

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**

Tuesday, 11th October, 2016

The House met at 2.46pm.

(The Deputy Speaker (Hon. Mswabah Rashid) in the Chair)

PRAYERS

The Deputy Speaker (Hon. Mswabah Rashid): Hon. Members you may sit down, Yes Clerk.

COMMUNICATION FROM THE CHAIR

Thank you Members, on behalf of the Committee on Youth I have received a quarterly Report from the department of Youth, Gender and Sports.

This Report is committed to the Committee of this House and also I think Members are allowed to comment on this so Members take note. Yes Clerk.

NOTICE OF MOTION

Yes Hon. Amir Thoya.

Hon. Thoya: Thank you Mr. Speaker Sir. Mr. Speaker Sir with your permission and the permission of this Hon. House I wish to give a Notice of Motion on the Report on commencement of drainage works in Mkomani Ward in Nyali Constituency.

**REPORT ON COMMENCEMENT OF DRAINAGE WORKS IN MKOMANI WARD
IN NYALI CONSTITUENCY**

(Hon. Amir Thoya gave a Notice of Motion)

Mr. Speaker Sir I beg to give a Notice of Motion of the following Motion:

That this House adopts the Report on commencement of drainage works in Mkomani Ward in Nyali Constituency. Thank you.

(Hon. Thoya ended reading Notice of Motion)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Clerk.

MOTION

Yes Hon. Amir Thoya.

REPORT ON DANGEROUS OPEN DRAIN IN MWAGOSI IN AIRPORT WARD

(Hon. Amir Thoya moved the Motion)

Hon. Thoya: Thank you Mr. Speaker Sir I beg to move a Motion on Dangerous Open Drain in Mwagosi in Airport Ward in Changamwe Constituency.

The Deputy Speaker (Hon. Mswabah Rashid): Was the report tabled?

Hon. Thoya: The Report was tabled last week Tuesday and I believe all the Members were supplied the Report.

So today is just to read the Motion and to be discussed before the floor of this House.

Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amir Thoya for moving this Motion, yes any seconder?

Hon. Thoya: I request Hon. Kondo to second the Motion.

Hon. Ibrahim Kondo: I second the Motion.

(Question proposed)

The Deputy Speaker (Hon. Mswabah Rashid): It has been seconded I now propose that this House adopt a report on dangerous open drain in Mwagosi in Airport Ward.

(Question put and agreed to)

Yes Hon. Amir Thoya.

Hon. Thoya: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika Ripoti ambayo nimeomba Nyumba iweze kulijadili leo ni Ripoti ambayo ililetwa kulingana na taarifa ambayo ilioletwa hapa ambayo iliweza kuulizwa na Mheshimiwa Mary Akinyi katika Bunge hili.

Mheshimiwa Spika katika eneo hili la Wodi ya Mombasa Airport kuna mtaro wa maji ambao uliweza kuchimbwa na kazi ile iliweza kufanywa kupitia kwa mwanakandarasi wa Kaunti ya Mombasa.

Mheshimiwa Spika tuliweza kuwa na mkutano na *Engineer* kutaka kujua itachukua muda gani? Kwa kazi ile kuweza kukamilika kwa sababu kwa hivi sasa mtaro ule uko wazi kama vile Mheshimiwa alivyouliza swali na alikuwa anahofia mtaro ule utaweza kuhangaisha maisha ya watoto na wazazi wa eneo la Mwagosi.

Lakini Mheshimiwa Spika baada ya kumuita *Engineer* na kujadiliana na yeye alituambia kwamba kazi ile inaendelea na kulingana na mwanakandarasi na ile kazi aliyopatia ni kwamba punde tu itakapokamilika mtaro ule utaweza kufunikwa na utakuwa hauna hatari tena kwa wakaazi wa eneo la Airport.

Lakini ni kweli ya kwamba mtaro ule hivi sasa uko wazi na *Engineer* ametuelezea vizuri kwa sababu ya changamoto ambazo zimekumba idara ya uchukuzi na ni hali ambayo imefanya wasiweze kukamilisha jambo hili lakini naomba Bunge hili na jambo hili liweze kuzungumzwa ili maisha ya wakaazi wa Mwagosi maisha yao yasiweze kuhatarishwa na mtaro ambao hivi sasa bado uko wazi kwa sababu ya kandarasi inayoendelea. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Madundo.

