive is putting in place to revoke the Gazette Notice which has prevented development in the County.

Thank you, Hon. Speaker.

Hon. Temporary Speaker: Chairman, Planning Committee?

Hon. Alvin Palapala: Thank you, Mr. Speaker. Since we have other matters before the committee, I request the Hon. Member to give us three weeks to respond to the matter.

Hon. Temporary Speaker: Hon. Member?

Hon. Samson Ooko: Hon. Speaker, with all due respect to the Chair of Planning, this matter is urgent. I have received a document today that has given me authority to put a hospital in Lindi. The contractor has been awarded the contract and we need to start the work. Please reduce the days probably to seven days, I beseech you. Thank you, Mr. Speaker.

Hon. Temporary Speaker: Chairman, you have been beseeched.

Hon. Alvin Palapala: Thank you, Mr. Speaker. I cannot reduce the time to seven days but to 14 days. I do not want to please him. Thank you.

Hon. Temporary Speaker: Hon. Member, I think that is adequate.

Hon. Samson Ooko: Hon. Speaker, I will not go further. Mine was a humble request to him, you are not pleasing me in any way, in fact he is pleasing the people of Lindi. When he says he cannot reduce to seven days, he is hurting the people of Lindi, but it is okay, I will wait.

Hon. Temporary Speaker: Thank you, Mheshimiwa, you have been heard. Next Statement is from Hon. Fiunifu.

REQUEST FOR STATEMENT REGARDING ALLEGED ACQUISITION
OF PUBLIC UTILITY LAND IN THE GIGIRI AREA BY A PRIVATE DEVELOPER

Hon. Kamau Fiunifu: Thank you, Hon. Speaker. I rise pursuant to Standing Order No. 47 (2) (c) to request for a Statement from the Chairperson of the Sectoral Committee on Urban Planning and Housing regarding alleged acquisition of public utility land in the Gigiri area by a private developer, originally LR 12979/1 that was reserved for construction of a fire station to serve the residents of Gigiri and UN.

Hon. Speaker, Article 62 (2) of the Constitution of Kenya, 2010 provides that public land shall be vested in and be held by a county government in trust for the people/residents in the county and shall be administered on their behalf by the National Land Commission. In doing so, the county government is required to take any steps to safeguard encroachment of public land. These spaces are important in establishment of important amenities such as fire stations and other public utilities.

Hon Speaker, Ndung'u Report on illegal and irregular allocation of public land stated that the said parcel of land was mentioned as one of the public lands that was irregularly allocated to private entities and which the report calls for revocation of the title deed.

Hon. Speaker, the defunct Nairobi Metropolitan Services in 2021 partnered with Scorpion Properties Limited to construct a fire station on a parcel of land owed to Nairobi Water and Sewerage Company which house the staff of Nairobi Water Company. The said staff were evicted so that the Gigiri Fire Station could be constructed by Scorpion Properties Limited.

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

- i. A report on the history of ownership of the parcel of land LR 12979/1 or the original designated site of the Gigiri Fire Station and provide the original map and survey plan;
- ii. Whether the County Executive has made any efforts to repossess the original piece of land that was originally earmarked to cater for the fire station in Gigiri;
- iii. Whether the defunct Nairobi Metropolitan Services conducted a public participation with the area residents before constructing the Gigiri Fire Station at the current site; and
- iv. A report on the terms of the public-private partnership between the defunct NMS and the private developer.

Thank you.

Hon. Temporary Speaker: Thank you, Hon. Fiunifu. Chair, Planning?

Hon. Alvin Palapala: Thank you, Mr. Speaker. I thought the that the Member who is requesting for the Statement is a Member of the Planning Committee. I am wondering whether he has any interests.

Hon. Temporary Speaker: Hon. Member, can you confirm whether you are a Member of the Planning Committee?

Hon. Kamau Fiunifiu: Thank you, Hon. Speaker. As per the communication from the Acting Jubilee Secretary General, I am a Member, but as for the impostor Jubilee SG, I am not a Member. The leadership of this House has dragged itself on this matter and I call upon the Chair to pronounce himself on this matter because there is indeed a crisis. All the same, whatever you decide, I do not even care how long the Chairman will take. I am requesting the Chairman that this time you are not going to leave me in the bush like you are used to.

