

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Wednesday, 15th June, 2016

The House met at 2:37p.m.

*(Mr. Speaker (Hon. Thadius Rajwayi) in the Chair)***PRAYERS**

Mr. Speaker (Hon. Rajwayi): Hon. Members kindly have your seats, yes Hon. Mohamed Chiro Ndanda. I want to believe you have never been involved in the camera in the proceedings of the Assembly, can you leave that to the Hansard department and Public Relations. Yes Clerk.

STATEMENT

Hon. Mohamed Chiro Ndanda.

Hon. Mohamed Ndanda: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kama tunavyojua nchi yoyote hujengwa na pesa, majengo yote yanahitaji pesa; kuna shida ya ukusanyaji wa fedha, mimi binafsi wakati tukiwa katika likizo ya Bunge hili nikiwa kule vichochoroni na manyumbani niliweza kutembea na nikaona mambo ambayo leo nimekuja nayo hapa Bunge ili wenzangu waweze kusikiza na watoe maoni yao. Mheshimiwa Spika ninazungumzia kuhusu hizi leseni zetu, utapata duka linatakikana kulipishwa Kshs. 7,750 biashara zile zingine unapata ni Kshs. 4,500 tukichukulia mtu ambaye anataka kufanya zile biashara ndogo ndogo uwezo labda wa ile fedha yake ya kuanzia biashara ni kama Kshs. 1000, leseni ni Kshs. 4500, inakuwa ni vigumu sana kwa huyu mtu kulipa kwa mara moja. Hapo hapo utaona Mheshimiwa Spika ukiangalia barabara moja ina maduka kama 40, leseni ni 10 pekee yake; hili ni jambo ambalo niliweza kuliona na leo nikawa naleta taarifa ili tuweze kulijadili nikiwa na lengo ya kuwa kama itawezekana. Leseni hata kama ni hiyo Kshs. 7,750 lakini wanabiashara waruhusiwe pesa hii waweze kuilipa hata kama ni mara nne kwa mwaka ama ikiwezekana pia kwa mwezi iwe itawezekana iwe kuna nafasi ya kuwa yule ambaye anaweza kulipa aweze kulipa kama mara nne kwa mwaka ama kwa mwezi ama kwa kiwango ambacho sisi tutaweza kukusanya pesa. Nasema hivi kwa sababu Mheshimiwa Spika wakati mwingi sana kwa mfano, zile barabara zetu Frere Town na Kadzandani kwa sababu huko ndio natoka utapata kwamba wale watu wetu wakiwa wanaenda kuangalia yale maduka ambayo hayana leseni wakati mwingi si wote ambao huletwa kortini na si kwamba tunataka watu wetu washikwe lakini tunataka tuchangie katika kukusanya pesa Waingereza walisema effectively ili tuweze kufanya malengo yetu na miradi yetu ambayo tunaitaka katika Mombasa Kaunti yaweze kukamilika.

Kwa hio Mheshimiwa Spika mimi naomba wenzangu na uamuzi wangu kama utakubalika; jambo hili liangaliwe kwa kina Wanabiashara wengi sasa hivi biashara zimerudi chini. Mombasa hakuna mashamba ya kulima, Mombasa ni pahali pa biashara kwa hivyo hizi leseni zetu kama itawezekana Mheshimiwa Spika tuweze kupewa ruhusa ama tutoke tu na uamuzi mzuri ya kuwa watu sasa waweze sasa kulipa mara nne kwa mwaka ama kwa wakati ule wanaweza kuwekewa kisheria ili tuweze kuwasaidia. Ahsante sana Bwana Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Jimmy.

Hon. Odari: Ahsante sana Mheshimiwa Spika mimi ningetaka kumuunga mkono Mheshimiwa aliyetoka kuongea sasa hivi Mheshimiwa wa Wodi ya Kadzandani Mheshimiwa Mohamed Ndanda. Mheshimiwa Spika Serikali ya Kaunti ya Mombasa imekosa pesa nyingi sana kutokana na wale wanabiashara ambao hawalipi ile kodi mwaka mzima ambao wakati mwengine kama ni kubwa zaidi huishia kunyenyekea mbele ya mji huu mbali ya wale maafisa

