



**NAIROBI CITY COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Third County Assembly – Second Session**

**Wednesday 9<sup>th</sup> August 2023**

The House met at 2.30 p.m.

*[The Deputy Speaker (Hon. Paul Kados) in the Chair]*

PRAYER

**QUORUM**

**Hon. Deputy Speaker:** Clerk, do we have quorum?

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

Under Standing Order No. 37 (2), Serjeant-at-Arms, please ring the Bell for 10 minutes.

*(Quorum Bell was rung)*

*(Loud consultations)*

Hon. Members, consult in low tones, please.

Hon. Members, we still do not have quorum. Can the Serjeant-at-Arms ring the bell for a further five minutes?

*(Quorum Bell was rung)*

Serjeant-at-Arms, make sure that nobody goes out. Thank you, Hon. Kiogora, you will help me by not letting Members walk out. Serjeant-at-Arms, I can see a Member walking out.

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

Hon. Members, please be seated. Clerk!

**COMMUNICATION FROM THE CHAIR**

FLAGGING-OFF CEREMONY FOR CASA GAMES

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**Hon. Deputy Speaker:** Hon. Members, good afternoon and welcome to this afternoon Assembly sitting. I have the following communication to convey:

Hon. Members, as you may be aware, the County Assemblies Sports Association (CASA) games have been scheduled to take place from 19<sup>th</sup> to 27<sup>th</sup> August 2023 in Nakuru County. Indeed, I am aware that a number of you will be participating in various sports owing to the ongoing rehearsals in your respective teams. I want to wish you well in your preparation.

Hon. Members, my Office is in receipt of a communication from the Office of the Governor inviting all Members of the county Assembly and all participants in various sports to a flagging off ceremony to be presided by His Excellency the Governor. The event will take place at the City Stadium from 9.00 a.m.

Hon. Members, you are requested to be at the venue by 8.00 a.m. Consequently, Hon. Members, you are requested to attend the said ceremony and observe time. All Members and staff are requested to wear their sporting gear. You are so guided. Thank you.

## PAPERS

### COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW FOR THE FIRST QUARTER OF FY 2022/2023

**Hon. Deputy Speaker:** Majority Leader.

**Hon. Peter Imwatok:** Hon. Speaker, pursuant to Article 226 of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

The Report of the Controller of Budget on County Governments Budget Implementation Review for the first quarter of the financial year 2022/2023.

*(The Paper was laid on the Table)*

**Hon. Deputy Speaker:** Thank you. I direct it to be committed to the Public Accounts Committee.

### AUDITOR-GENERAL'S REPORT ON THE COUNTY GOVERNMENTS – COUNTY ASSEMBLIES FOR FY 2021/2022

**Hon. Peter Imwatok:** Hon. Speaker, pursuant to Article 229 (7) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

The Report of the Auditor-General on the County Governments – County Assemblies for the financial year 2021/2022.

*(The Paper was laid on the Table)*

**Hon. Deputy Speaker:** Thank you. I direct that it be also committed to the Public Accounts Committee.

### NATIONAL GOVERNMENT BUDGET IMPLEMENTATION REVIEW FOR THE FIRST THREE MONTHS OF FY 2022/2023

**Hon. Peter Imwatok:** Thank you once again, Hon. Speaker. Pursuant to Article 228 (6) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

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The Report of the Control of Budget on National Government Budget Implementation Review for the first three months of the financial year 2022/2023.

Thank you.

*(The Paper was laid on the Table)*

**Hon. Deputy Speaker:** Thank you, Hon. Majority Leader. [The Report] to be committed to the Committee on Budget and Appropriations.

AUDITOR-GENERAL'S REPORT ON THE COUNTY GOVERNMENTS – COUNTY EXECUTIVES  
FOR FY 2021/2022

**Hon. Peter Imwatok:** Lastly, Hon. Speaker, pursuant to Article 229 (7) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

The Report of the Auditor General on County Governance Governments – County Executives for the financial year 2021/2022.

