



**COUNTY ASSEMBLY OF MOMBASA
OFFICIAL REPORT**

Tuesday, 13th October, 2020
The House met at 3:35p.m.

[The Deputy Speaker (Hon. Fadhili Makarani) in the Chair]

PRAYERS

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members you may be seated.

[Silence]

Yes, Clerk?

MOTIONS

Yes Hon. Athman Mwamwiri?

**AMENDMENTS OF STANDING ORDERS TO INCORPORATE EMERGENCY OCCURRENCES AND
UNFORESEEN SITUATIONS**

Hon. Athman Mwamwiri: Thank you Mr. Speaker. I beg to move the following Motion;

THAT AWARE that Section 14 of the County Government Act, 2012 provides that a County Assembly may make Standing orders for regulating the procedures of the County Assembly and for the due conduct of proceedings;

FURTHER AWARE that Standing Order 236 of the Mombasa County Assembly Standing Orders contemplates situations when they can be amended whenever necessary to do so;

NOTING that since adoption of the County Assembly Standing Orders in the year, 2013 much has happened and unforeseen situations have occurred which necessitate amendments of the same;

CONCERNED that the COVID -19 pandemic has seen the adjournment of the County Assembly *Sine Die* and other measures that have adversely affected and disrupted the smooth operations of the County Assembly and if not addressed would in future impair its operations;

I therefore urge this Assembly to RESOLVE;

THAT pursuant to Standing Order 236 of the County Assembly to amend its Standing orders to take in consideration emerging, emergency and unforeseen issues and events, incorporates use of information and Communications Technologies and any other necessary amendments.

May I ask Hon. Moses Aran to second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Just a minute...

[Silence]

Yes, who is your seconder?

[Hon. Aran seconded by bowing]

Hon. Members, I now propose a question that the Motion by Hon. Mwamwiri on amendments of Standing Orders to incorporate emergency occurrences and unforeseen situations be discussed in this House?

(Question proposed and agreed to)

Yes Hon. Athman Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Ni bayana kwamba sasa hivi Bunge hili liko katika mchakato wa kufanya baadhi ya marekebisho ya Kanuni za Bunge hili Mheshimiwa Spika na ndani yake tumepitia changamoto za mkurupuko wa COVID ambayo Mheshimiwa mengi yalishindwa kutekelezeka kwa sababu hayapo ama hayakuangaziwa katika Kanuni za Bunge letu.

Kwa hivyo ni mapendekezo yangu ya kwamba sasa hivi tupo kwa wakati mwafaka tukiendelea na marekebisho ya Kanuni za Bunge kuzingatia na kuweka katika mpangilio huo maswala yanahusiana na majanga Mheshimiwa Spika ya kwamba litokeapo janga ni vipi Bunge hili na waheshimiwa watatekeleza majukumu yao tukizingatia ya kwamba tupo kwa minajili ya kuwakilisha wananchi wetu. Lakini kwa kipindi hiki tulikaa zaidi ya miezi mitano nyumbani pasi kukutana kutekeleza majukumu yetu kama wawakilishi wakati watu wetu walikua na haja na matatizo makuu na sisi hatukuwa na kanuni ya kuweza kutekeleza hayo Mheshimiwa Spika. Hivyo basi ni wakati mwafaka lizingatiwe hili ili mbeleni likitokea kutokea ambalo litakuwa la kuzuia ama kutuweka mbalimbali iwe kuna mikakati ambayo imewekwa makhsusi ili tuweze kutekeleza majukumu yetu kwa mustakbal ya jamaa zetu tunawakilisha.

Mheshimiwa Spika kwa mantiki hii niombe tu Bunge hili kwa unyenyekevu wa moyo mkunjufu ya kwamba tuunge mkono hoja hii ili iweze kufikishwa katika Kamati husika waendelea na marekebisho ya kanuni wakizingatia ya kwamba kutakapotokea majanga na matatizo sawia na tulio nayo sasa hivi ni hali gani itaweza kutuweka sisi na kuendelea kutekeleza majukumu yetu. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes Hon. Mary Osongo?

Hon. Osongo: Thank you Mr. Speaker for recognising me. I support the Motion that is in front of us; 'Amendments of the Standing Orders to incorporate emergency occurrences and unforeseen situations'. Mr. Speaker Sir I support because the Standing Orders should be amended in that like now we have the COVID-19 and in the Standing Orders there is no order that support that. So if it can be changed and the requirements that are in this Motion be included in the Standing orders I think it will be better for the Committee that will be processing the Standing orders. Thank you Mr. Speaker. I support.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes Hon. Leila Nyache?

