



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Thursday, 4th October, 2018

The House met at 2:38p.m.

(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)

PRAYERS

The Speaker (Hon. Khatri): Hon. Members we may be seated. Yes Clerk?

STATEMENTS

DEMOLITION OF TEMPORARY STRUCTURES BY THE COUNTY INSPECTORATE IN TUDOR

Yes Leader of Majority Party, Hon. Hamisi Musa Mwidani please give the statement.

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker Sir. Let me take this opportunity to invite my colleague Hon. Juma Renson Thoya to lay the report. Thank you Mr. Speaker.

Hon. Thoya: Thank you Mr. Speaker I have the statement towards the response, the statement that was requested by the MCA, Tudor and I wish to lay it before the Clerk.

(Report laid)

The Speaker (Hon. Khatri): Thank you Hon. Juma Renson Thoya. I think Hon. Juma Renson you have to read the statement.

Hon. Thoya: Thank you Mr. Speaker for your indulgence. Mr. Speaker I would like to give this statement in response to request for the same by Hon. Tobias Samba MCA Tudor Ward at the 63rd sitting of the House on 7th August, 2018 regarding the demolition of temporary structures by the County Inspectorate in Tudor Ward. Mr. Speaker sir after the direction of the Speaker of the day that the Committee of Justice and Legal Affairs and Committee on Labour and Social Welfare to look into the matter the two Committees immediately resolved to conduct site visit in Tudor and Changanwe Wards on 8th August, 2018 for a fact finding mission. Mr. Speaker sir the following locations were visited by Members and indeed it was noted that the demolition had taken place by the County Inspectorate;

1. Tudor stage
2. Tudor primary
3. Changamwe corner
4. Changamwe volleyball ground

Mr. Speaker Sir, following the information gathered during the site visit the joint Committee saw the need to summon the County Executive Committee Member of Devolution Mr. Seth Odongo together with the Director of Inspectorate Mr. Ibrahim Mohamed in a bid to interrogate the reasons behind the demolition in Tudor and Changamwe Ward. Mr. Speaker Sir after a meeting with the Executive Committee Member and the Director of Inspectorate the following were the findings by the joint Committees on reasons for the demolition.

1. There was a cholera outbreak within the two Wards spreading at a high rate and needed to be contained.
2. That the food vendors operating kiosks and hotels in the demolished structures lack required health permits and documentation.
3. That the temporary structures were constructed on road reserves and therefore illegally built contrary to the Mombasa County Roads Act, 2016.

Mr. Speaker sir, the resolution arrived was in the foreseeable future in case such an exercise by the County government was to be conducted communication should be first meet area MCA so as to avoid misunderstanding between the people and the County government of Mombasa. Mr. Speaker Sir I would also want to inform this House a lot is happening in the Directorate of Inspectorate and maybe some of the issues that have been raised by Members here very soon are going to be sorted out. I just believe that in fact we have new leadership, we have a new Director there acting and number two is also acting. So it is in a bid to address some of the issues that are being sorted out by Members of this Honorable House. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Renson Juma Thoya. Yes Hon. Bwire.

Hon. Bwire: Mr. Speaker I stand on a point of information. I would wish just to inform my Chairman that we as Members we ought to have copies before so that we go through as he reads but even as I speak I have forgotten what he has read Mr. Speaker. So I would wish because it has been now a tradition and we once addressed it here. Thank Mr. Speaker.

The Speaker (Hon. Khatri): Clerks next time when a Member has a statement you should get the statement and make sure every Member has a copy of the statement so that they can read. Yes Hon. Juma Renson Thoya.

Hon. Thoya: Yes I appreciate the fact but also I want to insist that Members of the said Committees should avail themselves because I think the Hon. Member is a Member of Labour Committee and we called a Committee meeting he could be having this information before this Honourable House. So as much as this is the exercise of the Clerks I would like if you are called for meetings please avail yourself so that you own this statement. It is very sad that a Member of that Committee stands here and says he does not have the report and just because you do not attend those called sessions. Thank you.

The Speaker (Hon. Khatri): Yes Hon. Bwire I think...

