



Statement requested on 22nd Feb 2022
 Response due 22nd March, 2022
 [Signature]
 22nd March, 2022

NAIROBI CITY COUNTY ASSEMBLY
 SECOND ASSEMBLY - SIXTH SESSION

REQUEST FOR STATEMENTS

Subject: Development on a piece of land in Imara Daima Ward

Hon. Speaker,

Pursuant to Standing Order 45(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding ownership and irregular development of land in the County, particularly the piece of land originally referenced under LR No. 209/20798 in Imara Daima Ward.

Hon. Speaker, pursuant to Part 2 of the Fourth Schedule of the Constitution of Kenya 2020, planning and development is a function of the County Governments and by extension, should be one of the guardians against infringement on Article 40 on protection of right to acquire and own property. Hon. Speaker, the piece of land in question is next to the office of the MCA and is currently referenced LR. No.209/11363 after subdivision. It was originally donated to the St. John Everlasting Gospel church by the owner who died in 2019. Under the auspices of the church, the land was designated for construction of a nursery school and a guest house.

However, Hon. Speaker, the church and community leader from the area conspired without participation of other area leaders, residents and even the widow of the original owner and constructed container shopping center. It is also alleged that the construction of the said shopping center did not follow statutory due process and requirements.

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

- i) The circumstances under which the church consented to the construction of the said shopping center including the legitimacy of terms of engagement between the said church and the owner of the container shop; and
- ii) Whether the owner of the container shops followed due process of approval for the construction of the shops including change of user and plans with the County Government, NEMA approval, National Construction Authority (NCA) and if there exists any indication of pursuit of public consultation process in the area.

HON. KENNEDY OBUYA, MCA.
 IMARA DAIMA WARD

Date: 22/02/2022