



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – (FIFTH SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, OCTOBER 26, 2021 AT 2.30 P.M.**

1. The Assembly assembled at thirty minutes past Nine O'clock.
2. The Proceedings were opened with Prayer

**QUORUM OF THE ASSEMBLY**

The Speaker having confirmed that there was no Quorum caused the bell to be rung for ten minutes.

There being Quorum at the expiry of the five minutes, the presiding Chair called the Assembly to order.

**3. NOTICES OF MOTION:-**

The following notice of motion was issued:-

**THAT**, aware that Article 46 of the Constitution of Kenya 2010 provides that consumers of goods and services have a right to protection, health, safety and economic interests, the Constitution in Part II of the Fourth Schedule apportions the parking and traffic aspects of transport functions to county governments; cognizance that Section 27 of the Nairobi City County Traffic Act 2020 prohibits PSVs from picking and dropping passengers at undesignated bus stops and Sections 46 and 47 of the Act prohibits persons from parking on public roads in a manner that impedes traffic flow and strictly restricts parking to the designated areas, the sections particularly prohibits PSVs from using undesignated areas as parking prior to obtaining authority from the County; noting that in pursuit of the county beautification initiatives, the county has for years allocated and appropriated funds towards rehabilitation, greening and decoration of roundabouts including entering into maintenance agreements with private companies for the purpose of environmental ethics; deeply concerned that the persistent use of roundabouts by PSVs as termini has contributed to cause heavy gridlocks of traffic on key roads such

as Outer Ring road on a daily basis leading to loss of productive time and loss of value for public money and investments; this assembly urges the County Executive and Nairobi Metropolitan Services to: 1. Issue a public notice prohibiting public transport PSVs from using roundabouts as termini, lay bys and/or parking areas in contravention of the law; 2. Continuously enforce the foregoing prohibition notice using enforcement officers and the county and sub-county measures; and 3. Formulate the Nairobi City County Transport Act 2020 forthwith to provide for punitive measures to operators who illegally use roundabouts as termini, lay byes or parking.

*(Hon. John Kamau, MCA)*

#### **4. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(C)**

Pursuant to Standing Order 45(2) C, the following Member requested for Statement: -

- i. Hon. Daniel Muturi, MCA requested for a statement from the Chairpersons Sectoral Committee on Planning and Housing regarding a residential building which has been converted into a commercial building. **(Response due in 1 week)**

#### **5. MOTION : ESTABLISHMENT OF A STREET TO SCHOOL PROGRAM FOR THE STREET CHILDREN**

**AWARE** that Article 21 (3) of the Constitution of Kenya 2010 provides that all State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities” **FURTHER AWARE** that Article 53 (1) of the same constitution dictates that every child has a right inter alia;- (b) to free and compulsory basic education; (c) to basic nutrition, shelter and health care; (d) to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour; **CONCERNED** that according to the 2019 Kenya Population and Housing Census Report for the exercise conducted from 1st to 10th April, 2018 indicated that Kenya had a total of 46,639 street persons, out of whom the majority of the street persons being 21,550 were age 10 to 34 years, and below 19 years being 15,752, **FURTHER CONCERNED** that the highest concentration of street persons according to the said report was found in Nairobi (15,337 persons), Mombasa (7,529), Kisumu (2,746), (261) Gishu (2,147) and Nakuru (2,005). **DISTURBED** that street children population in Nairobi County has increased over the years which has seen them thrust into a bleak, harsh and depraved environment often fraught with constant and sustained danger in various forms such as; Harassment, Violence, Drug abuse and trafficking, Sexual exploitation, Loneliness and fear, Physical and

emotional abuse and neglect, Starvation, Exposure to the elements, Early pregnancy and Poor hygienic and sanitation conditions; **FURTHER DISTURBED** that most of the street children lack basic needs including education despite the Government intervention towards free Education system; this Assembly therefore resolves that the County Executive undertake the following measures;-

- i. Initiate a “Street to School” campaign programs towards eliminating children from the streets to school with a proper guideline for the same;
- ii. The County Executive to establish a street-children rescue center for learning through a Public Private Partnership with non-state agencies and equip it with personnel;
- iii. A one-month Public Notice be issued to the General Public on removal of all homeless children from the street and enroll them on the Street to School Program forthwith; and,
- iv. Homeless children that shall upon the expiry of the removal notice be promptly nabbed and directed to Ruai Rehabilitation Center for rehabilitation and subsequently enrolled in the “Street To School” program.

(Hon. Benson Mwangi, MCA)

**(Motion expunged pursuant to resolution of Assembly during sitting held on Tuesday 12<sup>th</sup> April 2022]**

And the time being five Minutes past Four O’clock, the Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

**6. ASSEMBLY ROSE** - \_\_\_\_\_ at five Minutes Past to Four O’clock.

**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, October 28<sup>th</sup>, 2021 at 2.30 p.m.

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