

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 6th November, 2018

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Lusaka) in the Chair]

PRAYER

Sen. Olekina: Thank you, Mr. Speaker, Sir. From the onset, I thank all the Senators who rose and contributed to this Bill.

This is a good Bill that will enable counties to raise enough revenue and put order in our roads. Sen. Farhiya and Sen. Halake spoke heavily about the importance of counties to look at various avenues to raise revenue so that we can stop the dependency on the national Government.

Mr. Speaker, Sir, most of the planning of roads in the country was done before and most people have invaded our roads reserves. With this Bill in place, it will be clear that every county government will designate areas where people who would like to park their trucks and tankers can do so without interfering with the flow of business.

Sen. (Dr.) Musuruve raised an issue on the Bill regarding the provision of People Living with Disabilities (PWDs). I confirm to her that this matter has been dealt with by the Bill in Clause 5(2) which states that-

“The County Executive Committee Member shall, in performance with the functions under this Act, make provision for the access and the use of buildings, roads, streets, lanes, alleys, parking bays and pavements by persons with disabilities in accordance with Section 21 of the Persons with Disabilities Act, 2003.”

Mr. Speaker, Sir, I am happy to engage the Senator to be more specific on areas that she may be interested in to ensure that PWDs have access to these buildings.

The other day, I left the Chamber at around 6.30 p.m. and went to Upper Hill. I felt the need to run. Ordinarily, you would expect that all roads which are constructed in Upper Hill, which is a new developing city within a city, have alleys and walkways. However, I was surprised that many taxis were parked along the alleys. Therefore, when a person is walking, they are forced to walk on the road. This is because there are no laws which prohibit such things.

Mr. Speaker, Sir, I hope that the Senate will support this Bill and once it is enacted, it will become illegal for anyone to park on an alley where people are supposed to walk in. This is a country where there is a lot of rural-urban migration. If you look at

the population of people who move into Nairobi, if we do not have this Act in place, a lot of people will continue to be hit. This Bill addresses issues of illegal kiosks which are being constructed near roads and will entirely help The National Transport and Safety Authority (NTSA) and the State Department for Transport. It will also encourage a sense of responsibility on the County Executive Committee (CEC) Member in charge of transport in county governments where at the moment; they are not clear on what their roles are. Therefore, we do not want to deal with these issues again.

I am grateful to all Senators who contributed because they are able to see the importance of putting order in our streets. There is also the importance of ensuring that the Private Public Partnerships (PPPs) are entered upon by our county governments in a way that does not only expose but supports the public and the Government.

Mr. Speaker, Sir, for example, if we have a law, we will not allow a person to put up an illegal kiosk along Waiyaki Way next to Kangemi or a tanker to park in front of a building. With this law in place, we will see county governments increasing their parking revenue. We will also see county governments being able to work with companies such as the one I mentioned earlier when I was initially replying; that deals with location-based analytics.

Mr. Speaker, Sir, it will be important when the County Executive Committee (CEC) Member in charge of transport and the County Governor are sitting in their office, to clearly tell, for instance, that Narok Town has 50 commercial buildings and, the way to enter them is clearly defined in our spatial plans. We can also tell that in those buildings there are these number of parking spaces.

One of the things I find very disturbing is that, even in my own county of Narok, the roads are so narrow. We will then find about a 20-wheel tanker blocking the road as it is being offloaded in a wholesale shop, while opposite, there is a gas or petrol station. There is no place for people to walk. That is all as a result of not having proper legislation that can empower county governments and for the whole country to put the interests of their people first.

Mr. Speaker, Sir, finally, I find that in most cases, buildings either in the urban or rural areas, the only shops that are viable are the front ones. All the others at the back. In fact, where I come from, some people have turned them into living quarters. With this Bill in place, it can engage the planning department of county governments so that when somebody goes there with a plan and they want to construct a big building, all steps have to be followed. It will also encourage these departments to be current with the way buildings are designed, their access and how those who violate the law will be penalised.

Mr. Speaker, Sir, with those few remarks, I thank all the Senators who contributed to this Bill. I think, about 14 of them. This shows the importance of us generating legislation that can increase revenue collection in our counties.

I beg to reply.

Mr. Speaker, Sir, because I see that we do not have the numbers, pursuant to Standing Order No. 61(3), I request that we defer putting of the question to another date.

I thank you.