Hon. Temporary Speaker: Serjeant-at-Arms, can you please call the Whip to confirm the status of the Member?

Hon. Alvin Palapala: Whether he is imposter or the real one, I do not know what he meant. Hon. Speaker, I stand advised by your ruling. Thank you.

Hon. Temporary Speaker: Thank you, most obliged. Just wait, Mheshimiwa Fiunifiu, we need to confirm that situation.

(Statement deferred)

MOTION

DESIGNATION OF TERMINI FOR PSVS IN THE COUNTY

Hon. Kennedy Swaka: Hon. Speaker, I beg to move the following Motion on the floor of this House today:

THAT, aware that Article 46 of the Constitution of Kenya, 2010 provides that consumers have a right to protection, health, safety, and economic interest. The Constitution in Part 2 of the Fourth Schedule, apportions the parking and traffic aspects of transport functions with the county governments; cognizant that Section 27 of the Nairobi City County Transport Act, 2020 prohibits PSVs from picking up and dropping passengers at undesignated bus stops, and Sections 46 and 47 of the Act prohibits persons from packing on public roads in a manner that impedes traffic flow and strictly restricts parking to the designated areas. The sections particularly prohibit PSVs from using undesignated areas as parking prior to obtaining authority from the County; noting that in pursuant of the County beautification initiatives, the County has from year to year allocated and appropriated funds towards rehabilitation, greening, and decoration of the roundabouts, including entering into maintenance agreements with private companies for the purposes of environmental aesthetics; further noting that the County has been putting in place measures to decongest the County but PSVs continue to operate in undesignated areas along the roads, for instance, the Outer Ring Road, Jogoo Road, among others; deeply concerned that in persistent use of roundabouts and roads shoulders by PSVs as termini continue causing heavily tailbacks of traffic on key roads such as Outer Ring Road on a daily basis, leading to loss of productive time and loss of value for the money and investment; this Assembly urges the County Executive to:

1. Issue a public notice prohibiting PSVs from using roundabouts as termini around shoulders, laybys and or parking areas in contravention of the law;
2. Continuously enforce the foregoing prohibition notices using enforcement officers at the County and sub-County levels, and

3. Formulate regulations under the Nairobi City and County Transport Act, 2020, further to provide for punitive measures for operators who illegally use roundabouts as termini, laybys or parking.

Hon. Speaker, as we know, there has always been a very dangerous issue of time mismanagement in the Republic of Kenya. This is being caused by indiscipline among PSV operators because they do not want to be disciplined on the roads. This has caused passengers to waste a lot of time on roads just because of something that can be avoided. The County should ensure that traffic marshals are deployed on different public roads so that it can prevent this misuse of time on our roads. To ease traffic jam, we must have a control which can only be enhanced by ensuring that the commanders of the sub-counties have been mandated by the County Security directors to ensure that they deploy Nairobi City County traffic marshals to different roads especially during peak hours to ensure that there is easy movement of vehicles.

Number two, I will also talk about the misuse and damage of road carbs and roadsides, including misuse of or using parking areas and laybys. Mr. Speaker, the matatu operators have misused our roads because they pick up and drop off at any area even without considering the (*Hon. Speaker consulted a Member*) --- I don't know if you are busy, Hon. Speaker. I need your attention. I don't know if you can remember the last word in the sentence I made, but I will continue if you allow.

Mr. Speaker, there is a lot of misuse of our roads, especially road carbs, roadsides and parking areas by the matatu operators simply because they do not want to pick up and drop off at designated areas. They end up picking up and dropping off at any point on our roadsides causing a lot of traffic jams. That is why I am saying that it is important that the sub county commander be given an opportunity to deploy the traffic marshals in different parts of the roads during peak hours; that is morning hours and the evening hours. This will ensure that this issue of traffic jams does not consume much of our time.

