

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY
(FOURTH SESSION)



NCCA/TJ/PL/2025(93)

4TH DECEMBER 2025

PAPER LAID

SUBJECT: REPORT OF A COMMITTEE

Pursuant to Standing Order 196 and 221, I beg to lay the following Paper on the Table of this Assembly, today Thursday 4th December 2025:

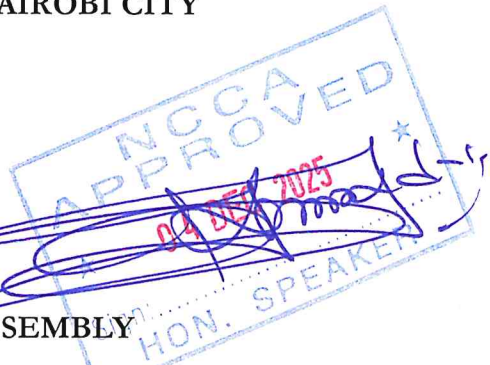
— THE REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND HOUSING ON CONSIDERATION OF A PETITION PRESENTED ON BEHALF OF RESIDENTS OF MOI AIRBASE ON REVOCATION OF A LEASE ON A PUBLIC LAND.

(Chairperson, Sectoral Committee on Lands, Planning and Housing)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press

*Paper laid on
4/12/2025
SCA*

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY- FOURTH SESSION

REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND
HOUSING

ON

PETITION PRESENTED BY THE HON. SPEAKER ON BEHALF OF THE
RESIDENTS OF MOI AIRBASE ON REVOCATION OF LEASE ON PUBLIC
LAND IN NAIROBI COUNTY.

Clerk's Chambers,
Nairobi City County Assembly
City Hall Buildings
NAIROBI.

DECEMBER 2025

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1.0 PREFACE

The Sectoral Committee on Planning and Housing is established under Standing Order 209, and its mandate amongst others, as outlined under Standing Order 209 (6) is to:

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;*
- b) study the programme and policy objectives of departments and the effectiveness of the implementation;*
- c) study and review all county legislation referred to it;*
- d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with its stated objectives;*
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;*
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointments): and*
- g) make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

Committee Membership

The Committee comprises the following Members:-

- | | |
|--------------------------------------|--------------------|
| 1. Hon. Alvin Palapala, MCA | - Chairperson |
| 2. Hon. Collins Ogenga, MCA | - Vice-Chairperson |
| 3. Hon. Peter Imwatok, MCA | |
| 4. Hon. Anthony Kiragu, MCA | |
| 5. Hon. Paul Kados, MCA | |
| 6. Hon. Waithera Chege, MCA | |
| 7. Hon. Geoffrey Majiwa, MCA | |
| 8. Hon. Fuad Hussein, MCA | |
| 9. Hon. Hashim Kamau, MCA | |
| 10. Hon. Thuo Fiunifu, MCA | |
| 11. Hon. Paul Ndungu, MCA | |
| 12. Hon. Nasra Nanda, MCA | |
| 13. Hon. Hannah Wanjiru Muriuki, MCA | |
| 14. Hon. Nyantika Ricardo, MCA | |
| 15. Hon. Lily Akoth Kidenda, MCA | |
| 16. Hon. Jane Wanjiru, MCA | |
| 17. Hon. Nicholas Juma, MCA | |
| 18. Hon. Peter Maina, MCA | |
| 19. Hon. Clement Kamaru, MCA | |
| 20. Hon. Francis Kimondo, MCA | |

21. Hon. Patrick Macharia, MCA
22. Hon. Tricer Jeptoo, MCA
23. Hon. Martin Wairobi, MCA

The Committee exercises oversight role on the work and administration of the Built Environment and Urban Planning.

In accordance with the Third Schedule of the Standing Orders, the Planning and Housing Sectoral Committee is mandated to cover subject areas relating to:

- (i) County planning and development;
- (ii) Statistics, land survey and mapping;
- (iii) Boundaries and fencing; and
- (iv) Housing and outdoor advertisement.

Hon. Speaker Sir,

Pursuant to Standing Order No. 219, the Hon. Speaker on 29th July 2025 read a Petition on behalf of residents of Moi Airbase on renovation of lease on public land in Nairobi County. The Hon. Speaker subsequently committed the Petition to the Sectoral Committee on Planning and Housing for consideration and reporting to the Assembly.

Hon. Speaker Sir,

I wish to sincerely thank Members of the Committee for their hard work and dedication while inquiring into the matter. The Committee also wishes to sincerely thank the Offices of the Speaker, the Clerk of the County Assembly and the secretariat for their support.

Hon. Speaker Sir,

It is my honor and pleasure on behalf of the Committee to present this Report of the Committee on Planning and Housing on the Petition by residents of Moi Airbase on renovation of lease on public land in Nairobi County.