wetu na badili yake wanatoa kitu kidogo ili waachiwe kuendelea na biashara. Kile kitu kidogo Mheshimiwa Spika kinachukuliwa lakini hakiji katika mfuko wa Kaunti ya Mombasa bali kinakwenda kwenye mifuko ya hawa maafisa wetu na kwa njia hiyo serikali ya Kaunti inapoteza mamilioni ya pesa ambazo badala ya kwenda kwenye mfuko wa Kaunti na kuleta maendeleo inaishia mifuko ya watu binafsi ambao ni wafanyikazi wetu. Kwa hio Mheshimiwa Spika nasema naunga mkono hilo wazo la kusema leseni baadhi yake ama ikiwezekana zote ziwe zikienda kulipwa sio eti zinalipwa mwaka mzima ama ikiwezekana mara nne kwa mwaka alivyopendekeza Mheshimiwa Ndanda. Vile ilivyo ili iwe nafuu kwa hawa wafanyi biashara wetu ambao wengine wao hawana pato la kutosha ya kuendeleza biashara na pia mapato yao ni madogo sasa inakuwa kufanikisha biashara yao inakuwa ni kikwazo kikubwa na biashara zengine leseni zinakuwa kubwa inafika Kshs. 10,000 na zaidi hata Kshs. 20,000 na kwa mtu wa kuuza njugu ama mtu wa biashara ndogo ya reja reja inakuwa ni kazi ngumu sana kwake. Hivyo basi inafanya baadhi ya watu wetu wasiweze kufanya biashara kwa sababu ya kuogopa leseni inabakia wao kufukuzana na maaskari huko mtaani kwa sababu hawana leseni ama hawajalipa hiyo ada ya Kaunti.

Kwa hivyo Mheshimiwa Spika mimi nahimiza Bunge hili likubali na mswada wa Mheshimiwa Ndanda ili watu wetu wafanyi biashara hapa nje wapate nafuu wasiendeleo kunyanyaswa na maaskari wetu kwa kuwa hawawezi kulipa hiyo leseni ambayo ni pesa nyingi sana. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Patrick Muriuki Siminyu.

Hon. Siminyu: Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker I remember there was a meeting when we were looking at the Mombasa County Trade Licensing Bill that was passed here and i was the only Member who was concerned about that. Mr. Speaker i just want to say this during the making of the Bill Members have to be active and see that matters that are going to affect the people of Mombasa are looked into; it is a good thing because Mombasa County is losing a lot of money. Mr. Speaker so many people are not paying the required money, some are just skipping because if you tell someone to pay Kshs. 1200 or Kshs. 1500 per year is a lot of money but if you divide it into equivalent to the way we are paying our insurance, we can pay for our insurance cover for six months or a month and it makes it easier for us to operate our businesses. For those who are operating within the Central Business District (CBD) we will understand that concept Mr. Speaker Sir and people are able to pay because it seems cheaper but if you say the money to be paid in a lump sum it becomes very difficult. So Mr. Speaker it is a very good idea and I pray for it to be put to the relevant Committee so that it can be looked at again so that we can see if it can be implemented. Thank you.

Mr. Speaker (Hon. Rajwayi): Hon. Nyamvula.

Hon. (Mrs.) Nyamvula: Thank you Mr. Speaker. Mr. Speaker I stand to concur with his statement that it is not an issue. Mr. Speaker I want to remind the Hon. Members that as Finance Committee we came up with ideas where collection of taxes will be done and we take it to the Executive. One of our proposals was that these people whether big or small are willing to pay and we had proposed that we do mobile form collection; for example if you want to collect in Frere Town maybe on a Tuesday you take your tax there protected by the right security as you collect the information is passed through the system and you move on. Unfortunately this has not been done and we must understand the County government does not have a factory, the county government does not own Bamburi cement, the County government's money and the national

governments money comes from taxes Mr. Speaker. Just as Hon. Ndanda has said I was also among... in fact i saw it happen I was in the estate and it was in the morning and when I saw County canter stand we passed each other into Kisimani way here to Frere Town and on my way out not knowing what had happened. I went out and found all those in Kisimani area, we have hawkers and they had been knocked down, everything had been bundled together and these are women and youths men who just sell vegetables to ensure their children go back to school, put food on the table but they had all been pushed to one place with tables upside down.