*(The Paper was laid on the Table)*

**Hon. Deputy Speaker:** Thank you, Hon. Majority Leader. [The Report] is committed to the Public Accounts Committee.

**Point of Order**

**Hon. Peter Imwatok:** Hon. Speaker, under Standing Order No. 1, on the Speaker's discretion, if you allow me.

**Hon. Deputy Speaker:** You can go on.

**Hon. Peter Imwatok:** Hon. Speaker, I want to inform the House, pursuant to the communication from the Chair that you have just done. I want to emphasize that tomorrow is a very important day for the sporting community, both the Executive and the County Assembly because the Governor, His Excellency Arthur Sakaja, the Hon. Speaker and the Hon. Deputy Speaker will be officially flagging off our teams for both KICOSCA and CASA games. KICOSCA will be taking place in Meru and CASA games, which I am the president, will be taking place in Nakuru.

Therefore, from tomorrow 8.00 a.m. we expect all the Members and staff of the County Assembly, and the Executive to be at the City Stadium for official handover of our County flags for the participating teams. This is the first occasion after elections that all the Members of the County Assembly and the staff meet to integrate and mingle.

I believe under your office, Hon. Speaker, you have a provision that all the 123 Members of the Nairobi County Assembly and all the 166 staffs will be in Nakuru to cheer our teams as they bring back the glory. Thank you, Mr. Speaker and let us meet in Nakuru after the Devolution Conference. Thank you.

*(Applause)*

**Hon. Deputy Speaker:** Thank you, Hon. Majority Leader. I think the House has understood the importance of those games to the Nairobi County Government and the County Assembly.

Hon. Members, I am reminded by the Clerk that the Papers which were laid from the Auditor-General reports are committed to the Public Accounts Committee, and the Reports on the County Budget Implementation Review and the National Government Budget Implementation Review are committed to the Budget Committee.

REPORT ON PETITION PRESENTED BY ONLINE TAXI DRIVERS ASSOCIATIONS

**Hon. Deputy Speaker:** We have the report of the Sectoral Committee on Transport.

**Hon. Musango Maithya:** Thank you, Hon. Speaker. Pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

The report of the Sectoral Committee on Transport and Public Works on Petition presented by Hon. Mark Mugambi, MCA, on behalf of the Online Taxi Drivers Associations.

*(The Paper was laid on the Table)*

**Hon. Deputy Speaker:** Thank you. There is another report you are supposed to lay.

REPORT OF THE COMMITTEE ON TRANSPORT AND PUBLIC WORKS' WORKSHOP

**Hon. Musango Maithya:** Thank you, Hon. Speaker. Pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 9<sup>th</sup> August 2023:

The report of the Sectoral Committee on Transport and Public Works on the workshop held from 17<sup>th</sup> to 20<sup>th</sup> May 2023 at Maxland Hotel, Kiambu County.

*(The Paper was laid on the Table)*

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

## STATEMENTS

BUSINESS APPEARING BEFORE THE ASSEMBLY FOR THE WEEK

**Hon. Deputy Speaker:** Hon Sospeter, you have a statement.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker. May I begin by appreciating the Members for making quorum for today's sitting. We as a Business House Business Committee are honored and we really thank you for that. Now, I move forward to read the statement of the House Business Committee.

Hon. Speaker, pursuant to Standing Order No. 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 9<sup>th</sup> August 2023.

Hon. Speaker, the Assembly Business Committee met on Tuesday 8<sup>th</sup> August 2023 to allocate business for the week for consideration by this Assembly. In that regard, Hon. Speaker, allow me to brief the Assembly as follows:

1. Today, Wednesday 9<sup>th</sup> August 2023, under Order No 8 and 9, we will be considering the under listed business item respectively:

