



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Thursday, 9th August, 2018

The House met at 2:39p.m.

(The Deputy Speaker (Hon. Fadhili Mwalimu) in the Chair)

PRAYERS

The Deputy Speaker (Hon. Mwalimu): Have your seats. Yes Clerk.

STATEMENTS

RENOVATION OF COUNTY HEALTH RESIDENTIAL HOUSES IN MWAKIRUNGE WARD

Yes Hon. Ahmed Salama, Chairperson Committee on Lands Planning and Housing.

Hon. Ahmed Salama Omar: Ahsante Mheshimiwa Spika, malalamiko ya Mheshimiwa Feddis, Mwakirunge Dispensary ambayo yatakikana ilikuwa ifanyiwe ukarabati wakati wa serikali ya Manispaa ya Mombasa. Ilifanyiwa ukarabati lakini ukarabati ule ulikuwa ni hafifu na nyumba yenyewe ni moja tu ya daktari na sisi kama serikali ya Kaunti ya Mombasa tumepitia na tukaona nyumba ile inahitaji marekebisho ambapo itagharimu takriban milioni saba na elfu mia mbili (Shilingi 7.2Milioni) na iko katika hali ya kufanyika Mheshimiwa Spika. Kwa hivyo ilikuwa tungeomba kwamba tupewe muda kidogo ili kusudi hii hali ya ujenzi ipate kumalizika. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Feddies?

Hon. (Ms.) Mbura: Ahsante sana Mheshimiwa Spika na pia ahsante sana Mheshimiwa Ahmed Salama lakini mbona ni kijikaratasi ambacho mimi nilikuwa nafikiri ni ripoti pia mimi nitakuwa na ripoti yangu...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Feddies you requested for a statement of which the Hon. Chair has responded so if you are not satisfied with his response then you can raise that you are not satisfied with his response. The issue of asking if he is having paper or a report that is up to the Committee, if they wanted to bring a report they could bring a report.

Hon. (Ms.) Mbura: Ahsante sana Mheshimiwa Spika lakini naona kama ingekuwa ni ripoti kwa hivyo sijakubaliana na hiyo ripoti kwa ufupi tafadhali.

Hon. Ahmed Salama Omar: Mheshimiwa Spika nakubaliana na Bi Faith wajua...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Madam Feddis.

Hon. Ahmed Salama Omar: Bi Feddis nakubaliana naye moja kwa moja lakini Mheshimiwa Spika kama unavyojua na kama nilivyozungumza Mwakirunge ni mbali kwa tisha mpaka uamue kwenda na kufanya yale ambayo tumeyafanya lakini namuhakikishia tukitoka hapa ile ripoti ataipata bila wasiwasi. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Chairman Lands, Planning and Housing for the response. What is it Hon. Feddis?

Hon. (Ms.) Mbura: Ahsante sana Mheshimiwa Spika nataka kukata msemaji Mheshimiwa Ahmed Salama kwamba Mwakirunge ni mbali. Mimi kila siku natoka Mwakirunge nikija hapa na Mwakirunge ni Kaunti ya Mombasa leo ananiambia yeye ameniletea ripoti tena ananiambia Mwakirunge ni mbali sasa nishike lipi. Mimi nataka ripoti hasa zile nyumba zitajengeka na zitajengwa lini kwa wakati. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Bwire?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker as per the report or statement given by the Chairman it simply means the Committee never went to the site to have the view of what the Member presented or rather demanded to be told and his Committee according to what he has described Mwakirunge is far and I think Mr. Speaker the Committee has to go for a site visit and bring a very comprehensive statement. I doubt whether a renovation of one house can cost shs 7.2Million; what about a construction of a new house. So I think we should again give the Chairman and his Committee time to have a site visit and then bring the statement back to this House. Thank you Mr. Speaker.

Hon. Ahmed Salama Omar: Mheshimiwa Spika nafikiri ilikuwa...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Ahmed Salama you are out of order, yes Hon. Samba?

Hon. Samba: Mr. Speaker thank you for giving me this opportunity and as I stated here yesterday these young men need to be serious when they are articulating their duties. Hon. Speaker whenever a Member of the House seeks a statement they have every time and all the time possible for them to do a site visit and everything they are supposed to be giving us the information that we have requested for and it is high time Hon. Speaker if they are not eligible enough there are Hon. Members, am not even the Chairman I can take over from any Chairman position...

(Applause)

...I can do that Hon. Speaker not that every now and then they ask for more time, when actually is the more time, when will this tendency end of seeking for more time, unspecified time we need all Chairmen to be responsible and whenever a Member has requested for statement they need to furnish us with the relevant information that is supposed to help this County of Mombasa. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Samba, Chairman Committee on Lands, Planning and Housing the House needs a comprehensive report by next week Thursday failure to which we will appoint an *Ad hoc* Committee to work on the same!

