



**COUNTY ASSEMBLY OF MOMBASA
OFFICIAL REPORT**

Wednesday, 27th October, 2021
The House met at 2:34p.m.

[The Temporary Speaker (Hon. Raphael Bwire) in the Chair]

PRAYERS

The Temporary Speaker (Hon. Bwire): You may resume your seats Members. Honourable Members, welcome to our afternoon session once again. Yes Clerk?

STATEMENTS

GARBAGE PILE - UP AT MICHELENI COLLECTION POINT IN KIPEVU WARD

Yes Honourable Faith Mwende MCA Kipevu Ward?

[Silence]

Yes Honourable Kitula?

Hon. Kitula: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nimesimama kusoma kwa niaba ya Mheshimiwa Faith Mwende, ikiwa utaniruhusu.

The Temporary Speaker (Hon. Bwire): It is okay, I have the communication.

Hon. Kitula: Mr. Speaker Sir, I stand pursuant to Standing Order 41(2)(c) to request for a statement from the Chairperson Committee on Environment, Waste Management and Energy, if he is aware of the uncollected garbage at Mcheleni collection point, which causes a health hazard to the residents and when will the garbage be collected. Thank you Honourable Speaker.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Kitula on behalf of Honourable Faith. Yes, Committee Chair on Environment?

[Silence]

Vice-Chair?

[Silence]

Any Committee Member? Since there is none to respond, Clerk kindly note that it will be taken to the House Business for more consideration. Yes Clerk?

STREET LIGHTS IN KIPEVU WARD

Once again Honourable Faith Mwende MCA Kipevu Ward. Yes, Honourable Charles Kitula?

Hon. Kitula: Mr. Speaker, I stand to pursuant to Standing Order 41(2)c) to request for a statement from the Chairperson Committee on Transport, Infrastructure and Public Works whether she is aware of the lack of street lights in Kipevu Ward for the past three years and what plans does the County government has to remedy the situation. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Kitula Charles, on behalf of Honourable Faith Mwende. Yes Chairperson Committee on Transport, Infrastructure and Public Works?

[Silence]

Any quick response from the Vice-Chair?

[Silence]

Any Committee Member? Yes Honourable Majority Leader?

The Leader of Majority (Hon. Mwidani): Mr. Speaker Sir on behalf of the Committee and a Member of Transport I would request to be given at least two weeks so that we can come with a response of this statement.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Musa Mwidani Hamisi on behalf of Committee on Transport. Yes Clerk, kindly take note in the next two weeks they will bring the response on the same. Yes, Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON IMPLEMENTATION HONOURABLE
SALIM KALUME ON IMPLEMENTATION STATUS OF AUTISM SPECTRUM DISORDER

Yes Honourable Salim Kalume, Chairperson Committee on Implementation, give the response please.

Hon. Kalume: Thank you Mr. Speaker Sir. Mr. Speaker Sir, I wish to give the following statement response on a statement raised by Honourable Hamida Noor Ali, on the 18th August 2021 during on the 85th Sitting on Implementation Status of Recognition of Autism Spectrum Disorder in the County. Mr. Speaker Sir, the County Secretary through his letter with reference number replied to this matter on 19th October, 2021. That the recommendation for the recognition of Autism Spectrum Disorder in the County shall be implemented in this financial year in collaboration with Department of Health and Education. For reference please find the attached letter. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank you Honourable Salim Kalume. Kindly make sure you supply the Clerks with a copy of the response.

Hon. Kalume: Thank you Mr. Speaker Sir.

The Temporary Speaker (Hon. Bwire): Thank you. Since the author of the statement is not within I think she will be served with the response. Yes Clerk please?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON HEALTH, HONOURABLE KIBWANA
SWALEH ON REPAIR OF FAULTY RAMP AT SHIKA ADABU HEALTH CENTER

Yes Honourable Swaleh Baya Kibwana, Chairperson Committee on Health?

[Silence]

The Member Honourable Murfad?

Hon. Murfad Amur: Thank you Mr. Speaker. Mr. Speaker, I rise to respond to the request that was brought in this House about Shika Adabu Dispensary. Mr. Speaker, we have received the response from the Department of Health Ms. Pauline D. Odinga. The letter was received and the Committee has sat and went through it. Mr. Speaker, I wish to say that Shika Adabu Dispensary Maternity Block Likoni Sub-County Reference is made to your core respondent REF/CAM/CAC/COR/VOL108 5th August, 2021 regarding the above subject matter. Mr. Speaker Sir, the Department of Health services is currently mobilizing staff to start offering maternity services at the new maternity block ground floor. Mr. Speaker Sir, the design works for the ramp, boundary wall and houses gets the cost estimate has been finalized ready for tendering process in this financial year 2021/2022. Upon completion of the construction of this work, the second floor of the new building will then be fully utilized, so Mr. Speaker it is about the tendering now, anytime the tender will be advertised so that it be fully functional. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank you Mr. Amur for that response; if the author of that statement is not within, I think you will also serve the Clerk with a copy of the response plus Honourable Mwalimu you also kindly serve him with a copy of the same. Yes, Clerk? Yes Honourable Amur?

GROUNDING OF FIRE FIGHTING SERVICES DUE TO LACK OF FUEL

Hon. Murfad Amur: Thank you Mr. Speaker. I wish to bring an urgent issue in this House; this is a time bomb Mr. Speaker; the department of Transport and Infrastructure are sitting on a time bomb! As we speak all our fire engines have no fuel; God forbid Mr. Speaker if any fire breaks out within Mombasa County we will be faced with a situation that, no fire engine can reach at the sight in time because all the cars are grounded because there is no fuel. Mr. Speaker, I want to be on record that in a scenario that fire breaks out somebody should be responsible for loss of property and damages within the department because this House always allocates money in each department, a full year budget.