- a. Motion by the Chairperson of the Sectoral Committee on Roads, Transport and Public Works regarding the investigation into the alleged road closure of Thigiri Lane in Karura Ward. We appreciate you, Hon. Fiunifu for being present.
  - b. Motion by the Chairperson of the Sectoral Committee on Health Service Services on the site inspection visit to Pumwani Maternity Hospital to determine the status of the said health facility for corrective action in regard to its operations in service delivery to the citizens of the County.
2. Further, on Thursday 10<sup>th</sup> August 2023, under Order No. 8 and 9, the Assembly will be considering the under listed business item respectively:
- a. Motion by the Chairperson of the Sectoral Committee on Health Services on the site inspection visit to Mama Lucy Kibaki Hospital to investigate the increased cases of medical negligence.
  - b. Motion by the Leader of the Majority Party to adjourn the County Assembly in accordance with the Calendar of the Assembly. We understand that we will be breaking for recess, so, the Motion is meant to effect that.
3. Lastly, Hon. Speaker, on Tuesday 12<sup>th</sup> September 2023, and this is the day that we will be resuming for sitting after recess, the Assembly will be considering the Motion by Hon. Sospeter Mumbi, MCA, urging the County Executive to:
- a. Issue a public notice asking the owners to remove all broken down vehicles and road construction equipment from any public space in the County or they will be removed by the County at the owner's cost at the expiry of a period of two months;
  - b. Issue a public notice to all car yard owners to vacate any public spaces they operate within a period of one month at the expiry of which the County will enforce compliance through an operation of towing away the vehicles; and
  - c. Through the County Executive Officer for Security and Compliance, put in place measures for countrywide operation to enforce the foregoing vacation notice at the specified timelines and continuously monitor any further violation for action.

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

The House Business Committee shall be informing this Assembly every Wednesday through its designee the allotted business during the Statements Hour for timely preparation.

Finally, Hon. Speaker, the Assembly Business Committee will again meet on Tuesday 12<sup>th</sup> September 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 this County Assembly. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon Sospeter. Can we have the Chairperson, Delegated County Legislation Committee?

REQUEST FOR EXTENSION FOR CONSIDERATION OF THE NAIROBI CITY COUNTY EXECUTIVE STATE AND PUBLIC OFFICERS CAR LOAN AND MORTGAGE SCHEME FUND REGULATIONS, 2023

**Hon. Nasra Nanda:** Thank you, Hon Speaker and Hon Members. It is my pleasure to stand before you with a request to seek an extension for consideration of the Nairobi City County Executive State and Public Officers Car Loan and Mortgage Scheme Fund Regulations, 2023 in my capacity as the Chairperson of the Delegated County Legislation Committee.

Hon Speaker, as you may be aware, the Nairobi City County Executive State and Public Officers Car Loan and Mortgage Scheme Fund Regulation, 2023 was tabled in the Assembly on Wednesday 5<sup>th</sup> July 2023 pursuant to Section 116 of the Public Finance Management Act, 2012. Subsequently, Hon Speaker, upon tabling the regulations, it stood committed to the Select Committee on Delegated County Legislation for consideration within 28 days as provided for in Section 15 of the Statutory Instruments Act, 2013.

The Select Committee on Delegated County Legislation adopted the work plan for the same and commenced its engagement with County Executive. However, due to the transition to the new financial year, we may not attain the earlier timeline that we had anticipated.

As such, Hon Speaker, pursuant to the provisions of Standing Order No. 208, the Select Committee on Delegated County Legislation wishes to request for an extension of two months for the consideration of the regulations to enable it engage prudently with the respective sectors on the same as per the guidelines dictated in Section 116 of the Public Finance Management Act, 2012 and the Salaries and Remuneration Commission Circular referenced SRC/ADM/CIR/1/13 VOL 2/128 dated 17<sup>th</sup> December 2014 on Car Loan and Mortgage Scheme for State Officers and Public Officers of the Government of Kenya.

Hon Speaker, the Committee humbly seeks your indulgence on this matter. I lay the statement on the Table. Thank you.

**Hon. Deputy Speaker:** Thank you. The extension you are asking is for how long?

**Hon. Nasra Nanda:** Hon Speaker, the extension we are asking for is for two months, only for the purpose of ensuring that in the event that there is any delay, we are covered in that timeline. But as a Committee, we are committed to ensure that we finalize at the earliest.