We need to ensure that the Executive comes up with regulations that are going to ensure that there is proper enforcement of this Motion. If we have proper regulations, it is going to help us collect a lot of revenue from the indiscipline PSV operators who pick up and drop off at undesignated areas. The County allocates a lot of resources for the maintenance and repair of the damaged roads caused by PSVs. The revenue collected can also be used to increase the salaries of the MCAs

Therefore, I request that we take this Motion seriously and ensure that it is fully implemented if it will be passed on the floor of this House. I therefore call on Hon. DNG to second. Thank you.

Hon. Temporary Speaker: Mheshimiwa DNG.

Hon. Davidson Ngibuini: Thank you so much, Hon. Speaker, I rise in support of this very pertinent Motion. As I begin, I would like to say that I am very impressed by the level of substance shown in this Second Session so far.

Hon. Speaker, we have adequate bus stops and matatu stages in our wards. The matatu SACCOS, the matatu operators and the touts, also known as the Kamagera, need to comply and confine themselves to the designated bus stops and matatu stages. This unchecked behaviour of stopping a bus or matatu anyhow and anywhere in total disregard of other road users in the name of picking up and dropping passengers, cannot be tolerated anymore.

In my ward, for example, we have matatus and city hoppers that stop their vehicles, turn them aimlessly and cause traffic with impunity. All this is done to allow them avoid queuing at their bus termini as well as to avoid traffic. They cannot be allowed to continue operating as if they are more important than pedestrians and other road users in this Capital City. It is an issue that must be dealt with, and disorderliness of this nature cannot be portion the Capital City of the Republic of Kenya. Therefore, Hon. Speaker, allow me to also remind you that the Governor promised Nairobian order. It is not in order for my matatus to park on the road shoulders, road corners and roundabouts.

Another huge problem we are seeing in our wards is the dumping of stalled vehicles on our pavements. Cars with no wheels are rampantly placed on stones and left there to rot in broad daylight. We have mechanics fixing them on our pedestrian walkways. This makes it impossible for pedestrians to access the footpaths and forces them to walk on the road, exposing them to the risk of accidents. Allow me to say that mechanics need to confine themselves to their areas of business operations, that is their garages.

The City Inspectorate has, without doubt, let down Nairobian by not enforcing this breach of public order. If the County Executive is truly serious about creating order, let them use the same zeal, passion, speed and gusto that they used to remove the hustlers from their areas of doing business in our wards last week, to deal with this transportation crisis. In the words of the Governor, "*lazima iwork.*" Asante.

Hon. Temporary Speaker: Hon. Members, I will propose the pertinent Motion that brings order into our society.

(Question proposed)

Members, you are welcome to contribute to the Motion. Mheshimiwa Kwenya.

Hon. John Kwenya: Thank you, Mr. Speaker. This is a very important Motion from Hon. Kennedy Swaka. For sure, he has done his timing because this is an issue that has particularly disturbed my mind a lot with the indiscipline that is in our city today. Even in CBD, there are a lot of messy issues that are going on; not only the PSVs but even the private vehicles including the vehicles that belong to Hon. Members. This is because our parking has not been given back. When you go round the town, you will realize those people who have big names park their vehicles on the pavement, which has really destroyed our pavements, walk ways, drainages and manholes. This is a very bad trend, and if we continue with this trend of parking wherever you want to park, this city in few months will be in a very bad position. So I really look forward to implementation of this Motion to bring a change in this kind of behavior and indiscipline that is there in our city. It is the duty of our enforcers to make sure that there is order in this city. There are laws and Motions that have come but when it comes to the issues of implementation, we have a very big problem.

Hon. Speaker, I am calling upon the mover of this Motion to even include instant penalties to offenders of these laws and regulations that are there in the city so that the County can have income. Those people who want to offend, they can do at their own risks. Sometimes, they do these offences but there is nothing that is done to them because they know the County askaris. If you go round the city you will see the mess that is there. The pavements and walkways have been destroyed, and the movement of the vehicles is very slow. That is why this Motion is very timely and I really want to support it and say that we need to move at a very fast speed to make sure the city is in order. Thank you, Mr. Speaker, Sir.