(Interruption)

Hon. Bwire: Mr. Speaker with due respect, I said that all the Hon. Members of this House ought to have these copies; whether I am a Committee Member or not a Committee Member the copy should be within this plenary that is the fact...

(Interruption)

The Speaker (Hon. Khatri): But Hon. Bwire I can recall that you said that very clear that even you yourself you do not understand what he was reading, so it means you do not even know about that report...

(Interruption)

Hon. Bwire: I said I have forgotten what he has read.

The Speaker (Hon. Khatri): So it means that...

(Interruption)

Hon. Bwire: It has been a very comprehensive and a very long statement...

(Interruption)

The Speaker (Hon. Khatri): It is very sad for a Member who is a Member of that Committee and you are just saying right now you even do not know and you have already forgotten what he was saying. I think you should have that thing in your knowledge because you are Member of that Committee. You should know Hon. Bwire. Yes Hon. Samba?

Hon. Samba: Yes Mr. Speaker let me, maybe because Hon. Bwire is a Member of the said Committees but it is our right to have the copies it has been the habit of this House that it is only Hon. Member who is giving out reports who is the only person who has the report written on paper but it is our right to have the documents, like for me...

(Interruption)

The Speaker (Hon. Khatri): How is it your right Hon. Samba, can you show me where in the Standing order it is saying that a Member when he is replying to a statement show me..

Hon. Samba: If you give me time I will show you, but meanwhile it has been a practice Hon. Speaker for me the Hon. Member who requested for that statement, I do not have my copy, maybe I would appreciate...

(Interruption)

The Speaker (Hon. Khatri): Let us start with this Hon. Member, when you brought your statement did you write a copy and give it to all other Members?

Hon. Samba: No! No! No! But I brought the statement; it is the responsibility of...

(Interruption)

The Speaker (Hon. Khatri): Did you request that you want your response to be in writing?

Hon. Samba: Maybe you assist us, what is required of us?

The Speaker (Hon. Khatri): Clerks can we go to the Standing Order, what is it saying on statement?

(Consultations)

...Can you give it to Hon. Samba to read for us the Standing order on statement, you have your Standing Order, just go Standing Order No. 40?

Hon. Samba: Should I go through 40 and 41 all?

The Speaker (Hon. Khatri): Just read it is all regarding statement issue.

Hon. Samba: Ok, Members general statement 40 (1).

(Hon. Samba read)

Notwithstanding Standing Order 27 (hours of meeting), the Speaker shall interrupt the Business of the County every Tuesday at 6:00p.m. to facilitate Members to make general statement of topical concerned’.

I have not seen anything relating to whatever we are discussing.

(2) ‘A Member who wishes to seek leave to raise a matter under this Standing Order shall before 3:00p.m on the day of the statement is to be made hand to the Speaker a written notification of the matter, but the Speaker shall refuse to allow the request unless satisfied that the matter may properly be discussed in the County Assembly...’

of which I adhered to that I wrote to the Clerk and I even signed.

(3) No Member making a statement under this Standing Order shall speak for more than three times unless with permission of the Speaker.

It is very much irrelevant I do not see how they are related. 41...

(Interruption)

The Speaker (Hon. Khatri): I think if you go to 41 (2) (a).

Hon. Samba: But he said from 40. Ok.

(Hon. Samba continued)

41 (1) Notwithstanding Standing order 37 (sequence of proceeding), there shall be time to be designated statement hour every Thursday commencing not later than 3:00 p.m.

2. (a) A Member of the County Assembly Business Committee designated by the Committee shall every Thursday or on the last sitting day for not more than ten minutes present and lay on the table statement informing the County Assembly of the Business coming before the County Assembly following week, that is for the Leader of Majority who is suppose to be doing that.

(b) The Leader of Majority Party or the Minority Party as the case maybe or the designees may make a statement relating to their responsibilities in the County Assembly or the activities of the Committee.

Last maybe that is where we are going to get that point but we pray...,

(c) A Member may request for a statement from the Committee Chairperson relating to the matters under the mandate of the Committee and the Speaker shall either appoint a day for the statement or direct that the statement be issued on the same day.