Hon. Nyache: Ahsante sana Mheshimiwa Spika na mimi kwa kuweza kunipa nafasi hii kuweza kuchangia. Nimesimama kuunga mkono hoja hii iliyoletwa na Mheshimiwa Mwamwiri; nataka nimpungeze kwanza kipindi hichi cha COVID-19 amefikiria sana kuja na hii hoja, nampongeza sana kuhusiana na haya maswala ya COVID -19. Serikali Kuu wako na Kamati na wameweka katika *Standing Order* zao na sisi pia tunatajikana tuiweke katika *Standing Order* na iweze kutambulikana sisi tuonekane kama serikali Gatuzi tumefuata hiyo sheria na tumefanya kazi kupitia hiyo COVID – 19. Ahsante sana Mheshimiwa Spika, naunga mkono.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. I now call the mover of the Motion to respond, Hon. Mwamwiri.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nipongeze to Waheshimiwa wenza kwa kuweza kuchangia, hususan kuunga mkono ya kwamba tuijandae wale wanasheria ama wasomi wa masuala ya sheria wanasema, sheria ni *futuristic*, inaangazia yatakayo jiri mbeleni Kwa hiyo Kanuni za Bunge kadhalika yatakiwa ichukue mkondo huo wa *futuristic* ya kwamba iwe na tahadhari ya yatakayo tendeka mbeleni.

Kwa hivyo Mheshimiwa Spika hili lilitupata na likatupiga kofi la fahamu chambilecho Mheshimiwa Hatimy ya kwamba hatukuwa na maandalizi ya haya na ikatupelekea kukaa nyumbani kwa miezi mitano na ilikuwa na haja na dharura yetu sisi kukutana ili kuweza kuchangia na kusaidia yale yaliyokuwa yakijiri katika maeneo yetu Mheshimiwa Spika.

Kwa hili litatusaidia na kutuwezesha kwamba mbeleni hatalikitokea janga lingine na Mwenyezi Mungu *In Shaa Allah* aepushilie mbali majanga lakini tutakuwa tumeweka tahadhari na maandalizi ya kukabiliana nayo. Ahsante Mheshimiwa Spika na shukran kwa waheshimiwa.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now stand to put a question that the Motion by Hon. Mwamwiri on amendment of Standing Order to incorporate emergency occurrences and unforeseen situation be approved in this Honourable House.

[Question put and agreed to]

NOMINATION OF MEMBERS TO THE AD HOC COMMITTEE TO OVERSIGHT COUNTY GOVERNMENT
INITIATIVES ON THE COVID-19 PANDEMIC IN THE COUNTY

Yes Hon. Athman Mwamwiri, MCA Likoni Ward.

Hon. Athman Mwamwiri: Thank you Mr. Speaker Sir. Mr. Speaker Sir, I beg to move the following notice of Motion;

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THAT AWARE that the County Assembly passed the Motion on the formation of *Ad-Hoc* Committee to oversight County government initiatives on COVID-19 pandemic in the County on Wednesday, 7th October, 2020 during the 51st Sitting;

FURTHER AWARE that it is necessary to stipulate the mandate, scope and membership to the *Ad-Hoc* Committee on COVID-19;

CONCERNED THAT the *Ad-Hoc* Committee is yet to be properly constituted with its mandate, scope and membership;

I therefore urge this Assembly to RESOLVE that;

It appoints the following Members of the County Assembly to the *Ad-Hoc* Committee;-

1. Hon. Athman Mwamwiri - Chairperson
2. Hon. Mary Naliaka - Vice Chairperson
3. Hon. Francis Nzai - Member
4. Hon. Renson Thoya - Member
5. Hon. Kibwana Swaleh - Member
6. Hon. Rosemary Mukavi - Member
7. Hon. Tobias Samba - Member

And that the Committee tables a progress report within seven days and thereafter tables a progress report on a monthly basis and subsequently tables a final report within six months. May I ask Hon. Francis Kombe Nzai to second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Francis Kombe Nzai?

Hon. Kombe: I second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Members. I now propose a question that the Motion on nomination of Members to the *Ad-Hoc* Committee to oversight County government initiative in the Covid -19 pandemic in the County be debated in this Honourable House.

[Question proposed and agreed to]

Yes Hon. Athman Mwamwiri.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nadhani nyeti katika hili ilikuwa ni kupatikana kwa Wanachama kwa sababu hoja yenyewe juma lililopita iliweza kuwa katika Bunge hili na Waheshimiwa waliweza kuchangia na wakaungama ya kwamba ipo haja na dharura ya kuwa na Kamati maalum itakayofanya kazi sambamba na Kamati ya masuala ya COVID-19 kwa upande wa *Executive*. Majukumu ya Kamati hii yaliangaziwa, hayagongani na majukumu ya Kamati ya Afya, hayagongani na majukumu ya Kamati ya masuala ya Fedha, hayagongani na majukumu ya Kamati ya Uhasibu.