Mr. Speaker I did come out and went and addressed them and asked them what was the matter and they told me that the *askaris* had come in there and I told them I saw them but I didn't know what they were doing in short and then I realized these tables, these ladies and men who sell they are charged twenty shillings per day. The issue here Mr. Speaker is the collection of these money, that is my issue; definitely we all pay taxes but most of us don't know the twenty shillings is more than those who pay ten thousand shillings per year and this is where we are losing our money because the collection is paid they collect and they go. I asked them how much do you pay they said we pay so and so twenty shillings; so how do you get a receipt they said no receipt this is where we are having an issue, if the executive had agreed on the mobile form of payment we would not have these and then secondly he or she pays twenty shillings per day and then he gets harassed. So they are not permanent they do not have confidence; In fact I intervened and I called the County Secretary Mr. Thoya and he told me that the local Sub County offices for revenue collectors will be answerable to them but am glad to say within a short time after going home these men and women put their tables back and up to today they are there but Mr. Speaker the issue is within the Trade department and am sure the Chairman of Trade will agree with me that it is the implementation that has a problem. Thank you, Mr. Speaker.

Mr. Speaker (Hon. Rajwayi): Yes let's hear from Hon. Hudson Karume before we hear from Hon. Ibrahim Kondo.

Hon. Karume: Thank you Mr. Speaker Sir, first and foremost I would like to congratulate Hon. Ndanda for bringing this statement which will assist us as a County to come up with measures which will emphasize to ensure that we improve on our revenue collection which in the far end enabled us as a County government to realize our agenda. Mr. Speaker first and foremost I think it is high time that we need to conceptualize with Mombasa County Trade Licensing Act if it was accented by the government. We need to first of all make sure that we conceptualize with it and as my Hon. colleague Hon. Siminyu has already decided it's a high time if at all there is a need for us to review and to look at this Act and do the amendments at the right time because as it stands we always say that it is important for us to focus on our people to ensure that rather than improving our revenue collection we also ensure that we put into consideration the needs of our living residents of Mombasa. We need to know how do we improve that because if we were to look into these issues probably Mr. Speaker we would realize that we do have our colleagues who are in the public sector transport who always pay on a monthly basis but we will realize that they have other means of paying which is cheaper than paying on a monthly basis. But this needs to be addressed, so Mr. Speaker Sir we need to decide if we should pay on monthly basis and if you delay one should pay penalties; we will also make more revenue without having any difficulties.

So Mr. Speaker I think it is an idea that needs to be addressed and if at all the Committee, we seek for your direction the relevant Committee to come up with the Bill so that we can look into it so as to make sure that we come with the relevant amendments. Thank you so much Mr. Speaker.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Ibrahim Kondo.

Hon. Ibrahim Kondo: Ahsante Bwana Spika mimi pia ningependa kuchangia hii taarifa kutokana na swala limewekwa mbele yetu nikiamini Mombasa Kaunti linahitaji mapato kuhakikisha kwamba tunapata pato letu. Ningependa kuambia Jumba hili ya kwamba aliyoyasema Mheshimiwa Serah Nyamvula ni mambo yako na kama Kamati ya wanabiashara iko na mikakati ya kuendeleza shughuli hizo kwa njia inayostahili. Kwa sababu hapo nyuma kulikuwa kuna pingamizi kidogo lakini kupitia kwa shirika la Benki ya Dunia tulianza kuweka mikakati ya kulipa katika Kamati zetu na vile vile kuna mambo ambayo mpaka sasa hayajakuwa na karibuni yatakuweko katika mtandao na vile vile ukiangalia kuna leseni zinazolipwa kupitia kwa mtandao na vile vile wafanyi biashara hawa wadogo wadogo kama vile Mheshimiwa Nyamvula alivyosema kuna baadhi ya mapato kupotea. Tuko na mikakati ya kuanza kulipa kupitia mitandao yetu ya simu kama Mpesa ili kuhakikisha zile pesa hazipotei katika mikono ya wananchi; vile vile tuko na mikakati zaidi ya kutoka kwa hili hili kama nilivyosema shirika la Benki ya Dunia. Mungu akituajalia mwezi wa kumi na moja tutaweza kupeleka wafanyi kazi wetu kwenye mafundisho ya kuhakikisha kuwa stakabadhi muhimu zaidi za kufanya kazi katika masuala haya na mwisho Mheshimiwa Spika ningetaka wenzangu ambao wanaangalia na kujali maslahi ya wananchi wa Mombasa. Vile vile pia ningependa kumpongeza Bwana Jimmy Odari kwa kufanya harusi hata kama hakutualika na vile vile ningemuomba Mheshimiwa Mwidani baada ya Ramadhani atengeneze nyimbo maridadi kwa ajili ya Bwana harusi wetu Mheshimiwa Jimmy Odari...