The Speaker (Hon. Khatri): So Hon. Member as you can see it is very clear so you cannot say it is Hon. Renson Juma Thoya's fault that he did bring the reply by giving the copies to other Members, it is not clear, there's no way it has said that.

Hon. Samba: Mr. Speaker even in the Standing order there's no way written that any Member should have his copy of Standing Order but we have our copies, it is not written anywhere.

(Interruption)

The Speaker (Hon. Khatri): How did that question arise?

Hon. Samba: No, it has been a practise of the House maybe if you are laying paper how genuine are you going to satisfy...

(Interruption)

The Speaker (Hon. Khatri): Which house are you talking about?

Hon. Samba: August House, Hon. House.

The Speaker (Hon. Khatri): Okay.

Hon. Samba: Yes so because am the one who requested for the statement Mr. Speaker I think it will be very fair if I have my copy because most of the responses maybe he has read the issue of cholera outbreak i have never heard any issue to do with cholera outbreak in my Ward as far as i am concerned. Number two those people whose structures were demolished have licenses and they pay, that is why I brought that issue here so I find it very unfair if maybe the report I have to acknowledge that they took their time they went there almost three Committees but I request for...

(Interruption)

The Speaker (Hon. Khatri): So Hon. Member you are requesting now for that Statement?

Hon. Samba: Yes.

The Speaker (Hon. Khatri): So then you can request don't say the Hon. Member did not do the needful by bringing the copy of the report.

Hon. Samba: I did not say that.

(Interruption)

The Speaker (Hon. Khatri): This is a Honourable House, Hon. Bwire said that.

Hon. Bwire: Mr. Speaker thank you. Mr. Speaker you have just given a good directive to the Clerks to make sure that if there is a very comprehensive statement or a response that is coming they should have copies for all Members not only the Chairman so we are not complaining Chairman.

(Interruption)

The Speaker (Hon. Khatri): Then the Hon. Member is starting to complain about the same issue again.

Hon. Bwire: So they should put considerations. Thank you.

The Speaker (Hon. Khatri): We are going to use Standing Order Number one now, Standing Order 1.

(1) In all cases where matters are not expressly provided for the Speaker to decide.

So am deciding Hon. Members anyone who brings a statement and any Member needs the statement will be replied by written statement so he can request that when he is giving his statement because there are other statements maybe the other Members do not need to be written they are happy to just hear it verbally. Yes Hon. Fadhili Mwalimu?

The Deputy Speaker (Hon. Mwalimu): Mheshimiwa Spika ningependa kujuza Nyumba hii ya kwamba Mheshimiwa anapoleta taarifa ndani ya Bunge hili iwapo Mwenyekiti mhusika yuko na jibu wakati ule ule anaweza kujibu na hailazimu kuwa lazima awe na karatasi kuonyesha uthibiti wa majibu yake lau ikiletwa majibu yake na watu hawakuridhika ndio pale tutaitisha tupate ripoti ambayo itakuja kujadiliwa ndani ya Bunge hili lakini sasa hivi Mheshimiwa Mwenyekiti wa Kamati ya Leba amejibu masuala yale ambayo yalikuwa yameulizwa na Mheshimiwa kutoka Tudor na sijaona kama amekeuka sheria zozote za Bunge za kutokupeana nakala zile kwa waheshimiwa. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika na kutilia nguvu maneno aliyozungumza Mheshimiwa Fadhili kuwa tuna kitu; chombo hichi tunachokitumia cha *Hansard* ikiwa Mheshimiwa yeyote anahitaji kitu chochote anaweza kwenda kwa *Hansard* kwenda kuuliza na kama alivyosema kuwa jawabu unaweza kupeana pale pale ama mtu akauliza wakati akapewa akaja akajibu si lazima iwe katika maandishi Mheshimiwa Spika. Ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Member. Yes Hon. Thoya can you move on.

Hon. Thoya: Nawashukuru kwa kuweza kutoa hizo changizo.