Kwa hivyo Mheshimiwa Spika wanachama hawa naona tumezingatia uwakilishi inavyo stahiki na ni ombi langu tu kwa Bunge hili kwa sababu iko bayana na hawa wote ni Waheshimiwa ngangari wachapa kazi wawajibikaji tuweze kupewa fursa na Bunge hili kutekeleza majukumu haya ili iwe tukipata taarifa ya yanayojiri kwa upande wa pili kuhusiana na janga hili. Hii ni kwa sababu sasa hivi tunajua kuna athari ya mkurupuko huu kurudi tena lakini Mheshimiwa Spika kama Bunge tukiwa sambamba na vitego husika na kupewa taarifa ya yale yanayojiri tutasaidiana kuchachawiza na kuchangia kila tahadhari na kila hatua ambayo inapata kuchukuliwa kuweka mji wetu wa Mombasa na Gatuzi letu la Mombasa katika hali salama. Kwa hivyo Mhe. Spika ni kuomba tu Waheshimiwa Wenza kuweza kuungana na wanachama hawa na kusonga mbele katika utekelezaji, ahsante Mhe. Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Robert Nyiro.

Hon. Nyiro: Ahsante Mhe. Spika, ni bayana kwamba ni muhimu wa Kamati hii kama ulivyoangazia katika mjadala uliopita ni kwamba ni wa muhimu ila tu niko na wazo ikiwa utaniruhusu na ipendeze Bunge hili ya kwamba katika Kamati hii dukuduku langu ni kwamba *Membership* ya Kamati hii haijazingatia uwakilishi wa eneo kubwa zaidi katika ndani ya Mombasa Kaunti ya Kisauni ambapo sisi wajumbe wa Kisauni wajumbe saba tunawakilisha watu zaidi ya laki tatu na katika Kamati hii ni masikitiko kwamba hakuna mwakilishi hata mmoja ambayo anatoka eneo la Kisauni, angalau tuweze kuzungumza mambo ya wale watu laki tatu wa eneo la Kisauni.

Mhe. Spika hilo ndilo dukuduku langu ya kwamba ingekua bora kama Kamati hii ingekuwa na wakilishi kutoka kila *Sub-County*, ili mambo ya *Sub-County* yaweze kuzungumzwa na Waheshimiwa ambao wanatoka katika maeneo yale. Kwa hivyo Mhe. Spika dukuduku langu ni kwamba tu sisi kama Wawakilishi wa Kisauni, ambao tunawakilisha watu laki tatu katika Bunge hili la Mombasa Kaunti, ni kwamba hatujapewa nafasi hata moja kana kwamba mmoja wetu angalau anakaa Kamati hii, ni kwamba mambo ya Kisauni mtu aweze kuzungumza. Ahsante Mhe. Spika.

[Applause]

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes, Hon. Mwaka Mwalundonda?

Hon. Mwaka Bakari: Ahsante sana Mhe. Spika na mimi pia naunga mkono jambo hili kwa sababu zangu; kwa kitengo hichi kilichochaguliwa ni kitengo ambacho cha kuendelea, kwa sababu maradhi ni yetu leo hii tuko na COVID-19 kesho yake pia kuna maradhi mengine hatuombi lakini kutokezea jambo lolote lile la kiafya. Kwa uchunguzi maendeleo yetu ya Mombasa Kaunti, jinsi ambavyo kwamba twaweza tukapata zile huduma za COVID-19 ama vile zilivyo tumika kwa kuweza kusaidia jamii kwa hii COVID-19. Hivi sasa hususan shule zinafunguliwa, pia ni sisi Kamati na sisi pia viongozi ambao tuko katika zile Wodi kujua pia shule zetu zinaangaliwa vizuri na wanafunzi wanapata huduma nzuri, ikiwezekana kwa upande wa maji na hizo barakoa ambazo kwamba wanavaa. Kwa hivyo mimi naunga mkono hii Kamati iweze kufanya juhudi ya kuweza kuangalia matakwa yake ambayo kwamba amepatiwa, ahsante Mhe. Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes, Hon. Maimuna?

Hon. Maimuna Salim: Mhe. Spika nashukuru kwa kunipa fursa hii. Mimi yangu nitasema ni masikitiko kulingana na Kamati ilivyo tengenezwa kwa sababu sisi kama watu wa Kisauni Sub-County ni kumaanisha sisi tuko Kilifi ama tuko wapi! Kwa sababu tuna imani ya kwamba ni kila Sub-County wakuwe *represented*. Si vile ambavyo tunafikiria ya kwamba kuna Sub-County kama ni nyingine wameingia kama ni wawili lakini Kisauni haijawakilishwa na hio Corrona iko ni janga la ulimwengu mzima. Kwa hivyo maombi yangu ni kwamba watu wa Kisauni pia ni watu wa Mombasa waangaliwe na kuna Waheshimiwa hapa katika Bunge wanawawakilisha. Kwa hivyo ninaomba kufanyiwe marekebisho ya kwamba Kisauni itambulike iko ndani ya Mombasa na wahusishwe Corrona iko kila mahali...

[Applause]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Ahsante Mhe. Spika. Mhe. Spika nasimama hapa kwa huzuni juu ya mambo haya ya Corona; ambapo nimeweza kuomba watu wa kitengo cha Afya kwenda kupima nyumba moja ambayo ni ya mwenzetu juzi ndugu yake alifariki na ndani ya hio nyumba kwenye watu 21, watu 19 wamepatikana na Corona. