



**COUNTY ASSEMBLY OF MOMBASA  
THE HANSARD**

Wednesday, 29<sup>th</sup> November, 2023  
**Third Assembly - One Hundred and First Sitting**

*[The County Assembly met at 2:40p.m. at the County Assembly Buildings]  
[The Temporary Speaker (Honourable Abdirahman Abdikadir) in the Chair]*

**PRAYERS**

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Please take your seats. Yes Clerk?

**STATEMENTS**

**REGENERATION PLANS FOR PUBLIC ESTATES WITH A FOCUS ON TUDOR ESTATE**

Honourable Members, most of the Chairpersons or, I cannot see them unless they have given anyone the authority to represent them? Did anyone, yes?

**Hon. Makanga:** No. 8, Statement No. 8.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You have a response to statement No. 8?

**Hon. Makanga:** I have permission from the Chair.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You have a response.

**Hon. Makanga:** Permission from the Chair.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): We are looking for response. Are you responding on behalf of Honourable Bernard Ogutu?

**Hon. Makanga:** I have been given directions on what to say.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): By?

**Hon. Makanga:** The Chair, Honourable Bernard Ogutu, am a Member of Health Committee and therefore...

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*[Interruption]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): And that is a response, please proceed.

**Hon. Makanga:** So, what I was saying Mr. Speaker is that No. 8...

*[Interruption]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You are talking about No.8?

**Hon. Makanga:** Yes.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Let me just exhaust the first one and confirm that no one...

*[Interruption]*

Are you standing in for Honourable Amriya?

**Hon. Makanga:** No.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay, please just take your seat if you are not standing in for her. Yes, we go to the response by Honourable Bernard Ogutu. Yes, Honourable Frankline Makanga?

**Hon. Makanga:** Yes Mr. Speaker Sir, the response in relation to the *Establishment of Waiting Stand outside the Maternity Wing of Coast General Hospital* has so far been received from the Department but the Committee is yet to have a sitting, so we seek your leave for seven more days.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay, let us just follow due process here. Just take your seat first. Yes Clerk?

ESTABLISHMENT OF WAITING STAND OUTSIDE THE MATERNITY WING OF COAST  
GENERAL HOSPITAL

Yes, Honourable Frankline Makanga now you can share the information.

**Hon. Makanga:** Thank you Mr. Speaker. We seek leave that you grant us seven more days to be able to bring forth the response in relation to the said statement, noting that we have already received the response but we were yet to discuss it as a Committee so that we can give a comprehensive Report. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you, I think that is fair enough, seven days next Wednesday. Next order please?

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DROWNING INCIDENT OF CHILD AND MEASURES TO BE TAKEN TO MITIGATE AGAINST ADVERSE  
EFFECTS OF FLASH FLOODS ON COUNTY FEEDER ROADS

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Any Member of Transport Committee?

*[Silence]*

No Member? I have noted with a lot of concern that this Committee usually do not take the statements serious, this is not the first time we are witnessing this. So, Clerk advise what is the next course of action.

*[Consultations]*

Okay, next Order please.

SETTLING OF PENDING BILLS IN THE COUNTY

Yes, Vice Chair Committee on Finance?

**Hon. Noor:** Thank you, Mr. Speaker. Mr. Speaker, we are still waiting for a response from the Finance Department and that is when we are going to give our full information on this statement that we have gotten in our Committee. Thank you.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Any timeline?

**Hon. Noor:** Let us say by next week if they respond it well and we agree on their response.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, do you have something to add on that? Just take your seat Honourable Hamida?

**Hon. Makanga:** Mheshimiwa Spika kwa heshima na taadhima, hii Kamati pia ya Fedha ndio Kamati nyingine ambayo itakua bora ukipeana mwelekeo kama Mwenyekiti wa kikao hiki kwa sababu hawa ndio wengine ambao maswala yanakuja mengi na hatupati majibu kwa wakati. Kwa hivyo Mheshimiwa pengine upeane mwelekeo ni lini na ni vipi hiyo Kamati watafanya kuhakikisha wanatekeleza majukumu yao.