Hata hivyo ikiwa labda Mheshimiwa aliyeomba taarifa hii angetaka kupata ufahamu zaidi anaweza kuwasiliana na ile ripoti kwa undani; iko hii ni taarifa ambayo iko kitu ambacho tumekisema ni kwamba zoezi lile halikufanywa manake *remark* yetu ya mwisho tulisema kwamba itakuwa ni vyema kama chochote kinafanyika lazima MCA wa pale aweze kufahamishwa kikamilifu nafikiri hiyo ndio taarifa ya mwisho na inasikitisha ya kwamba MCA wa pale habari zote hana ya kuhusu ugonjwa wa kipindu pindu. Hapo ndio makosa yalikoseka zaidi ya yote *Inspectorate* kazi yao ni ku *enforce* lakini kulikuwa na vitengo vyote vya Kaunti ya Mombasa; ya ardhi ilikuwa pale, ya biashara wote walikuwa pale isipokuwa mara nyingi watu wa *Inspectorate* wa Kaunti wanashikwa kwa sababu huwa wao ndio waonekana lakini ni idara zote za afya ya mambo ya barabara walikuwa pale. Kwa hivyo tumesema Mheshimiwa Tobias Samba wakati ujao unastahili kuhusishwa kikamilifu ndio wewe mwenyewe uweze hata kutetea watu wako hayo mambo ya *permit*, mambo ya nini uyajue na mapema. Ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Thoya, yes Clerk?

Yes the Chairperson Committee on Lands, Planning and Housing?

(Silence)

Do we have the Deputy or any other Member to reply to that? Yes Hon. Abrari the Deputy Chair?

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika. Kamati ya Ardhi ilikuwa tayari ishapanga mipango kabambe ya kuwa Waheshimiwa wote watapelekwa *Induction* na Waziri kwenda kuelezea hali halisi pale wamefikia pa kuvunja nyumba hizi. Kwa hivyo ni mambo tu yalitokea ikaahirishwa lakini *InshaAllah* wiki ijayo wataenda kujuzwa yote mambo kamili na ripoti wataipata.

The Speaker (Hon. Khatri): Thank you, yes Hon. Benard?

Hon. Ogutu: Mheshimiwa Spika nafikiri hilo jibu ilikuwa ni muhimu sana manake kuna vitendo ambavyo vinaendelea kule mashinani kuhusiana na mambo ya nyumba, kwa hivyo ningekuwa muhimu pengine Naibu Mwenyekiti asimamishe yale maneno ambayo yanaendelea kule chini ili tungoje twende mafundisho na iletwe karibu iwe hata ni kesho kwa sababu yale maneno ambayo yanafanyika kule si mazuri; watu wamepewa notisi watoke kwa manyumba kwa mwezi mmoja, mtihani unaanza mwezi ujao, wengine wanakaa na familia kubwa hivyo basi hili si jambo ambalo lafaa livutwe watupeleke mafundisho kesho waseme zile notisi ziwekwe chini ili angalau wale watu wetu pia wajihisi kama Wakenya wengine. Ahsante.

The Speaker (Hon. Khatri): Thank you, Hon. Abrari I think you have noted that.

Hon. Mohamed Abrari: Ndio maana nimewaelezea kuwa mafundisho ilikuwa imepangwa twende lakini ikaahirishwa kwa sababu zisizo epukika, wiki ijayo sote tutakwenda kujuzwa hali halisi ya mipango ilivyopangwa.

The Speaker (Hon. Khatri): Thank you Hon. Abrari, yes Hon. Benard?

Hon. Ogutu: Mheshimiwa Spika mimi... (Off mic).

The Speaker (Hon. Khatri): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Namuomba ndugu yangu Ogutu napenda kumueleza kwamba msemu unaosema, *There are no orders without prayers* hapa hii ilikuja ni mimi niliomba Kamati kutajulishwa Waheshimiwa ni jambo gani linaendelea juu ya mijengo na yale mambo yanayoendelea. Kwa hiyo Mheshimiwa Spika nimepata jawabu kutoka kwa Mheshimiwa na nimeridhika hivyo basi Mheshimiwa Ogutu kama ana jambo lolote aje aombe hapa ndio apewe lakini sio kusema kuwa taarifa iende ikazuiwe mambo yanayoendelea kule chini. Ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Hatimy, yes Hon. Ogutu?