Thank You.

SIGNED



HON. ALVIN OLANDO PALAPALA, MCA
(CHAIRPERSON – LANDS, PLANNING AND HOUSING COMMITTEE)

DATE

3/12/2025

2.0 INTRODUCTION

Pursuant to Standing Order No. 219, the Hon. Speaker on 29th July 2025 read a Petition on behalf of residents of Moi Airbase on renovation of lease on public land in Nairobi County. The Hon. Speaker subsequently committed the Petition to the Sectoral Committee on Planning and Housing for consideration and reporting to the Assembly.

3.0 THE PETITION AS PRESENTED

In the Petition, the Petitioners stated as follows:

- i. That Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;
- ii. That Article 62 of the Constitution mandates the County Government to hold in trust public land on behalf of County residents;
- iii. That the Kenya National Land Use Policy 2017 recognizes the need for social development that takes cognizance of provision of basic infrastructure and services;
- iv. That whereas Section 5 (e) of the National Land Commission Act, 2012 requires the Commission to initiate investigations into present and historical land injustices and recommend appropriate action;
- v. That whereas Section 116 of the County Governments Act, 2012 imposes an obligation on the County Government and its agencies to deliver services within its designated jurisdiction and Section 117 (1) (a) of the Act provides that the County Government shall give priority to basic needs of the public to ensure that all members of the public have access to basic services;
- vi. That the 5th street Eastleigh Squatter village is public land that squatters were allocated but never given allotment letters as the officer who was responsible for the process retired and later died and those who took over, took advantage and allocated the land to themselves;
- vii. That the Land located in Eastleigh North, Nairobi/Block49/977 Approximate area 0.3302 HA is public Land that has been invaded by a group of people for their own benefit;
- viii. That part of the invaded land is inside Maina Wanjigi Secondary School which was previously fenced by the County Government;
- ix. That the invaded and grabbed public land was meant for the construction of a Social Hall and ICT Hub intended to benefit Moi Air Base residents and Nairobians at large to better their lives;
- x. That up to date, the said parcels of land remain invaded and illegally leased to Galole Village Association for a term of 99 years, leaving previously allocated 5th Street Eastleigh squatters without a place to live in;
- xi. That whereas Petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;
- xii. And that all the matters in respect of which the petition are raised are not pending before any court of law or constitutional body.

xiii. Therefore, the Petitioners prayed that the County Assembly of Nairobi County intervenes and ensures that; -

- a) The National Land Commission and all the relevant bodies furnishes the Nairobi City County with the deed plans to facilitate and solve the dispute herein;
- b) The Nairobi City County Government in conjunction with the relevant organs proceed to revoke the lease of the said land;
- c) The said land be surrendered back to the Nairobi City County Government and appropriate deed plans be processed in respect to the public utility land in issue herein; and
- d) The Nairobi City County Government to secure the said Land and hold it in trust on behalf of the Squatters, the Maina Wanjigi School and Nairobians at large.

At its meeting held on 7th August 2025, the Committee deliberated on the Petition and observed that it raises important issues regarding the use of the said parcel of land. Therefore, it was resolved that the Petitioners and the County Executive Committee Member for Built Environment and Urban Planning be invited to its meeting to be held on 27th August 2025. Consequently, at the meeting held on 27th August 2025 County Executive Committee Member for Built Environment and Urban Planning and Officers from the County Executive attended the meeting. The Petitioners did not attend the meeting despite two invitations vide letters Ref. NCCA/LPH/2025/0060 and Ref. NCCA/LPH/2025/0063 dated 7th August 2025 and 10th September 2025 respectively. Nonetheless, the Committee proceeded to deliberate on the matter jointly with the CEC Member. The Committee considered the response by the County Executive Committee Member which informs this report.

4.0 RESPONSE BY THE COUNTY EXECUTIVE COMMITTEE MEMBER

The County Executive Committee Member informed the meeting as follows:

- i. That Nairobi block 49/977 (0.3302 Ha) is located in Eastleigh in which there is a title in favor of Galole Village Association Reg. No. SOC/72675 dated 8th December 202;
- ii. That the search also indicates the land was leased to Galole Village Association by the Government of Kenya for 99 years with effect from 1st October 2018. There is an amended Registry Map for the same;
- iii. That the ground survey reveals that the Nairobi Block 49/977 is fenced off by Maina Wanjigi Secondary School which is a public Institution;
- iv. That the copy of title Nairobi/Block 49/977 in the name of Galole Village Association Reg/No. SOC/72675 was available including a search for Nairobi/Block 49/977; and
- v. That Nairobi City Council General Purpose Minutes of 19th January 2010 on formalization of Galole Village Squatters were also available.