**The Temporary Speaker** (Hon. Abdirahman Abdulkadir): Thank you. Yes Honourable Hamida?

**Hon. Hamida Noor:** Honourable Speaker as I said, these are pending bills, these are services rendered to us by *wananchi* and we want to get the correct response from the Finance Committee and the Finance Department including us that if we are satisfied with what they are going to give us, we are going to come with a response but if they are not going to give us satisfaction of what they have given us, we will return back a reply to them and tell them to give us. This is because we are dealing with *wananchi* and these are pending bills of *wananchi* Honourable Speaker and my colleague says that our responses are not really...

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[Silence]

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay, you have?

**Hon. Noor:** Yes, I just want to clarify that we just want to get a satisfactory reply from the Finance Department. Thank you.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay, Honourable Hamida, the Vice Chair, this particular Statement was raised two weeks ago and I think that when I was chairing this sitting, I gave you enough time to come up with the response. Like he said, it is unfortunate that we are dragging our feet on that matter. Additionally, the issue of being satisfied or dissatisfied is at the discretion of the person who raised the statement, so as a Committee you have to relay wherever the response you get from the department and then the person who sought the statement will decide whether he is satisfied or not so regardless of the response we demand a response by Wednesday next week. Yes Clerk?

ENCROACHMENT AND DESTRUCTION OF PUBLIC ROADS IN SHANZU

This is a response, Committee on Transport. Same issue, will move it to next week as well. Yes Clerk?

ALLEGED DISCRIMINATION IN RELEASE OF HEALTH CARE PRACTITIONER FOR FURTHER STUDIES

Do you have a response?

**Hon. Makanga:** Thank you Mr. Speaker. I stand in for the Chairman again who is indisposed and we have our feedback from the department but I would still seek your leave Mr. Speaker Sir that we may bring for these responses in the next seven days.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Do you actually have a response from the department, now am concerned. Do you have it with you.

**Hon. Makanga:** Absolutely, yes.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Do you have it with you?

**Hon. Makanga:** No, I do not have it here because am holding brief for the Chairman and I do not have instruction to expedite.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): No am asking whether you have it with you here.

**Hon. Makanga:** No, I do not have it here.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): So, at the moment you do not have any response.

**Hon. Makanga:** That is why I was seeking your leave as the Chair and the Speaker of this House.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): It is very okay. You are complaining of the same issue when it came to the department of Transport, Department of Finance; now, your own department playing on the same.

**Hon. Makanga:** Am standing on behalf of Health Committee with directions.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay next week it is. Yes Clerk?

## BILLS

Yes, hold Clerk, just a second please. Yes, Honourable Patrick what is the issue?

**Hon. Mbelle:** Mr. Speaker Sir, sorry I have a statement that I wish to bring forward to this House.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Next time you need to be attentive please.

**Hon. Mbelle:** I am sorry Mr. Speaker Sir.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Proceed.

**Hon. Mbelle:** I just had something that I was looking at, I apologize.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Proceed.

**Hon. Mbelle:** Mr. Speaker Sir, Pursuant to Standing order 41 (2) c, I request a statement from the Chairperson Committee on Water and Natural Resources in climate change resilience as follows. Mr. Speaker Sir, Kashani quarry which is located in Bamburi Ward, the Ward that I represent has a source of livelihood that has employed over 400 people from all over the County and beyond. Arising from Sporadic ?? and landslides, the County government has brutally closed the quarries without consulting the stakeholders who work in the area. Mr. Speaker, I as the Member of the County Assembly of the area have made several efforts to engage the County Executive Committee Member of Water and Natural Resources and Climate Change Resilience to meeting the stakeholders and finding mutually acceptable agreement that will lead to the reopening of the quarry. However, Mr. Speaker Sir, it is regrettably in my view and knowledge that the said move has not been taken as serious as it should have. In view of going information, I seek to know from the Chairperson Committee on Water, Natural Resources and Climate Change resilience the following:

1. Whether she is aware of the closure of Kashani quarry by the County government. A decision that is continuing to negatively affect over 400 workers,
2. Whether what measures the County government has taken or has put in place after the closure to ensure safety of the concerned people and when it will review and reopen the quarry.

