



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (FIRST SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, NOVEMBER 24, 2022 AT 2.30PM

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

QUORUM OF THE ASSEMBLY

The Deputy Speaker having confirmed that there was no Quorum at the commencement of the Assembly called the bell to rung for 10 minutes.

The Speaker having confirmed that there was a Quorum at the expiry of the ten minutes called the Assembly to order.

3. PAPERS LAID

- i. **THE 2ND REPORT OF THE FINANCE, BUDGET AND APPROPRIATIONS COMMITTEE ON THE INDUCTION WORKSHOP HELD FROM 10TH TO 13TH NOVEMBER, 2022 IN KISUMU COUNTY.**

(Chairperson, Finance, Budget & Appropriations)

4. NOTICES OF MOTION – HON. PERPETUS MPONJIWA, MCA

The following notice of motion was issued:-

THAT, aware that Article 26 (1) of the Constitution of Kenya, 2010 provides that every person has the right to life; further aware that Article 53 (2) of the Constitution of Kenya states that a child's best interest are of paramount importance in every matter concerning the child; concerned that there is increased rate of road accidents involving school going children in Nairobi City County, especially in public schools; further concerned that many school children travel longer distances to access the few available education facilities that are affordable; cognizant of the vulnerability of unaccompanied school children crisscrossing Nairobi highways and busy roads to access the few affordable education institutions, endangers their lives; acknowledging that the National

Transport and Safety Authority (NTSA) has put in place measures to ensure- -- (Power outage) (Power restored) Hon. Deputy Speaker: Is it working now? Hon. Perpetua, you can continue. Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker and sorry for the interruption. ---the National Transport and Safety Authority (NTSA) has put in place measures to ensure road safety performance in line with international best practices; this Assembly urges the County Executive to: i. Erect or put bumps and signals along County roads that are near schools and other social amenities to safe vulnerable school children from accidents on roads; and ii. Deploy traffic marshals at all the zebra crossing lanes on all major roads in Nairobi City to help school children to safely close the roads to and from school on or before the beginning of the new 2023 school calendar.

5. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)

The following Statement was requested: -

- i. The Hon. Eutyclus Mujiri, MCA requested for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding perennial lack of Water in the County and in particular in Kahawa Ward. **(Response due in 2weeks).**

6. MOTION – CLOSURE AND RELOCATION OF LIQOUR OUTLETS WITHIN 300 METERES FROM LEARNING INSTITUTIONS.

Motion made and question proposed;

AWARE that Section 4 of the Nairobi City County Alcohol, Drinks Control and Licensing Act, 2014 establishes the Nairobi City County Alcohol Drinks Control and Licensing Board, with its main role being; control, licensing, regularization and general administration of manufacture, advertisement, sale and consumption of alcohol drinks in the County and for connected purpose; **ACKNOWLEDGING** that Section 11 of the same Act dictates inter -alia that the sub-county committee, through the Board, shall not grant a new license for sale of alcoholic drinks to be consumed on the premises unless the sub-county committee is satisfied that the premises in respect of which the application is made is located at least three hundred meters from any nursery, primary, secondary or other learning institutions for persons under the age of 18 years; and not grant a license for the sale of alcohol drinks in a supermarket or such other related retail chain store unless it is satisfied that the applicant has taken measures to ensure that the area in which the sale is to take place is not accessible to persons under the age of eighteen years; **DEEPLY CONCERNED** that exposure to young learners to such uncontrolled environment leads to early alcohol and other substance dependence, school drop outs, poor academic performance in school and risky sexual behaviors in the County; **FURTHER CONCERNED** by the

findings from the 2018 and 2016 National Survey on the Status on Alcohol and Drug Abuse among Primary and Secondary schools pupils and Students by NACADA and KIPPRA which established Alcohol as the highest abused substance with the average user age being 11 years by the primary school pupils, with the lowest age being 4 years old, hence the need to mitigate; **NOWTHEREFORE**, this Assembly **RESOLVES** that the County Executive issues a ONE MONTH closure and subsequent relocation NOTICE to all Liquor outlets and Pubs operating within the Three Hundred Meters radius from any nursery, primary, secondary or other learning institutions for persons under the age of 18 years in the County; a similar ONE MONTH NOTICE to all supermarkets and other outlets stores to ensure restricted access to liquor section from persons under the age of 18; and revocation of Liquor License for non-compliance business outfits at the end of the ONE MONTH NOTICE forthwith

(Hon. Nasra Nanda, MCA)

Debate ensued;
Motion withdrawn.

And the time being **sixteen minutes Past Four O'clock** the Deputy Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

7. ASSEMBLY ROSE - at sixteen minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, 29th November, 2022 at 2.30p.m