5.0 DELIBERATIONS ON THE CEC MEMBER'S RESPONSE

At its meeting held on 11th November, the Committee deliberated on the response as presented by the County Executive Committee Member and it emerged that the CEC Member did not

furnish the Committee with copy of the title deed, copy of the search and Nairobi City Council General Purpose minutes on formalization of Galole Village Squatters. In this regard, the CEC Member undertook to furnish the Committee with the information which they later availed.

6.0 MEETING REPRESENTATIVES OF GALOLE VILLAGE ASSOCIATION

Following the allegations by the Petitioners in their Petition that Galole Village Association was the one who were illegally issued with the lease to occupy the said parcel of land, the Committee held a meeting with its representatives on 2nd December 2025. The representatives who attended the meeting include Mr. Mohamed Abdi, Ms. Halima Gole and Mr. Abdiaziz Bishar. They informed the Committee as follows regarding the parcel of land in question:

- i. That in 1966, as an appreciation, the first president of the Republic of Kenya, H.E Jomo Kenyatta rewarded Wakinyua Dancers the said parcel of land which was later registered under Galole Village Association. The dancers composed mostly the parents to the current Association representatives who appeared before the Committee;
- ii. That in 1982, Maina Wanjigi became the area MP and during the period between 1984 and 1986, he irregularly begun construction of a school on the said parcel of land but did not complete the construction;
- iii. That over a period of time, their settlements have become a target of an unknown people who unleash attacks and arson mostly at night and that Hon. Paul Muite and Hon. James Orenge have once provided support of basic needs to them when their residences were destroyed;
- iv. That the then Nairobi City Council allocated the said parcel of land to the Association upon payment of the relevant charges. Subsequently, the same was formalized through provision of allotment letter to the Association upon completion of survey;
- v. The Ministry of Lands provided the Association with lease dated 1st January 2017 whose certificate of lease was issued on 8th December 2021;
- vi. That the Association subsequently obtained the title deed of the said parcel of land from the Ministry of Lands and they asserted that they are the rightful owners even according to Ardhi Sasa which is a national lands information management system where they pay land rent;
- vii. That they are not aware of the group known as 5th street Eastleigh Squatter village which is mentioned in the Petition; and
- viii. The representatives of the Association tabled before the Committee, all the relevant documents related to their ownership of the said parcel of land.

The area Member of County Assembly (Hon. Fuad Hussein, MCA) was present at the meeting and he associated with the submissions made by the representatives of the Association and requested that the Committee makes a fair finding based on the submissions made and the documents tabled both by the County Executive Committee Member and the representatives of Galole Village Association.

7.0 COMMITTEE OBSERVATIONS

Having considered the prayers in the Petition as read by the Hon. Speaker and deliberated on the response by the County Executive Committee Member for Built Environment and Urban Planning, the Committee made the following observations: -

1. That the parcel of land in question is referenced Nairobi Block Nairobi/Block 49/977 is 0.3302 Ha and is located in Eastleigh;
2. That the claim by the Petitioners that the parcel of land in question is public land is false;
3. That the claim by the Petitioners that the parcel of land in question was illegally invaded by Galole Village Association is false.
4. That the parcel of land in question was legally leased to Galole Village Association by the Government of Kenya for 99 years with effect from 1st October 2018;
5. That Nairobi City Council General Purpose Minutes of 19th January 2010 on formalization of Galole Village Squatters were provided;
6. That the title and search on the parcel of land in question that indicated that Galole Village Association was the legal lessor was provided;
7. That the ground survey reveals that the Nairobi Block 49/977 is fenced off by Maina Wanjigi Secondary School which is a public Institution; and
8. The Petitioners did not appear before the Committee despite having been invited twice.

8.0 RECOMMENDATIONS

Having considered and deliberated on the Petition and the response by the County Executive Committee Member for Built Environment and Urban Planning; having perused the ownership documents available in favor of the parcel of land and having established that the said parcel of land is not publicly owned; and having concurring information from the area Member of County Assembly, the Committee recommends the following to the County Assembly;

1. That Nairobi City County Assembly is constrained to make any enabling recommendation in favor of the prayers sought by the Petitioners; and
2. The County Executive Committee Member for Built Environment and Urban Planning to establish the initial purpose of the said parcel of land and the circumstances under which Maina Wanjigi Secondary School fenced it off and immediately remove any illegal structural encroachments if any;
3. The County Executive Committee Member for Built Environment and Urban Planning to ensure that Galole Village Association takes deliberate steps to secure their land;
4. The County Executive Committee Member takes necessary steps towards the security of Galole Village Association members from arson attacks and attempted irregular encroachment on the said parcel of land; and
5. The County Executive Committee Member for Built Environment and Urban Planning to report progress on the foregoing within one month of passage of this report.