Hon. Temporary Speaker: Mheshimiwa Samson Jera.

Hon. Samson Ooko: Thank you, Hon. Speaker. I also want to say that this Motion is timely, coming from one of the members who is very brave and tallest in this Assembly, Hon. Swaka. I strongly support this Motion. I am certain that there is a law prohibiting PSVs from parking everywhere. I am sure that failures only come from the law enforcers. Going by the history, you will realize that many of the owners of these PSVs are the police. You can never send a police to catch a police. They will see them do mistakes and none will respond because they know that they own these matatus. Therefore, if it is upon the County Assembly to provide law enforcers who will make sure that these matatus abide by the law, so be it.

Hon. Speaker, these matatus do not only block members of the public, but they also cause accidents because they are careless. Some of them are driven by unqualified drivers who do not even hold driving licenses. At some point you will find a driver causing an accident then run away leaving the PSV there. So, there must be a serious law and enforcers must take into account that this is a PSV that is carrying human beings. Otherwise, we will continue losing lives and sustaining serious injuries as a result of this carelessness.

Hon. Speaker, if there is a problem with enforcing this law, I am certain that the County has enough enforcers, and if they are not enough, then it is the high that the County employs more youths to work on these areas. We have so many youths who are unemployed, if you choose to have a few from each ward to work as traffic marshals down there, this will help us in creating job opportunities and equally controlling the traffic that is unnecessary. Thank you, Sir and thank you, Hon. Swaka.

Hon. Temporary Speaker: Thank you. Mheshimiwa Bosire Naomi Kerubo.

Hon. Lily Kidenda: Hon. Speaker, before I raise my voice to support this excellent Motion from my Vice Chair of Education, I would like to seek your indulgence if this is permissible. I stand on a card that is not mine, is this acceptable?

Hon. Temporary Speaker: It is acceptable because you have pronounced that---

Hon. Lily Kidenda: Yes, I wasn't able to get my card on time but I feel---

Hon. Temporary Speaker: As you start your statement, may we know who is addressing the House?

Hon. Lily Kidenda: Hon. Speaker, my name is Hon. Lily Kidenda, and I thank you for your indulgence. I want to support this Motion by saying that this is long overdue; it should have been here yesterday and beyond. Allow me to request that my Vice Chair broadens this beyond the matatus. I concur with Mheshimiwa Jera that our law enforcement is selective. He singled out the police. I would like to talk about the council policing who selectively, forcefully and in a very unbecoming manner harass the cab drivers; Uber, Bolts and Little Cabs and allow other members of the taxing fraternity to park anywhere and anyhow without harassment.

Let me give a personal example, I was in a taxi and I was being dropped, a council police came to us and demanded to take this guy away. If he was going to escape this, he would have to pay Kshs. 15,000. It was 8 o'clock in the morning. I am not aware anyone who is a taxi operator who would have that kind of money to cough. It became such a terrible scene that if it were not for the other taxi users who were around there, they may have been a death.

As my Chair talks about this, I would like to support it but say that selective law enforcement is killing this nation, both at the police level and at the council level. So, if this can be looked into and not a section who park and block roads everywhere and get away with whatever they do, and a certain section that is doing

honest business – I mean an Uber driver dropping you does not even take even five minutes, they are so terrified and end the trip like a minute or so before and request for pay. So, would like to request that this Motion be broadened and that be included and law enforcement be made mandatory and accountable. I don't know how it can be communicated to Uber, Bolt and Little Cab drivers that it is illegal for them to pay their way as they do their business with a little that they earn. In fact, if you ask me, it is absolutely criminal.

I would like to support this Motion and pray that this House will push it, not just to pass it but see that implementations are put in place. Thank you, Hon. Speaker.

Hon. Temporary Speaker: Thank you very much, Mheshimiwa. Hon. Peter Maina.