(Applause)

Hon. Ahmed Salama Omar: Ahsante.

The Deputy Speaker (Hon. Mwalimu): Yes Clerk?

ILLEGAL CONSTRUCTION OF TWO HOUSES IN KATISHA, FRERE TOWN WARD

Hon. Ahmed Salama, Chairperson for Committee on Lands, Planning and Housing.

Hon. Ahmed Salama Omar: Ahsante Mheshimiwa Spika mimi kujibu hoja ya Bwana Mheshimiwa Kitula ni kwamba zile nyumba mbili zilizojengwa kule zimejengwa pahali ambapo ni pazuri, barabara inapitika vizuri na zimejengwa katika hali ambayo yapendeza lakini kupitia kwa yale ambayo tuliyoyaona pale hawakujenga kihalali zile nyumba zimejengwa bila mipangilio ya kuidhinishwa yaani *approval plan* na kama serikali ya Kaunti ya Mombasa haikuidhinisha nyumba zile na tunasema kwamba ziko kiharamu na serikali ya Kaunti ya Mombasa kupitia Kamati ya Ardhi itapeleka notisi ya siku saba ya zile nyumba zivunjwe Mheshimiwa Spika kwa sababu haziko kihalali kisheria. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Hon. Charles Kitula are you satisfied with the response?

Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Spika. Mheshimiwa Spika kusema kweli nilikuwa na Mwenyekiti pamoja na Naibu wake katika kata ndogo yangu ya Frere Town ninayowakilisha na kusema kweli tuliweza kukaa na kuweza kuchunguza na tukaweza kugundua ya kweli nyumba zile ni za tajiri fulani katika mtaa wangu lakini kama kiongozi lazima niongoze na kuweza kuacha *legacy* katika eneo langu. Kwa hivyo jukumu la Mwenyekiti alilochukua kuwapatia siku saba ili waweze kuhakikisha kwamba wameondoa jengo lile au sisi kama serikali tuweze kuchukua jukumu. Kusema kweli Mheshimiwa Spika nimeridhika na majibu ya Mheshimiwa Mwenyekiti.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Yes Clerk?

IMPLEMENTATION OF VARIOUS PLANS/PROJECTS IN DEPARTMENT OF LANDS, PLANNING AND HOUSING

Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I first want to declare interest under Standing Order 86 since am a Member of this Committee so I declare interest. Mr. Speaker I seek a detailed statement from the Chairman; I have declared interest under Standing Order 86 I am a Member of this Committee, I want to seek detailed statement from my Chairman Committee on Physical planning and housing as follows:

1. What is the status of implementation of integrated Strategic of Urban Development Plan approved by this House in the First Assembly?
2. Which companies were appointed to participate in the project and in which categories/areas?
3. When will the Housing Redevelopment plan be launched?
4. What is the Mombasa Gate City Master plan and what is the status of implementation?
5. When will Members of the Assembly be involved/sensitized on these projects with a view to them being made aware and receiving their input?

Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Chairperson Committee on Lands, Planning and Housing, any response?

Hon. Ahmed Salama Omar: Bwana Spika nafikiri tumesikia na tupatie kama wiki mbili nitaijibu Mheshimiwa Spika.

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Yes what is it Hon. Hatimy. Use your microphone.

Hon. Mohamed Hatimy: Mr. Speaker I request my Chair two weeks I think is a long time and I request him to give us next week because next week is a long time because everything is ready because about the plan, so it is just to request the department to give us all these things. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Chairman.

Hon. Ahmed Salama Omar: Mheshimiwa Spika mimi nimesema wiki mbili tukiwa na sababu, kwa sababu tuna moja ambayo ni ya Feddis hajaridhika twataka tuifanye vizuri, alafu tutaregea kwa Mheshimiwa Hatimy baada ya wiki mbili tutaijibu.

The Deputy Speaker (Hon. Mwalimu): I think Honourable Chair on the issue of the first statement from Hon. Feddis and we can also go to the Hansard records you said before this Honourable House that the report is ready and it is just that we are waiting for the tabling of the report. So as the Honourable Member, Hon. Mohamed Hatimy before he gave out this statement he declared before this Honourable House that he is a Member of the same Committee.

And he said he is aware of what is transpiring in the Committee and he is also aware that what he has asked is ready it is just the plan or information from the Committee. So with all that we will give you seven days to bring back the report.

Hon. Ahmed Salama Omar: Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mwamwiri?