(Applause)

Ahsante Mheshimiwa Spika.

(Applause)

Mr. Speaker (Hon. Rajwayi): Well indeed ladies and gentlemen we have to remind ourselves that one is the statement that was made by Hon. Hudson Karume which looked into the matters affecting our people and all of us in this great House needs to have power over the people and leave alone the issue of dictatorship and arrogance and the right word is empowerment. Empowerment is the key word and for us to talk of empowerment if we destroy and bring down the structures that have been made by those innocent people my concern is that the government will answer. My next concern is that Hon. Mohamed Ndanda have been perusing all the documents before me; it's a statement without a written document so you can build it up in terms of some more content and I would urge that you reconsider because there is a lot that needs to be done in terms of this particular idea and take it back to the House Business Committee so that it can be brought back to the House for more discussions. Yes Clerk.

STATEMENT

Hon. Riziki Fundi.

Hon. Fundi: Ahsante sana Mheshimiwa Spika nimesimama tena kwa mara nyingine kuhusiana na swala ambalo liko mbele ya hii Nyumba. Kuna kidaraja ambacho kinapatikana hapo Bamburi baada ya kupita pale Bamburi kuelekea Utange; Mheshimiwa Spika daraja lile liko katika hali mbaya sana na nikisema kuna muhimu katika Bunge hili kufuatilia hili swala na hata Kamati ya Uchukuzi imewahi kufanya *site visit* katika daraja hili. Lakini Mheshimiwa Spika mpaka saa hii hakuna jambo lolote ambalo limeshafanywa mbali na ile kazi iliyofanywa wakati ule wa hofu hofu ya *El nino* lakini hakuna kitu kimefanywa. Mheshimiwa Spika ukifika pale katika ile sehemu utaona kwamba tunangojea maafa yatokee halafu tuanze kupiga kelele kwamba tumefiliwa na watu na tumehuzunika na wakati swala lenyewe liko peupe. Mheshimiwa Spika ningeuomba kupitia kwa kiti chako sababu inaonekana Kamati ya Uchukuzi

hailichukulii swala hili muhimu kama inaweza kuundwa Kamati ya *Select* ikachunguza swala hili kwa sababu hali iliyoko pale ni hali ya kusikitisha kwa sababu wakati wowote tunaweza kupata madhara makubwa yakatukuta sisi kama wakazi wa Mombasa. Mheshimiwa Spika daraja yenyewe ni nyembamba halafu lami yenyewe imekwisha halafu barabara yenyewe yametokea mashimo makubwa ambayo magari yakipita pale ni lazima moja lisimame lingine lipite alafu ndio lingine nalo ndio liweze kupita. Mheshimiwa Spika swala hili iwapo halitachukuliwa umuhimu basi tuna uhakika tunangojea vilio na maafu ambayo baadae tutakuja kulia machozi ya mamba kwamba tumefiliwa na watu lakini badala ya kuzuia tunangoja kuja kutibu. Mheshimiwa Spika hili ni swala ambalo limeshawahi kuja kwenye Bunge hili mara mingi; kwa hivyo ningependa Kiti chako kichukulie jambo hili muhimu ikiwezekana Kamati ya *Select* ichaguliwe iende ikaangalie jambo hili na ikiwezekana iwe itakua Kamati mbili; ya Bunge na ya *executive* ili waone ile hali iliyo katika sehemu ya Bamburi kwa lile daraja. Mheshimiwa Spika mimi kama Mwakilishi wa Bamburi inakuwa siku zote ni sababu kuwa kazi haifanywi na sisi tunasema ule ukweli kwamba ingawa tuna hamu ya lile daraja litengenezwe lakini sisi kama MCA hatuna uwezo wa kufanya kazi hiyo kwa sababu haturuhusiwi kikatiba. Kwa hio wale ambao wamekubaliwa kikatiba kutekeleza jambo hili walichukulie muhimu na hili swala liweze kuangaliwa haraka inavyowezezekana. Ahsante Bwana Spika.