**Hon. Deputy Speaker:** So, you are going to finalize within two months?

**Hon. Nasra Nanda:** Yes.

**Hon. Deputy Speaker:** That is granted. I hope you will not ask for any other extension.

**Hon. Nasra Nanda:** No further extension. Thank you, Mr. Speaker.

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

## PERSONAL STATEMENTS

**Hon. Deputy Speaker:** We have personal statement from Hon Waithera Chege. What is the personal statement?

THREATS AND INTIMIDATION BY UNKNOWN PERSONS OVER PURSUIT TO REPOSSESS PUBLIC LAND AT SOUTH B SHOPPING CENTRE

**Hon. Waithera Chege:** Thank you, Hon. Speaker. I rise pursuant to Standing Order No. 92 to bring to the attention of this Assembly of a matter I am pursuing in my ward towards the repossession of public land No. 209/12621 at South B Shopping Centre in the area popularly known as Makuti Center, which had been earmarked for construction of a public market but has been grabbed by an influential Member of Parliament.

Hon Speaker, my pursuit towards the repossession of the said grabbed land has exposed me to intimidations and threats by unknown persons. Hon Speaker, I wish to inform this Assembly that my life is in danger as a result of my efforts to reclaim the grabbed public land in question.

The said property in question was at the night of 2<sup>nd</sup> August 2023 fenced off with iron sheets by goons hired by the said Member of Parliament, whom I understand is well connected with the County officials and his wife is also a senior CEC Member in the County, with the intend to deprive the public and residents of South B of public space meant for the construction of a public market.

Hon Speaker, organized traders in Nairobi South are in the process and have already compiled a public petition inviting this Assembly through the respective committee to intervene in a civil manner towards averting the land from being grabbed by the said Member of Parliament. Hon Speaker, until then when that petition shall be presented herein, should anything happen to me then you know who to look for. I have already proceeded to record a statement at the police station, OB No. 9 of 2023.

Lastly, Hon. Speaker, let this be a warning to all the land grabbers and cartels in the County, public good should always prevail over vested personal interests, and that is what we were elected to stand for and represent in this Hon. Assembly. Hon Speaker, the fact that the person grabbing this land is a Member of Parliament and the wife is a senior CEC Member in this County, raises more eyebrows.

Thank you, Hon. Speaker. The statement is hereby signed by myself.

**Hon. Deputy Speaker:** Thank you, Hon Waithera. That is a very serious matter. Can you forward that statement to the Clerk so that the Speaker gives a comprehensive statement tomorrow at 2:30 p.m.?

**Hon. Waithera Chege:** Most obliged, Hon Speaker.

**Hon. Deputy Speaker:** Thank you. Can we have Hon Joyce?

#### THREATS DUE TO LEGISLATIVE PROPOSAL TO HAVE WATER AND SEWERAGE SERVICES ANCHORED IN THE COUNTY LEGISLATION

**Hon. Joyce Kamau:** Thank you, Hon. Speaker. Pursuant to Standing Order No. 92, I rise to present a matter of great personal concern regarding my security.

Hon Speaker, Article 185 (2) of the Constitution of Kenya provides that a county assembly may make laws that are necessary for effective functioning of the county, provided the law provides for matter that fall within county government functions. Hon Speaker, Section 9 of the County Governments Act, 2012 reinforces this provision by accentuating the roles of a Member of the County Assembly, which includes legislation in the interests of residents of Nairobi.

Hon Speaker, the procedure of law making is adequately addressed by the County Governments Act, 2012 and further anchored in our Standing Orders. This procedure commences with a legislative proposal addressed to you, the Speaker. Hon Speaker, the advent of the Constitution, 2010 meant that bylaws and other legislations will give way to laws that align to the new order.

