

NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY - SECOND SESSION

REQUEST FOR STATEMENT

Subject: Illegal construction of a shopping complex in Kileleshwa Ward

Hon. Speaker,

Pursuant to Standing Order 47(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committees on Lands, Planning and Housing; and Environment and Natural Resources regarding alleged irregular construction of commercial structures in the County, particularly, in Kileleshwa Ward.

Hon. Speaker, Part II of the Fourth Schedule of the Constitution of Kenya, 2010 determines that development planning is a function undertaken by both County and National Government. This involves, amongst other, regulation and control of housing and approval of developments based on existing laws, policies, guidelines and regulations.

Hon. Speaker, there are many cases where the County grants development approvals to developers without proper due diligence. Such irregularities are endemic with regards to approvals for business structures such as car washes and entertainment joints. Kileleshwa has been the most affected by developments do not confirm to policy guidelines.

Hon. Speaker, protection of the environment, water and soil are functions performed by both National and County Governments and need to be taken into account while considering applications for development approval. For instance, the development of the nature of a shopping complex incorporating a car wash, car parking, rental shops and a lounge (common alias for a club) along Ring Road within Kileleshwa was allegedly given a nod to proceed. Despite bordering the botanically iconic Nairobi Arboretum and likely being on a riparian land.

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

- i) Whether the LR number 21941 as captured in planning and approval documents of the development exist and is properly referenced;
- ii) Whether the said shopping complex obtained development approval from the County and if so, the criteria used in approving its construction;
- iii) Whether any public participation was conducted to pick the views of the nearby residents on the development;
- iv) Whether proper assessment was conducted to inform the security and environmental suitability of the project before its approval; and
- v) Policy and regulatory measures that the County has put in place to safeguard the welfare of residential estates in the face of marauding business interests.

for

HON. ROBERT ALAI, MCA.
MEMBER OF COUNTY ASSEMBLY, KILELESHWA WARD.

Date: 04/10/2023

*I Statement ought
by the Member.
Response to be issued
in 2 weeks after the
short recall. (3 weeks to)
All*