

Undertaking
issued by the Hon.
Deputy Speaker on
behalf of the committee
21/7/2026
Response due 10 days
after reconstruction of
the committee

STMNT/JULY/2026

NAIROBI CITY COUNTY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY - FIFTH SESSION

REQUEST FOR STATEMENT

Subject: Unlawful fencing and commercialization of public parking land in Nairobi County and specifically opposite Marble Hotel around Odion Area.

Hon. Speaker, Pursuant to Standing Order 47(2) (c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Lands and Physical Planning regarding the unlawful fencing and commercialization of public parking land in Nairobi County and specifically opposite Marble Hotel around the Odion area.

Hon. Speaker, Article 62 and Article 66(1) of the Constitution of Kenya (2010) protects public land for the use and benefit of the public and provide for the regulation of land use in the interest of public safety, order, and planning. Furthermore, the Fourth Schedule assigns county governments the mandate over county planning and development, while the Land Act (No. 6 of 2012) and the Physical and Land Use Planning Act (No. 13 of 2019) safeguards public utility spaces against unlawful alienation or private capture.

Hon. Speaker, deep concern has been raised by members of the public and motorists regarding a private developer who has fenced off a parcel of land located opposite Marble Hotel around the Odion area. The said property is designated as a public parking area meant to serve the community however, the private developer has unlawfully taken over the space, restricting public access and forcefully charging motorists parking fees for personal gain.

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

- i. The official land status and designation of the parcel of land located opposite Marble Hotel around the Odion area, including whether it is gazetted or recorded as public utility or public parking land in county records;
- ii. The legal basis under which a private developer has fenced off the property and is currently collecting unauthorized parking fees from unsuspecting motorists;
- iii. Whether any legal allocation, change of user, or development permission was lawfully sought and granted to the private developer; and

- iv. The immediate action the County Executive is taking to halt this illegal commercialization, removal of the fence, recovery of any revenues illegally collected from the public, and full restoration of the land to its intended public parking use.



HON. REDSON OTIENO, MCA
MEMBER FOR NGEI WARD
NAIROBI CITY COUNTY ASSEMBLY.

Date: 21st JULY 2026