Mr. Speaker Sir, I also wish to know why the Kashani quarry was closed without the constitutional requirement of public participation and what measures would be taken to remedy the situation,

3. I would also wish to know whether the Chairperson is aware of the current operation status of Kashani quarry,
4. Whether the Committee will extend an invitation to the County Executive Committee Member of Water Natural Resources and Climate Change Resilience, to provide a comprehensive status update and engage in discussions with the Committee in regarding modalities for re-opening of Kashani quarry,
5. Lastly, but not least Mr. Speaker Sir, I would wish to know if there are any additional appropriate measures the Committee deems necessary to address this critical issue.

Thank you, Mr. Speaker Sir.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, Chairperson you have a response.

**Hon. Nyache:** Ahsante Mheshimiwa Spika. Ningeomba Mheshimiwa mwenza aweze kutupatia mda wa wiki mbili ama ningeomba Jumba hili tupewe mda wa wiki mbili, ndio tuweze kuja na jibu mwafaka manake ameongea mengi na ni kama labda alikuwa anataka kujua zaidi ya kwamba, labda kuna mambo fulani yamefanyika huko Kashani na mimi kama Mwenyekiti najua siyajui. Kwa hivyo naomba mda wa wiki mbili nitaweza kuja na jibu mwafaka, ahsante Mheshimiwa Spika.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, Honourable Patrick?

**Hon. Mbelle:** Mr. Speaker Sir, I highly value and respect my fellow Honourable Member and the Chairperson of that Committee, but this is a matter of urgency. As we are speaking Mr. Speaker Sir, that particular area has not been cordoned off using tape or anything, but there are boys, men and women who are still doing the mining irrespective of the closure order. Apart from that Mr. Speaker Sir, there is also another effect; that out of the 400 minors that usually gets their bread and butter every single day at that place, some of them have resorted to becoming, allow me to say thieves because we have heard a case of two boys who at some points are billing to the quarry. They used to get a few points from the quarry, but since the closure thuggery and theft has been on the rise and two of the boys that were part of the quarry at some point, were linked to it just last week. So, it is an issue that Mr. Speaker Sir I feel it is of urgency and I really wish that this Committee would spare sometime next week probably from Monday, to make a site visit and go and see exactly what I am talking about...because probably from here they might not know the urgency and the need and the magnitude of the issue that I am talking about. So, I wish Mr. Speaker Sir that you make that order, that they visit the place as soon as possible thank you.

*[Applause]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Okay that is well noted, I think this matter in seven days will be sufficient by Wednesday next week we would require a detailed response on this matter. Wednesday next week you will have enough time. Some of these matters can be....

*[Interruption]*

**Hon. Nyache:** Mheshimiwa Spika mpaka twende tukakae na idara tuzungumzie maswala haya, ndio niweze kuja na jibu mwafaka. Kwa hivyo naomba hizo wiki mbili tafadhali.

**The Temporary Speaker** (Hon. Abdirahman Abdulkadir): Honourable Leila, according to the calendar of the County Assembly we are anticipating to go on a recess, so I think by next week Wednesday that will be sufficient time for you to interact with your CEC and the department and enough time even if it is a site visit. So, Wednesday next week would be ideal I suppose.

**Hon. Nyache:** Sawa Mheshimiwa Spika.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you.

**Hon. Nyache:** Ahsante.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes Clerk?

### ADJOURNMENT

Thank you, Members. This House stands adjourned until Tuesday 5<sup>th</sup> December, 2023 at 10:00a.m.

The House rose at 3:40p.m.