Hon. Madundo: Ahsante Mheshimiwa Spika, kwa kunipatia hii fursa ni muhimu sana hii hoja ambayo iko hapa kwa sababu ni muhimu hiyo kazi ifanyike haraka ili wakati wa mvua ukifika tusije tena sumbua na mvua ikinyesha italeta matatizo zaidi kuliko mahali imefikia.

Kwa hivyo ni muhimu *Engineer* awe anachunguza sana na mara kwa mara awe anapitia hiyo kazi ifanyike; hiyo ndio kazi ambayo sisi imetuleta hapa katika Bunge hili ili wananchi waishi maisha mazuri ya kuwa hakuna matatizo ambayo yatakuwa katika mtaro huo.

Kwa hivyo mimi yangu ni kuunga mkono na pia naomba wenzangu waheshimiwa pia wawe wanaweza kufanya hivyo. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili Makarani?

Hon. Mwalimu: Ahsante Mheshimiwa Spika, mimi nasikitika sana Kamati ikiwa imefanya kazi yake na imejieleza wazi ndani ya Ripoti yake kuwa ilimuita *Engineer* peke yake ilivyo ndani ya kata ya Airport.

Ilikuwa ni jukumu la Kamati kuenda sehemu zile kuweza kutathmini hatari iliyoko pale; nashangaa Mwenyekiti anatuambia ya kwamba kulikuwa na tabu ya fedha ambapo maneno hayo hayako ndani ya Ripoti .

Mheshimiwa Spika mimi naomba na naomba mwenye Ripoti hii aweze kuomba Bunge kama alivyosema...

(Interruption)

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fadhili Makarani you are a Member of this Committee and you signed so it is not possible for you to go against it, you are supposed to oppose the recommendation of the Report in the Committee but not on the floor of the House, you confirmed with the Committee that you should have the Report so you cannot go against in which you are a signatory.

Hon. Mwalimu: Tulikuwa kwa ku *adopt* hiyo Ripoti...

(Interruption)

The Deputy Speaker (Hon. Mswabah Rashid): There were no reservations from any Member.

Hon. Mwalimu: Ilikuwa ni Kamati...

(Interruption)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Madam Nyamvula.

Hon. (Mrs.) Nyamvula: Hon. Speaker I first want to thank you for being so alert, I was just about to bring this one up because according to this Report the Hon. Member who I have a lot of respect he is the one who actually proposed after the discussion was brought so I am just wondering this Report.

According to what we are being told the Committee sat after the observation; sorry in the Report Mr. Speaker the observations and findings are so shallow I do not understand what we are looking at Mr. Speaker it is too shallow, '2.1: The ongoing works at Mwagosi will be complete', what will be complete the whole works or parts.

So a few details would have actually made this Report a Report as it is it leaves one with a lot of questions as to what probably completion will be and then I could have wanted to see in this Report indicating as to when this work will be finished because we are being told it is incomplete, when will it be done because we are expecting the short rains Mr. Speaker and it is to our wish that the Mombasa people are served this particular lot is completed before the short rains.

Mr. Speaker I am finding this Report a bit shallow and it should have some more meat on it but looking at what the Hon. I respect Fadhili what he was saying seems like the Committee itself did not sit and look at it and anyway the other thing the Report is not signed. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Muriuki?

Hon. Siminyu: Thank you Mr. Speaker, as a Member of this Committee, I think that Hon. Fadhili was there, Mr. Speaker we resolved...*(Inaudible)*...he emphasized the dangers ...*(inaudible)*...the Committee emphasized because of the people of Mombasa Mr. Speaker it is up to the Implementation Committee to see that ...*(Inaudible)*...

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Amur.

Hon. Amur: Mheshimiwa Spika when you are given a job because ...*(Inaudible)*...the climatic conditions I want to agree with the contractor the delay...*(Inaudible)*... he has asked for certain material to arrive so that he can use it in that area so we should also consider that *(Inaudible)*....

The contractor has requested, has told us that he is expecting ...*(Inaudible)*...We in the House have experience ...*(Inaudible)*...our Engineers went, surveyed and agreed *(Inaudible)*...

I want to agree with the contractor if you want a good job to be done Mr. Speaker let us be patient, let us give him the full support ...*(Inaudible)*....but as it is we want this contractor to be given more time so that they can do what is required. Thank you.