Accordingly, Hon. Speaker, I presented to your Office a legislative proposal to have water and sewerage services anchored in the County legislation. Since then, I have been threatened and received warnings not to proceed with the law because of unexplained perceptions into the proposal. In addition, you are aware that there were demonstrations at the gate of the County Assembly about a month ago regarding the same proposal and my name was mentioned widely and threatened.

Hon Speaker, we are talking about a mere proposal and not even a Bill. In an ordinary procedure, I will expect that once the proposal is published into a Bill and committed to a committee, all stakeholders will have an opportunity to submit their misgivings and make proposals. What we are being treated to is public debate on something that has not become anything.

Hon Speaker, I want to request you and this Assembly to take this matter seriously so that my Constitutional rights and my privileges under Section 26 of County Assemblies Powers and Privileges Act, 2017 are protected. Hon Speaker, indeed how this Assembly pronounces itself and handles this matter will set precedence for protection of all of us now and in the future since it is me today, tomorrow it is another Hon Member.

Nonetheless, Hon. Speaker, I want to record that I will not uncowed in my Constitutional roles as a Member of this County Assembly. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Joyce. I also direct that statement to the Clerk. It is going to be answered tomorrow comprehensively in this House. It seems there are very serious matters going on where Members are threatened. So, we will give a comprehensive report tomorrow at 2:30 p.m.

## STATEMENT

### REQUEST FOR STATEMENT REGARDING THE HIGH COST OF PIPED WATER IN THE COUNTY

**Hon. Joyce Kamau:** I have another statement.

**Hon. Deputy Speaker:** I hope it doesn't touch on that kind---

**Hon. Joyce Kamau:** No. This is not a personal statement

**Hon. Deputy Speaker:** Okay.

**Hon. Joyce Kamau:** Pursuant to Standing Order No. 47 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the high cost of piped water in the County.

Hon. Speaker, Article 43 (1) (d) of the Constitution, 2010 guarantees every person the right to clean and safe water in adequate quantities. The Constitution in the Fourth Schedule apportions water and sanitation function to the county. Hon speaker, as a County, we are yet to attain 100% of reticulation of portable water in the County in addition to inadequate supply of water from various sources, yet this commodity is supposed to be accessible and affordable to all County residents.

Hon speaker, in recent months, the cost of portable water supplied by Nairobi Water and Sewerage Company has skyrocketed beyond the reach of the poor majority in the County. This not only compromises the well-being of residents but also negatively impacts on the health and livelihoods of many in the County.

Hon Speaker, in the statement, the Chairperson should require into and report on:



1. Whether the County Executive and Nairobi Water and Sewerage Company have a policy in place to guide pricing of portable water;
2. The criteria followed by Nairobi Water and Sewerage Company in reviewing portable water prices in the County;
3. What informed the recent upward review of water prices; and
4. Long-term measures that the County Executive has put in place to increase the access of piped water in the County in the face of the existing overall deficit.

Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Chairman Water or any Member of the Water Committee? Hon. Joyce, aren't you a Member of Water Committee?

**Hon. Joyce Kamau:** I am not a Member, Hon. Speaker.

**Hon. Deputy Speaker:** Do we have any Member? The Majority Leader is not there; the Minority Leader, can you do an undertaking on behalf of the Water Committee?

**Hon. Anthony Karanja:** Hon Speaker, let me request a month and a half now that we are proceeding for recess. That is two weeks after we resume.

**Hon. Deputy Speaker:** You are comfortable, Hon. Joyce?

**Hon. Joyce Kamau:** Yes.

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

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

**Hon. Deputy Speaker:** Hon Matara, what is it?

**Hon. Silas Matara:** Thank you, Hon. Speaker for giving me this opportunity. In as much you have ruled on the two personal statements from my colleagues, it is important that you take cognizance of the fact that we are going for short recess. For the few months that we have been in this Assembly, getting quorum on Thursday is usually a problem. We have two Members who have raised concerns on their security, it is important that they are provided with security. It is also important---

**Hon. Deputy Speaker:** Hon. Matara, you want to imply that you won't be available when the Motion for us to go for recess will be brought to this House?