It is very sad Mr. Speaker today to be told that the department has no fuel and the cars are on the ground, staff are not working but playing draft at the yard there. So I want it to be in record in a scenario God forbid, any fire breakout somebody should be held responsible. Mr. Speaker thank you.

The Temporary Speaker (Hon. Bwire): Thank you. Yes Honourable Swaleh, what is your concern?

Hon. Kibwana Swaleh: Thank you Honourable Speaker. Mr. Speaker when I just entered the chamber I was wondering whether the one who is chairing.. who is in the plenary...

[Interruption]

The Temporary Speaker (Hon. Bwire): You are out of order! Honourable Kibwana, resume your seat you are out of order!

Hon. Kibwana Swaleh: Thank you.

The Temporary Speaker (Hon. Bwire): Thank you. Yes Honourable Murfad, I heard your issue now where are you directing it? Kindly make use of your microphone.

Hon. Murfad Amur: Mr. Speaker I wanted it to be directed to the Department of Finance and Transport, other than that I want the Minister in charge to be held responsible incase of any fire breakout to be responsible for any loss of damages of properties. We have given them enough budget full year, but it is sad today that our fire cars are just sleeping with no fuel; let it be in record that I have reported this matter and somebody must be responsible.

The Temporary Speaker (Hon. Bwire): Honourable Amur do not rush into conclusion before we establish where the problem is. Now that you have directed the statement to two departmental Committees, I will also therefore ask the two Departments mentioned; that is Transport and Finance and Planning, Finance your role is to ensure or to actually look if there is money or no money, no you will have....

[Interruption]

The Leader of Majority (Hon. Mwidani): Mr. Speaker, I do not say that am trying to dodge things but this is a House of laws, you just come verbally and then you want things to be taken action, how Mr. Speaker? I agree maybe things are not in that position, but this is a House of laws. You know we have to come with something written so that it can be discussed. Mr. Speaker we cannot move issues in this scenario, okay now you know it has to be taken to the House Business for the allocation, now by what? So I do not deny but actually it has not followed the correct way, it could been a written a statement, so that now it can now be seen as something on the act of law, so I do not deny but actually we should sometimes follow the laws. So Mr. Speaker to me by saying Finance Committee to take it on air; I think that is not in order, I do not deny maybe things are not the way he is saying but actually everybody knows that, this is a House of laws, you know we have papers here.

So Mr. Speaker mine is to request the Honourable Member to come up with a statement and we shall take some necessary action, but if I come and say, "Hapo nje watu wamepigwa dafrau gari hazionekani na hakuna kitu ambacho tumekipata", anyway I think I cannot deny your decision.

The Temporary Speaker (Hon. Bwire): I think the Majority Leader is in order, what is your take Honourable Amur before I make a ruling on this?

Hon. Murfad Amur: Mr. Speaker this came as a surprise, before I even entered to this place, this is when I got this information and I went so as to ascertain and give evidence to it... even the department concerned has written to the Minister of Finance requesting the funds but why should we wait for the...

[Interruption]

The Temporary Speaker (Hon. Bwire): Honourable Amur, is there evidence showing that the department...

Hon. Murfad Amur: Yes Mr. Speaker, I will supply evidence next Tuesday with a written document in this House.

The Temporary Speaker (Hon. Bwire): Then kindly do it.

Hon. Murfad Amur: Thank you Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Bring evidence where the Department wrote to the Department of Transport.

Hon. Murfad Amur: I will do Mr. Speaker, thank you.

The Temporary Speaker (Hon. Bwire): Yes but meanwhile I think it has been captured by the Hansard and I will request that you do a small write up on the same and supply it to the Clerks so that they may have something to write as suggested by the Majority Leader. Thank you and also your claim is one of the grave lines that the Department wrote to the Department of Finance and they never responded. If they also have that evidence also supply so that by the end of next week or in the course of next week..., Majority Leader when are you planning to respond back once you are supplied with that write up?

The Leader of Majority (Hon. Mwidani): I think Mr. Speaker to be on the very good position let us have the written format and then we shall know when are we going to respond.

The Temporary Speaker (Hon. Bwire): I am directing Honourable Amur to make sure that before the end of today, he has that statement in written form.

The Leader of Majority (Hon. Mwidani): Mr. Speaker when the statement is ready I think we shall slot it in the next House Business Committee.

Hon. Murfad Amur: Mr. Speaker with due respect this was an urgent issue, that is why I brought it in the House but before I brought it in the House I had consulted the Speaker of the day so that I be allowed to say it but all the writing work I promise this Honourable House by next Tuesday with all the evidence Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Honourable Hamisi the issue came to my attention and I gave an order on it to appear before this afternoon session, so I do not think if it will be fair enough to not work on it until we have the next sitting. So kindly with due respect I was expecting that maybe if you get that statement in written form like you have suggested, because it has already come before the House you can act upon it as a Department with collaboration with the other... your counterpart Honourable Prischilla Mumba and her team if you do not mind so that before you report back we also make sure that Honourable Amur has supplied the other evidence that he has claimed. So I am giving you two weeks I think it will be fair enough.

The Leader of Majority (Hon. Mwidani): Most obliged Mr. Speaker.

The Temporary Speaker (Hon. Bwire): Thank you. Yes Clerk?

ADJOURNMENT

Honourable Members, there having be no any other business, the House stands adjourned until 2nd Tuesday November, 2021 at 10:00a.m.

The House rose at 2:54p.m