The Deputy Speaker (Hon. Mswabah Rashid): Members I see the debate has been exhausted because nobody is up, so that means the debate has been exhausted, Members are left with no other option to let the mover of the Motion to reply the Motion.

Hon. Thoya: Ahsante Mheshimiwa Spika, nachukua fursa hii kuweza kuwashukuru Waheshimiwa ambao wameweza kupitia swala hili na kuweza kuona umuhimu kwa kazi hii kwa wakaazi wa kazi wa eneo la Airport kwamba iwapo itaweza kukamilika kwa mda ambao unafaa basi wakaazi wa Airport watakuwa katika afueni kwa sababu yale maji ambayo yamekuwa yakiwasumbua yataweza kuelekezwa katika mtaro huu ili ihakikishe ya kwamba maeneo yale yanakuwa sawa.

La pili Mheshimiwa Spika nataka tena kuwashukuru kwa sababu *contractor* endapo ataachaliwa tu aweze kufanya kazi ya kiholela itamaanisha kwamba wakaazi wa Airport pesa yao imetumika vibaya lakini nashukuru ya kwamba waheshimiwa wameona ...*(Technical hitch)*.

The Deputy Speaker (Hon. Mswabah Rashid): Thank you, yes Hon. Hatimy.

Hon. Mohamed Hatimy: Understanding order 79, there is no quorum.

The Deputy Speaker (Hon. Mswabah Rashid): Okay, which Standing Order is that?

Hon. Mohamed Hatimy: Am using the new Standing Order.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Clerk, confirm if there is no quorum.

(Clerk confirmed lack of quorum)

Can the bell be rang?

(Sergeant At Arms rung bell)

Yes Clerk can you ascertain if there is no quorum.

(Clerk confirmed lack of quorum)

Members I propose a question.

Yes Hon. Patrick Siminyu, what is it?

Hon. Siminyu: Mr. Speaker there is an issue that was brought up, the issue of Standing Order, just a few minutes ago a Member said he has a new Standing Order and we are running the House with the other Standing Order.

If there is a new Standing Order Members should be provided with it Mr. Speaker, thank you.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amur what is it.

Hon. Amur: Mr. Speaker introduction of the new Standing Orders were brought in this House and they were adopted by this House.

Mr. Speaker so the issue of Members not knowing that we have new Standing Orders is not a rising issue; Standing Orders were taken through the Members it was a certain the changes were done and all the Members were taken through I can even remember some members, we had expertise and they took us through and we had agreed on those Standing Orders.

Mr. Speaker, it is nothing new the adoption of the new Standing Order were done in this House, it's only that Members have not collected their copies, thank you.

Hon. (Ms.) Prischillah Mumba: Mr. Speaker I just wonder why from the first place we are discussing about Standing Orders; we have important issues with due we should follow what is inside here the matter of Standing Order is not in the Order Paper.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Siminyu.

Hon. Siminyu: It concerns because we are part and parcel of it, and as a Member...

(Interruption)

Hon. Mohamed Hatimy: Mheshimiwa Spika, mwenye amelea hiyo *Motion there are no prayers tabled*, hatuwezi kuijadili hapa so kupitia kiti chako naomba tuendeleo na agenda yetu mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Well Thank you Hon. Siminyu I have heard your concern, Standing Orders is part and parcel of this House, this House cannot go without Standing Orders so....*(Inaudible)*

(Applause)

So Members as earlier said i was supposed to give names of the Members of Mombasa Youth Assembly at the public gallery.

(The Deputy Speaker (Hon. Mswabah Rashid) read names of Mombasa Youth Assembly)

Yes Hon. Fadhili what is it?

Hon. Mwalimu: Ahsante Mheshimiwa Spika, niko na *Privilege Motion* ambayo kwa ruhusa yako ningeomba niilete kesho tukijua kuwa tarehe 20 itakuwa siku ya alhamisi....

Mheshimiwa Spika itakua kulingana na ratiba yetu ya Kenya ni Mashujaa *day* nilikua naomba tulete *Motion* kikao cha siku ya tarehe ishirini iweze kuletwa mbele, ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): You want to bring it tomorrow.

Hon. Mwalimu: Yes.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Clerk.

ADJOURNMENT

Members there being no other business this House adjourned until tomorrow morning.

The House rose at 3.22pm.