Hon. Ogutu: Mheshimiwa Spika mimi naomba... (*Off mic*).

The Speaker (Hon. Khatri): Yes Clerk?

CENSUS CONDUCTED BY COUNTY GOVERNMENT ON PEOPLE WITH DISABILITIES (PWDs)

Yes Hon. Ramla?

Hon. (Ms.) Said: Thank you Mr. Speaker Sir, I seek to know from the Chairperson Committee on Youth, Gender, Sports and Cultural Affairs whether he is aware of the census conducted by the County government of Mombasa on People with Disabilities (PWDs) and when the report/information acquired during this exercise be made available for public consumption. Thank you.

The Speaker (Hon. Khatri): Thank you. I think Hon. Aran is not around, yes Hon. Samba?

Hon. Samba: Hon. Speaker we are aware of the census conducted and I would request the Hon. Member to give us one week for the report because the census were just concluded last month. Thank you.

The Speaker (Hon. Khatri): So Hon. Ramla you will be reply in one weeks' time, thank you. Yes Clerk?

STATUS OF IMPLEMENTATION OF MOTIONS SINCE INCEPTION OF SECOND ASSEMBLY

Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mr. Speaker sir, I seek to know from the Chairperson Committee on Implementation whether he is aware of the Motion passed in this House since inception of the Second Assembly and what is the status of their Implementation by the County government. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Hatimy. Yes Hon. David Kalume, Chairperson Committee on Implementation do you have immediate response?

Hon. Kalume: Ahsante Mheshimiwa Spika, ningependa kuongea kidogo kuhusiana na swala la Mheshimiwa Hatimy. Mheshimiwa Spika kwa sasa tuko na habari kidogo ambayo haijakamilika kisawa sawa kwa hivyo tunaomba mimi kama Mwenyekiti na Kamati yangu tunaomba utupatie siku 21 ili tuweze kukusanya ripoti yote.

The Speaker (Hon. Khatri): So you are requesting for three weeks.

Hon. Kalume: Yes 21 days.

The Speaker (Hon. Khatri): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Spika kuna kitu inaitwa *Motion tracker*, haihitaji au haikuchukui hata dakika tano kwenda kuangalia *Motion tracker* ukajua hoja ngapi zimepitishwa, taarifa ngapi zimepitishwa na *status* ya ile *Motion* iko wapi, nastaaabu sana kusikia wanataka siku 21, sijui wanataka kwenda mafundisho tungoje mwende mafundisho ndio uje utujibu au ni vipi?

The Speaker (Hon. Khatri): Hon. Member, Hon. David Kalume I will give you two weeks then you can...

Hon. Kalume: Mheshimiwa Spika...

The Speaker (Hon. Khatri): Yes.

Hon. Kalume: Niko hapa na Wanachama wangu.

The Speaker (Hon. Khatri): It is fine Hon. Kalume you were asking for three weeks so am giving you two weeks.

Hon. Kalume: Naomba unipatie nafasi kidogo kuongea.

The Speaker (Hon. Khatri): Yes.

Hon. Kalume: Kwa kusema kweli *Motion* zilizopitishwa na Bunge hili ni nyingi, na tunahitaji muda, hatuwezi kwenda tu tupate habari za uwongo, tunataka habari za kisawa sawa tukileta kwa Bunge hili Waheshimiwa wapate habari za kisawa sawa za uhakika, kwa hivyo ni lazima tuwasiliane na vitengo husika.

The Speaker (Hon. Khatri): Yes Hon. Thoya.

Hon. Kalume: Na pia vile vile ni lazima tufanye *site visit* katika hivi vitengo ili tujue...

(Applause)

The Speaker (Hon. Khatri): Yes Hon. Thoya.

Hon. Thoya: Mheshimiwa nafikiri Kamati ya Utekelezaji ni Kamati ambayo haijajulikana.