Hon. Athman Mwamwiri: Thank you Mr. Speaker, I rise to seek your guidance. I raised a statement last week and you ruled that should be brought back in this House today at this session but I can't find it in the Order paper.

The Deputy Speaker (Hon. Mwalimu): Yes proceed.

STATUS OF LOANS AND GRATUITY SUBMISSION FOR HON. MEMBERS AND STAFF OF
COUNTY ASSEMBLY OF MOMBASA

Hon. Athman Mwamwiri: My statement was one that I seek to know from the Chair Finance the status of loans for Hon. Members and staff of this Assembly and the same time the gratuity submission; whether they submitted because we are not aware if they are being remitted to any institution, we are not aware of that. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Hatimy, the Chairman Finance and Budget.

Hon. Mohamed Hatimy: Mheshimiwa Spika, Mheshimiwa mwenzangu ameuliza swali la kutaka kujua juu ya mambo ya *gratuity* na mikopo nafikiri hii ni Nyumba ya sheria, na kuna sheria ambazo ni lazima sisi tuzifuate kuhusiana na mambo haya. Nafikiri sheria ya *County Government Act* inaelezea vizuri sana ni nani anafaa kufanya nini, kusema hivi nafikiri Mheshimiwa Spika kama sikukosea ukiangalia *section* 12, 13, 14 inazungumza juu ya *gratuity* ni chini ya wafanyi kazi manake ni malipo ambayo yanalipwa baada ya kufanya ile kazi ulioandikwa na naangalia mambo haya, mambo ya *welfare* yanaangaliwa na Bodi.

Pia tukiangalia nafikiri juzi tulikuwa na mwakilishi wa Bodi nafikiri aliweza kukaa na Waheshimiwa kuzungumza na sijui mulifikia wapi lakini naomba hili suala lielekezwe kwa Bodi ili waweze kujibu kwa sababu ukiangalia Kamati ina majukumu yake, Kamati majukumu yake wamemaliza, tumeleta sheria, tulipitisha sheria, tulifanya bajeti tukaweka pesa sasa ni Bodi iwe itatengeneza itafuata ile sheria ya kutuambia sisi kama washateua zile Kamati ambazo zinatajikana ziweko na pia washafanya mikakati ya kuweza kutengeneza pesa ili Waheshimiwa waweze kupata hizo pesa. Kwa hivyo Mheshimiwa Spika naomba Nyumba hii ikubaliane na mimi kuwa haya ni majukumu ya Bodi na Bodi ndio itaweza kuja kujibu haya masuala. Ahsante Mheshimiwa Spika.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Chairman but as the Member has requested that the Chair Finance to respond on this you have responded to his statement and I hereby request that the Board to bring back the report to this Hon. House in not more than 14 days, the board to report back to this House. Yes Clerk? Just a minute Clerk, what is it Hon. Hatimy?

Hon. Mohamed Hatimy: Not more than 14 days or within 14 days?

The Deputy Speaker (Hon. Mwalimu): Within 14 days and not more than 14 days. I think it is one or the same, within 14 days and not more than 14 days the Board will sit and bring back the report to this Hon. House. Yes Hon. Chief Whip?

The Chief Whip (Hon. Kitula): Mheshimiwa Spika nimesimama chini ya kipengele 41 (c) kwa kuweza kuzungumzia kwa ruhusa yako.

The Deputy Speaker (Hon. Mwalimu): Just read the Standing Order?

Chief Whip (Hon. Kitula): 41 (C) *A Member may request for a statement from the Committee Chairperson relating to matters under the mandate of the Committee and the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day.* Mr. Speaker...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): So what do you want to ask?

OPEN SEWER/DRAINAGE AT MARIKITI MARKET

Chief Whip (Hon. Kitula): Mheshimiwa Spika ningependa kuuliza Kamati ya uchukuzi na huduma kwa jamii au wananchi ikiwa wanafahamu pale katika soko la Marikiti kuna shimo ambalo liko wazi na linatoa harufu mbaya zaidi kwa wafanyi biashara na watalii ambao wanaingia kuzuru ule mtaa. Ahsante.

The Deputy Speaker (Hon. Mwalimu): To grant permission to the Committee concerned you will ask the same statement next week on Thursday because in the same Standing Order you are supposed to notify the Speaker before you come to this Hon. House so as you are now notifying the Speaker and it is upon the Speaker to either let the statement be responded or appoint a later date. So I would ask the Committee concerned plus the Mover of the statement to bring your statement on Thursday and the Committee concerned will respond on it. Yes Clerk?

ADJOURNMENT

Hon. Members having there no other business the House stands adjourned until next week Tuesday at 2:30p.m.

The House rose at 3:05p.m