Mr. Speaker (Hon. Rajwayi): Well I agree with you on this and infact the most dangerous structure that is lying there is that building. I know the concern and the bitterness that you have but before we give a Select committee is that the committee on Transport can still do something so the Committee in charge of you must not allow this to pass just like that because you must allow and you need to address specific questions because you need to make sure when you need to put better the situation in that area and we must agree that work to deal with the matter as soon as possible and am directing the relevant committee to report to this Hon. House by not later than next week on Wednesday 22nd June, 2016 and they must report to the Committee of the House Business on the progress of the matter. Yes Clerk.

(Applause)

STATEMENT

Hon. Madundo.

Hon. Mohamed Madundo: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi kutoa taarifa yangu juu ya muundo msingi wa maji taka ambayo ndio shida tunayopata Shika Adabu na sana hii shida inakuja sehemu za Ujamaa pale ambapo ilikuwa ni shamba la Waitiki. Hapo mahali imekuwa ni kama donda sugu mvua ikinyesha maji yanaingia kwa manyumba na nafikiri hata mwaka jana pia nishaleta jambo hili na juzi pia nilichukua ma *Engineer* nikaenda nikawaonyesha mahali hapo palipo na tatizo lakini mpaka sasa hatujapata majibu yoyote na wakafanya mambo yote. Kwa hivyo Mheshimiwa Spika nasema hivi, tusiende tukawafanyia wananchi wetu mambo yasiyoeleweka lakini mimi naona ni muhimu tuzibe ufa mapema kuliko tungoje maafu. Imechukua muda sana manake hapo mahali sasa mvua imeisha hayo mambo ya muundo msingi wa maji taka yashughulikiwe na hatuwaingililii kwa kuwa wanajua kazi zao zinavyofanywa. Mbeleni walikua wamesema kutachimbwa visima ambavyo maji yataingia hapo ndani lakini mpaka wa leo hakuna dalili na wananchi bado wana shida kuhusu hiyo sehemu ambapo hapo mahali mvua ikishanyesha hakuna mahali pa kupitia na maji yanaingia kwa manyumba ya watu. Kwa hivyo ningechukua nafasi hii Mheshimiwa Spika kupitia kwa kiti

chako Kamati husika ifanye kazi kwa haraka ili wananchi wafanyiwe ile kazi ambayo sisi hasa imetuleta tuliochaguliwa kuja kuifanya. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes are you on the same concern.

Hon. Mohamed Ndanda: Mheshimiwa Spika ile sehemu ambayo amezungumzia Mheshimiwa inatumiwa na watu wote wa Mombasa na pale mahali nilikuwa nataka tu kumpongeza kwa kuileta na hizo sehemu ni nyingi na zile sehemu ambazo zinaweka maji na katika zile sehemu hatari na hiyo hatari ni lazima sasa tuangalie pia kampeni ziko karibu na sisi wanasiasa chakula chetu ni siasa. Pale mahali Mheshimiwa Spika, sehemu zote kama hizo nilikua naomba vile vile Mheshimiwa Riziki alikuwa amezungumza ya kwamba patengenezwe jopo fulani ambapo litakuwa kila pahali ambapo pana zile athari za kuleta maisha ya watu katika hali ya wasi wasi, hivi sasa pia wananchi hatma yetu waone ya kwamba kuna jambo. Kwa sababu tukisema majukumu yetu si ya kutekeleza lakini wale walio kule wanajua tu ni sisi, sasa Mheshimiwa Spika naheshimu sana uamuzi wako umesema Kamati ya Uchukuzi lakini sasa ni wakati wa kuita kijiko kijiko. Ahsante.

Mr. Speaker (Hon. Rajwayi): Yes I want to believe that the same matter the question that has been asked by Hon. Riziki Fundi and remember this has not been responded to but it should be brought back to the House by 29th June, 2016 so the same committee, Hon. Ndanda can you resume your seat? It is the work of the Clerk to communicate to the Committee is to be informed as soon as possible on this matter so you should be rest assured. Yes Clerk.

ADJOURNMENT

Ladies and gentlemen this House stands adjourned until tomorrow Thursday 16th June, 2016 at exactly 2:30p.m.

The House rose at 3:17p.m.