Pengine ni kitengo gani unaweza ukaomba uende mafundisho ama ufanye nini, kwa hivyo ni lazima mjue kwamba leo nimesikia kizungu kimoja kinaitwa *Motion tracker*, tuna soma hivyo nafikiri hata Mwenyekiti wangu neno hilo amelijua leo. Kwa hivyo haya ni baadhi ya mambo na kama akikuambia hivyo Mheshimiwa Hatimy, mwelewe na uzuri nyinyi mumekuwa hapa kwa vipindi viwili ama vitatu habari hizo mko nazo, mtuwie radhi tuhakikishe kwanza kwamba tutajaribu kama mtaangalia ni hizo wiki tatu ama mtapunguza lakini isije tukaleta vitu ambavyo hapa mtakuja tucheka hapa.

The Speaker (Hon. Khatri): Thank you Hon. Thoya, okay Hon. Hatimy I think if you look at your statement very clearly we are not only asking for how many Motions have been passed here, again and what is the status of the implementation by the County government so I think we need to give them more time, we cannot send someone to do that job in one day...

(Applause)

Yes Hon. Bwire.

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I think whenever you make a prayer or rather a request, you always give direction and in this case you have already given direction of two weeks. I see no need for us to revise it, three weeks Mr. Speaker these are the issues that we have the departments with us here and there are things that can even take one week so two weeks with me Mr. Speaker as you have already give the directives are enough.

The Speaker (Hon. Khatri): Yes the direction is two weeks.

Hon. Bwire: Not three weeks.

The Speaker (Hon. Khatri): No, I said two weeks, he was asking for three weeks but I said two weeks but Hon. Hatimy was saying these things can be done in one day so I was telling Hon. Hatimy it is not possible to do these things in one day, yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika naheshimu uamuzi wako ulioa lakini kama mwenzangu hapa amesema kuwa *Motion tracker* ni kitabu ambacho kimewekwa hoja zote tarehe yake na yule mtu aliye leta hiyo *Motion* na kuonyesha kuwa hii *Motion* imefika wapi, huna haja ya kufanya utafiti wala kuenda mafundisho wala kufanya nini Mheshimiwa Spika ni kitabu ambacho kiko kuna *Motion tracker*, kuna *Bill tracker* ambayo inaonyesha *status* ya kila hoja lakini mimi ninaheshimu Mheshimiwa vile umesema sina la kusema lakini...

The Speaker (Hon. Khatri): Hon. Hatimy can you finish your prayer or he did not ask for the Motion only so do you mean the Motion tracker is supposed to know if the Motion will be implemented or not? That's what we are asking. Yes Hon. Samba?

Hon. Samba: Mr. Speaker when this plot of doing implementation request was hatched I was there and Hon. Speaker I would also like to remind Hon. Hatimy if it is about just requiring how many Motions do we have, that one we can do it even a single day. I am speaking as a Member of Implementation Committee but here comes a case, I want to give you one example, there is a Motion here we passed that was relocating the power or was directing the County administration leadership from the office of the Governor to the department of devolution and public service, until now they are under the Governor's office.

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Page 10

These things you cannot do within a day, we need to call for the department for devolution to ascertain where exactly did...

(Interruption)

The Speaker (Hon. Khatri): But I think Hon. Members I have already given the directive...yes?

Hon. Thoya: I think there is no room for lies this House, sometimes we need to get the nitty gritty from the said Committee. I think there were issues with the Director of Administration and am here to tell that those issues were addressed and there was handshake and things are going on very well so the status is, the situation is that the administration is under the department.

The Speaker (Hon. Khatri): Hon. Members I think we need to go for another induction it seems like Members do not know what we are doing here...

(Applause)

....it seems like Members do not know their roles; you know in this Assembly because we are discussing one issue one time and another we have already given a ruling again another Member stands to ask again about the same issue, so Hon. Members please just try to understand you know. Yes Hon. Nzai.

Hon. Nzai: Ahsante Mheshimiwa Spika kwa kunipa nafasi hii, mimi naongea kama mmoja wa Wanakamati wa Utekelezaji.

The Speaker (Hon. Khatri): Hon. Members I do not know which language now we should start talking in this House...