**Hon. Silas Matara:** I am not implying that, Hon. Chair. I am fearing for their security.

**Hon. Deputy Speaker:** You are out of Order. Tomorrow at 2.30 p.m. all of us will be here so that we can debate on the Motion of Adjournment. Tomorrow is a very important day because we will be going for recess.

### **MOTION**

#### ADOPTION OF REPORT ON THE INVESTIGATION INTO THE ALLEGED ROAD CLOSURE OF THIGIRI LANE IN KARURA WARD

**Hon. Deputy Speaker:** Hon. Chairman of Transport Committee.

**Hon. Musango Maithya:** Thank you, Hon. Speaker. I beg to move the following Motion:

THAT, this Assembly adopts the report of the Sectoral Committee on Transport and Public Works on the investigation into the alleged road closure of Thigiri Lane in Karura Ward, laid on the Table of the Assembly on Thursday 5<sup>th</sup> June 2023.

Hon. Speaker, on 2<sup>nd</sup> March 2023, Hon. Thuo Fiunifu requested for a statement from the Sectoral Committee on Transport and Public Works regarding closure of Thigiri Lane off Thigiri Ridge Road in Karura Ward. The Committee resolved to investigate the matter to gather more information and compile a report since the matter was of great public interest.

Hon. Speaker, for clarity, there are two access lanes branching from Thigiri Road, and Thigiri Lane which is in question is not in use. It was allegedly closed by Kenya Urban Roads Authority (KURA) for the reasons not known to the residents. However, it was accessible from the Thigiri Ridge Road by residents who live along it.

The Committee conducted a site visit and established that indeed the said road was closed by metallic grills and had recently being tarmacked by KURA.

The Committee wrote to the representatives of the Friends of Karura Forest Community Association, who informed the Committee that the management wanted the said road to be used as the exit from the forest because the other road was currently the entrance. The Committee also heard that two residents were against its opening fearing for transport and security.

The Committee met the County Executive who confirmed that the said road is a public road and a County classification and should not be closed at the discretion and convenience of an individual.

Therefore, the Committee made the following recommendations:

1. That, the CEC Member for Mobility and Works and the Chief Officer for Security and Compliance to forthwith ensure that the road is opened to the public exiting from Karura Forest in line with the plans of the association;
2. That, Friends of Karura Forest Community Association to immediately resume its project of installation of concrete paving of the parking area to address dust in the parking area;
3. The Friends of Karura Forest Community Association in collaboration with the County Government and KURA to put in place measures including street lighting to address security and traffic fears raised by a section of the residents;
4. The CEC Member of Mobility and Works, the Chairperson and the Board of Friends of Karura Forest Community Association to furnish the Committee with progress reports on the foregoing recommendations within 60 days; and
5. The CEC Member of Mobility and Works to expedite the road classification in line with Section 11 of Nairobi City County Transport Act, 2020 in view of opening any illegally closed or blocked public road in the County.

Hon. Speaker, I call upon Hon. Beatrice Ichungw'a to second the Motion.

**Hon. Beatrice Khungwa:** Hon. Speaker, I second the Motion.

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Members, you can now debate. Hon. Fiunifu.

**Hon. Kamau Fiunifiu:** Thank you so much, Hon. Speaker. I rise to support this Motion by the Sectoral Committee on Transport. Foremost, on my own behalf and Friends of Karura Community Forest Association and the adjacent communities around Karura Forest, I thank the Transport Committee, especially the Chairman who has done this report and all the Members of the Committee for coming to Karura three months ago. I thank you for your support and for standing with members of Friends of Karura Community Forest Association.

Hon. Speaker, the Karura Forest, as the Chairman has said, is a green space within Nairobi City County. As much as it is under the National Government, traffic management is a function under the County Government of Nairobi. As the Chair alluded to, there were two people who are politically connected who had the intention of blocking a public road. On behalf of the Friends of Karura Community Forest Association, I petitioned this County Assembly on the matter and I am happy that the Committee has resolved the matter and has agreed with the public that the said Thigiri Lane should be opened to the members of the public.