Hon. Peter Maina: Thank you, Hon. Speaker. I want to support this Motion, which is overdue. Looking at a different angle, I want to congratulate Hon. Swaka because it will bring revenue if fully implemented. In fact, the County Executive needs money for development and as elected leaders, we need development. When you around the County, there is a lot of obstruction, and for me I see money being lost. It is not all about matatus, there are also private vehicles obstructing. Like my colleague, Hon. Jera has said, we need to come up with a law or a policy that each and every ward is given chance to employ marshals. The county will gain a lot. If it is not properly implemented by human, we can use cameras because all what we need is funds. We---

(Members walked out of the Chamber without bowing)

Hon. Temporary Speaker: Order, Waheshimiwa! Call Mheshimiwa Antony and Mheshimiwa Steve, please. You know we have to bring order to the Assembly. There is a way you leave the Assembly and there is a way you enter the Assembly. We have no problem with you leaving, but you are a seasoned politician.

(Hon. Antony bowed at the bar and left the Chamber)

Thank you very much. Please pass that message to Mheshimiwa Steve also. Thank you Mheshimiwa Osama for letting us bring order into the House. We are talking about order of Nairobi; we must start the order here. *Si ndio? Asanteni.*

Hon. Peter Maina: Thank you Hon. Speaker. We have other people who come from other counties to disrupt our county. If you go to Machakos and Nakuru counties, there is order but the matatus come in from there to obstruct us here. We need to act properly. I support this Motion and insist on its implementation. Thank you, Hon. Speaker.

Hon. Temporary Speaker: Mheshimiwa Whip, Kamau Joyce.

Hon. Joyce Kamau: Thank you, Mr. Speaker, I stand to support this Motion. Governor Sakaja is the fifth Governor we have, all his predecessors have tried to decongest Nairobi without success because of matatus and road users who use our spaces as parking. It is a high time we develop tough laws and fines regarding this and also incorporate NTSA in this matter so that the vehicles that abuse our roads after warnings and fines, get suspended. With these tough measures, I am sure that we will be able to decongest our city and make good use of our roads. I support.

Hon. Temporary Speaker: Mheshimiwa Daktari Patrick Mwangi Macharia.

Hon. Patrick Macharia: Thank you, Mr. Speaker for the opportunity to contribute to this good Motion. We are just speaking about laws and not giving alternatives on how these matatus will carry from. Enforcing

more laws in this House is cooking bread and butter for the law enforcers. If today we pass a law in this House, the city askaris on the ground will use it to ensure that they have something to cook in their homes. We need to get alternatives as to where we are moving them to.

Mr. Speaker, I got an opportunity to travel to other countries and I realized that they do not have traffic jam because they have ways of doing their business. My colleague has said that all the sitting governors have tried to decongest Nairobi yet none has been successful. If today we have a train picking passengers from my ward in Maringo and bringing them to Kencom, then I will rather leave my car at Maringo so that I can alight at Kencom and walk to City Hall. People are complaining that members of this House have blocked the road outside because they are parked on the roadside.

Mr. Speaker, as we speak, green park has been left unattended to yet it was a very good initiative brought by the defunct NMS. If we continue to pass laws here, we are just making bread and butter for the law enforcers. So, let us introduce other ways and measures that will make the matatus stop the blockages on the road. Thank you, Mr. Speaker and I beg to support the Motion.

Hon. Temporary Speaker: Are you supporting the Motion?

Hon. Peter Mwangi: Mr. Speaker, I am in support of the Motion but not on making new laws but creating alternative ways to curb this. Matatus are here to stay and people are even adding many more.

Hon. Temporary Speaker: Thank you very much, the mover has heard you. Finally, Hellen Awuor.

Hon. Hellen Awuor: Asante sana, Bwana Spika kwa kunipa fursa hii ili niweze kuongea. Kwanza napenda kumpongeza Mheshimiwa Makamu Mwenyekiti mwenye mswada huu. Ni jambo la kusikitisha kua hatuwezi fuata sheria kwa sababu wanaomiliki magari ni watu mashuhuri ama maafisa wa polisi. Bwana Spika, mtu akivunja sheria, ningependa kuimiza atozwe faini. Isiwe eti mtu anavunja sheria na anapiga simu kwa sababu anajua mtu fulani na gari inaachiliwa.