(Interruption)

Hon. Bwire: Mr. Speaker I now stand as a Member of Speaker's panel and as far as am concerned, that when the directives are given by the Chair, that makes the end of the debate, so I think we should move to another statement.

The Speaker (Hon. Khatri): Let's move on Clerk please.

BLOCKED SEWAGE IN WAYANI AIRPORT WARD

Yes Hon. Ibrahim Omondi I think he is not in the House, yes Hon. Fadhili.

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker I stand on behalf of my brother Hon. Omondi. Mr. Speaker sir I seek to know from the Chairperson Committee on Environment, Waste management and Energy if he is aware of the blocked sewage in Wayani Airport Ward which poses serious health risk to residents, and what action will County government take to remedy the situation.

The Speaker (Hon. Khatri): Thank you I think Hon. Prischilla Mumba is around, yes we have Hon. Leila... do you have the answer now or you need some time.

Hon. (Ms.) Nyache: Tunaomba wakati tuende tukakae.

The Speaker (Hon. Khatri): So I am giving you one week. Yes Clerk?

POOR STATE OF BOMU CATHOLIC ROAD

Hon. Ibrahim is not around. Yes Hon. Fadhili.

The Deputy Speaker (Hon. Mwalimu): First and foremost I want to declare that I am a Member of Transport, Infrastructure and Public Works Committee, on behalf of my colleague, I seek to know from the Chairperson Committee on Transport Infrastructure and Public Works if he is aware of the poor state of Bomu Catholic Road which has inconvenienced both motorists and pedestrians and what plans does the county government have to remedy the situation.

The Speaker (Hon. Khatri): I think Hon. Prischilla Mumba is around, yes Honorable? Do you have that answer right now?

Hon. (Mrs.) Mumba: I think I need time because I do not have the time.

The Speaker (Hon. Khatri): One day or one week?

Hon. (Mrs.) Mumba: No, no, I think last week I had a line up of these road works problems everywhere and there is a ruling here that I'll be given almost a month so that I can complete all the work within the County which has problem in road works and I would urge this Assembly that whatever was needed in any Ward and I still urge that they bring it on my table so that I can address all the issues to the Transport Committee so that we can resolve all the issues at once and we resolve to bring the result while I bring the others in one month's time.

The Speaker (Hon. Khatri): Thank you Hon. Priscilla I will give you two weeks to bring the report. Yes Clerk.

POOR STATE OF MOMBASA MUNICIPAL STADIUM

(The Speaker (Hon. Khatri) left the Chair)

(The Deputy Speaker (Hon. Mwalimu) took the Chair)

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Ali Shariff.

Hon. Ali Omar Shariff: Thank you Mr. Speaker sir. I need to know from the Chairman Committee on Youth, Gender, Sports and Cultural Affairs on whether he is aware of the poor state of Mombasa Municipal Stadium and if the county government has any plans to remedy the situation Mr. Speaker Sir I need a written statement.

The Deputy Speaker (Hon. Mwalimu): I can see the leader of majority is up.

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker I stand here on behalf of the government; well it's a very good statement but it has been overtaken by events because on Tuesday we had already advertised the tender for that stadium to be taken care of.

So am trying to alert my fellow Member that he should not be worried the government has already taken steps to the issue which has been mentioned, thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you the Leader of Majority for bringing to the attention of this House on the status of the Mombasa Municipal stadium.

(Interruption)

What is it Hon. Ali Shariff?

Hon. Ali Omar Shariff: Mr. Speaker sir I need a written statement.

The Deputy Speaker (Hon. Mwalimu): Okay the Leader of Majority will liaise with the Chairperson Committee on Youth, Gender and Sports to bring you the advertisements that have been made by the County government plus the written response as you have requested, but am sure as the Leader of Majority has stated the issue has been by passed by events, yes Hon. Tobias.

Hon. Samba: Mr. Speaker I think the question was directed to our department but it is good the Leader of Majority stood for the government but his request has been answered, that as the Committee we are aware and as the Leader of Majority has said there are plans that are going on that is only a statement that he requested now he is adding for another one.