The said road, Hon. Speaker, is funded by the Exchequer through Kenya Urban Roads Authority (KURA). I would also like to give an undertaking on behalf of Friends of Karura Community Forest Association that the issues that have been raised as far as the speed of the cars is concerned, we are going to incur an expense and put bumps on the said two roads. We are also going to rehabilitate the parking in the forest to make sure that we have mitigated issues that have been raised about the dust. We are also going to engage the County to make sure that they have done the lighting in the area because the two members of the public had also raised the security issue.

Hon. Speaker, lastly, one of the recommendations that the Committee has raised on No. 5, that the County Executive Committee Member for Mobility and Works to expedite the road classification in line with Section 11 of Nairobi City County Transport Act, 2020 in view of opening all illegal closed or blocked public roads in the County, I wish the Committee can also follow up on this. This does not only concern Karura, it is countywide. The Executive should ensure that all the roads that have been blocked illegally are open for public use and for vehicular use.

With those remarks, I beg to request Hon. Members of this Assembly to support this Motion. May the good God bless you. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Fiunifiu. Do we have any other Member? Mover!

**Hon. Musango Maithya:** Thank you, Hon. Speaker. I thank all the Hon. Members who have supported this Motion, and the Members of the Committee and also the secretariat for the good job during the investigations. I talked to Hon. Fiunifiu and he is satisfied with the outcome of the investigations. Thank you, Hon. Speaker.

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

*(Question put and agreed to)*

## MOTION


ADOPTION OF REPORT ON SITE INSPECTION VISIT TO PUMWANI MATERNITY HOSPITAL

**Hon. Deputy Speaker:** Chair, Health Committee.

**Hon. Maurice Onyango:** Hon. Speaker, I beg to move:

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THAT, this Assembly adopts the report of the Sectoral Committee on Health Services on site inspection visit to Pumwani Maternity Hospital to determine the status of the said health facility for corrective action in regard to its operations in service delivery to the citizens of the County, laid on the Table of the Assembly on Wednesday 5<sup>th</sup> July 2023.

Hon. Speaker, on Thursday 24<sup>th</sup> November 2022, the Committee while deliberating on its oversight functions and exercising its mandates, resolved to conduct a site inspection visit to Pumwani Maternity Hospital, which offers various services to Nairobians such as maternity, delivery, post-natal services, pre-natal services, general medical services, among others.

The Committee conducted the site inspection visit to Pumwani Maternity Hospital on Wednesday 9<sup>th</sup> November 2022 in order to achieve the following objectives:

1. To inspect the status of the facility with a view to make recommendations of the said hospital for corrective action in regards to its operations in service delivery to the citizens of the County as follows:
  - To establish the conditions of machines and equipment at the said facility;
  - To determine if there is need for an increase in budgetary allocation for purchase of modern hospital equipment and machineries to enable proper service delivery;
  - To find out staff to patient ratio and thus has affected service delivery, particularly in maternity and anti-natal care;
  - To establish whether there are adequate drugs in the pharmacy, and if the corresponding budgetary allocation has been utilized accordingly.

Hon. Speaker, following the site inspection visit, the Committee observed as follows:

1. There was a shortage of nurses at Pumwani Maternity Hospital. Currently in Kenya, the ratio of nurses to patients at the said Health Facility is 1:40 as opposed to the recommended WHO ratio of 1:6, In this regard, it was noted that nurses cannot work efficiently to give maximum care to the patients.
2. There is a shortage of drugs in the pharmacy at Pumwani Maternity Hospital which caused the patients to buy from outside pharmacies at higher prices.
3. There was low budgetary allocation of Kshs.30 million for the financial year 2022/2023 which was inadequate for purchase of modern hospital equipment and machineries to enable proper service delivery.
4. Pumwani Hospital had only two machineries for ICU services, hence had requested for five more intensive care machineries units in proper condition, particularly in cases of emergencies.
5. The hospital relies heavily on NH and, Linda Mama for its revenue stream, constituting of 98% of the revenue base. Erratic and delayed reimbursement of funds especially Linda Mama has severely affected the hospital cash flow. As of September, the NHIF and Linda Mama owes the hospital Kshs.119 million against an average of Kshs.130 million annual claims to be reimbursed.
6. The hospital has a lot of pending bills of over Kshs.300 million incurred between the years 2010 up to 2020. The payment vouchers were forwarded way back to the NMS for payment but no feedback on the status.