Pili, yafaa tuwahusishe wamiliki wa magari ili tuweze kuwaelimisha maana hiki kitendo ni cha kuhuzunisha. Mara ukitoka nyumbani kuelekea kazini, ukifika njiani unapata *traffic* utapata zimesababishwa na matatu mbili au tatu ambazo ziliamua kusimama kwenye barabara ili kubeba watu. Tunafaa kuwaelimisha kua wanapobeba na kushukisha watu mahali popote, basi wanahadharisha maisha ya wengi. Tunafaa kuwapa funzo ili waweze kujua maana na umuhimu wa kutobeba watu kwenye barabara.

Tatu, Bwana Spika, ningependa kuongeza kua sisi kama watu wa *City County*, tuko na maafisa wetu. Kama wale wengine hawawezi kuaminika, basi tunaweza kuweka maafisa wetu ili wafuatilie jambo hili. Ni hayo tu, Bwana Spika. Asante.

Hon. Temporary Speaker: *Shukrani nyingi Mheshimiwa Hellen. Nafasi hii tunampa Mwenyekiti wa kitengo hiki cha Magari. Karibu Mwenyekiti.*

Hon. Musango Maithya: Thank you, Mr. Speaker. I support this Motion brought by my friend because there has been a lot of traffic jams along our roads, especially Jogoo and Outering roads, which is contributed by PSVs that have allocated droppings and pickings on the roundabouts. I ask the Executive and its officers to take action on this and help reduce the jam and time our people are using while coming or leaving the CBD. If this Motion is passed it will ease businesses and save time for our people. I support.

Hon. Temporary Speaker: Thank you very much, Chairman. Mheshimiwa DNG talked of mechanics along the footpaths and pathways, and as a Speaker who also lives within Nairobi, I wish that your Motion

could also include enforcement on the footpaths so as to avoid pedestrians from walking on the roads. I call upon the mover to reply.

Hon. Kennedy Swaka: Thank you very much, Mr. Speaker and Members for supporting this Motion. It is a very important Motion geared towards ensuring that Nairobi works through the Transport and Mobility Sector. Hon. Speaker, the Motion is clear in part three where I said that the Executive should formulate regulations to ensure Nairobi City County Transport Act, 2020 forthwith provides punitive measures for operations who illegally are transacting businesses on our roads without following the regulations that are provided. Although we have the Transport Act, 2020, the Executive has delayed to come up with regulations that are going to provide the smooth operation of PSVs on our roads, including issues to do with ensuring that we are not destroying our footpaths, our roads and designated areas for parking.

In part two of submission, the Executive continuously enforces the foregoing prohibition notice using enforcement. Although it is in action, we are saying that we strengthen the enforcement. We delegate the sub-county commanders to take charge in every ward and ensure that there are city marshals to ensure that they are working on our roads on a ward level. This will help us actually to reduce this menace that we are experiencing on our roads

Thank you very much for all those who have supported. I think and request Members to embrace it and pass it as it is. I know that the Executive will work on it. The good thing is that I am in the Implementation Committee. If it is passed, I will follow up to ensure that it is implemented effectively. Thank you, Mr. Speaker.

Hon. Temporary Speaker: Thank you very much, ladies and gentlemen.

(Question put and agreed to)

Hon. Temporary Speaker: Members, before we adjourn, you remember we had an issue with a statement from *Mheshimiwa* Fiunifiu. It has been customary that a Member who is in a particular committee cannot request a statement from the same committee, but I want just to relay the position we have today. So, Hon. Members, on the statement from Hon. Fiunifiu and the concern that was raised by the Chair of the Planning Committee of the said Member being an active Member of the Committee, noting that it is our House practice that no Member is required to seek statement from his own committee, the Chair undertakes to clarify on the status of the membership in the committee if he was de-whipped, then the statement shall be admitted in the next sitting. If the position is contrary, then the statement shall be disallowed. It is so guided.

ADJOURNMENT

Hon. Temporary Speaker: We adjourn until Tuesday 13th June 2023 at 2:30 p.m. Thank you very much and have a nice weekend.

The House rose at 4:01 p.m.