The Deputy Speaker (Hon. Mwalimu): I think I have already ruled on that, the Leader has responded on your behalf and I have said the Committee to liaise with the Leader of Majority to bring back a written response so that the Hon. Member may take the written response back to his Tononoka Ward and the Hon. Members will be well informed from the request. In a week's time we will need the written statement in this Honourable House.

(Interruption)

What is it Hon Thoya?

Hon. Thoya: Mr. Speaker it is very sad that very important proceedings are happening in Tononoka and the area MCA is not informed, it is high time that we try to bridge this gap because those are the issues that the area MCA himself he can be proud of so I want to bring to your attention that some of these County projects we are yearning for them please Mr. Speaker thank you.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Renson Thoya what you have brought to this attention has been discussed in the Liaison Committee and we have also requested the Chairs to look for the quarterly reports and through the quarterly reports the House will be well informed of each and every event that is taking place in this County government of Mombasa. Yes Clerk, yes Hon. Ogutu what is it?

Hon. Ogutu: I rise on Standing order 41(2) c...

(Silence)

The Deputy Speaker (Hon. Mwalimu): Before you give the contents of the statement just give us the heading of the statement, what is it that you want to state?

RELOCATION NOTICE TO TENANTS OF CHANGAMWE OLD ESTATE

Hon. Ogutu: Mr. Speaker I seek a statement from the Committee of Lands, Housing and Planning concerning a notice which was issued to the tenants of Changamwe old estates.

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

Hon. Ogutu: Thank you Mr. Speaker. I seek statement from the Chairperson Committee on Lands, Planning and Housing concerning the notice which was given to the tenants of Changamwe old estate. Mr. Speaker in their response they should take care of the following; the time in which the project was likely to start, the relocation plan, the relocation package and four, the involvement of public in the project, that is public participation Mr. Speaker. Thank you.

(Silence)

The Deputy Speaker (Hon. Mwalimu): Hon. Abrari the Vice Chair Committee On Lands and Housing.

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika naomba muda wa wiki moja tutampa ripoti yake kamili.

Hon. Ogutu: The matter is urgent and it needs to be addressed with that agency Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Hon. Ogutu you must also be aware that we are not sitting on Fridays and Mondays so as per our sitting arrangement the Hon. Member has requested for one week time of which am sure he will be in a position to respond on whatever that you have raised and am sure the residents of Changamwe will still be in Changamwe estate they won't be evicted in a week's time so we will wait for the Hon. Member to respond to this Honourable House not unless if you are sitting tomorrow I could have requested him due to its urgency to bring the statement or the response tomorrow.

Hon. Ogutu: Mr. Speaker am obliged.

(Interruption)

The Deputy Speaker (Hon. Mwalimu): What is it Hon. Hatimy?

Hon. Mohamed Hatimy: Mr. Speaker I rise under 44(5).

The Deputy Speaker (Hon. Mwalimu): Okay read the Standing order 44(5).

Hon. Mohamed Hatimy: Mheshimiwa Spika ni kuhusu juu ya chama ambayo inapatiwa ikiwa kuna kitu chochote lakini sio Mswada ni taarifa kuwakumbusha Waheshimiwa.

Kwa hivyo unapokuwa unapata Mswada kutoka kwa chama unaipatia kipao mbele ili ipate kusikizwa Mheshimiwa na ni jambo ambalo liko kwa Kanuni za Bunge ambayo nilikuwa nataka kama umenipatia ruhusa nieleze ni kuhusu jambo gani.

The Deputy Speaker (Hon. Mwalimu): Hon. Hatimy not unless you have a Motion sponsored by the party then we will allow you to proceed but if it's just a statement.

Hon. Mohamed Hatimy: Statement under 41, 2 (c).

The Deputy Speaker (Hon. Mwalimu): On the same note Hon. Hatimy 41(2) c the Speaker may allot a day for you to bring your statement so as a Speaker you will bring your statement on Thursday next week.

Hon. Mohamed Hatimy: Thank you Mr. Speaker.

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

ADJOURNMENT

Having there no other business the House stands adjourned until Tuesday the 9th of October at 2:30p.m.

The House rose at 3:33p.m.