Hon. Speaker, following the findings from the site inspection visit to Pumwani Maternity Hospital, the Committee urges the Assembly to resolve as follows:

1. The County Executive Committee Member for Health, Nutrition and Wellness Sector to ensure efficient institutional frameworks are urgently put in place to accommodate and respond to the needs of expectant mothers and other isolated cases.
2. The County Executive to purchase more equipment needed for intensive care Unit as Kshs.83 million was budgeted for in the budget estimates for the financial year 2023/2024.
3. The Hospital management should also develop a policy on the maintenance of the existing machineries. This will enable efficient service delivery to patients, particularly those admitted for emergency services.
4. The County Government should hire more nurses at the said Hospital in order to adhere to the ratio as recommended by the WHO. As such, the County Sector for Health, Nutrition and Wellness should liaise with the County Public Service Board to ensure recruitment of more nurses before 30th December 2023, as Kshs.30 million was slotted in the supplementary estimates for the financial year 2022/23 for the said purpose.

Hon. Speaker, I urge Members to support this report.

I now call upon Hon. Martin Mbugua to second the Motion.

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

**Hon. Martin Mwangi:** Thank you, Hon. Speaker and the Chairman of Health for bringing this Motion. I rise to support second the report of the Sectorial Committee on Health and Services on the site inspection to the Pumwani Hospital.

Hon. Speaker, the Pumwani Hospital is a very important institution. More so, that is where I was born and I believe many Members and many people of Nairobi. We need to have affirmative action on this institution to ensure that residents of Nairobi get the best services whenever they go there. That our mothers are guaranteed antenatal care, birth and even emergency care when they visit this hospital. I recommend that during the forth-coming employment of hospital staffs that is ongoing, this hospital is given priority of more staff because that is where majority of our mothers go.

I also think the County Executive needs to find a way of working with the National Government to ensure that monies that are owed by the NHIF are remitted to this institution and other hospitals. It is shameful that out of Kshs.130 million, the NHIF has only paid Kshs.11 million and now owes Kshs.119 million. These hospitals are expected to fund their activities through their own funding. So, if the NHIF being the main source of income does not remit the money, then we are going to have a problem.

All in all, the report is well done and I thank the Committee and the Chairman. I beg to second.

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

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Members, you can now debate. Hon. Katile.

**Hon. Diana Mwangangi:** Thank you, Mr. Speaker. Indeed, I have heard the submissions of the Chair of the Health Committee, seconded by the Member seated right next to me and I do not really have

much to say but just to insist that I commend the work they are doing because Pumwani Maternity Hospital is an important facility to the residents of Nairobi City County. Not all residents are able to afford the high end maternal services, this is the basic minimum they can afford. It is a good commitment by the Health Committee to ensure that they follow up on the delivery of services by the institution. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Any other Hon. Member? You know the screen might not be showing. If there is no Member, I now call the mover to reply.

**Hon. Maurice Onyango:** Thank you, Mr. Speaker. I take this opportunity to congratulate my Health Committee Members and also the Hon. Members who have supported this motion. These site visits are sometimes very important. As you can confirm, Hon. Speaker, the County Government has just announced in their portal the recruitment of medical officers, including nurses, pharmacists, medical doctors and other positions that are going to help these health facilities. Thank you.

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

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Deputy Speaker:** Hon. Members, the House stands adjourned until tomorrow, Thursday 10<sup>th</sup> August at 2.30 p.m. Thank you.

**The House rose at 3.53 p.m.**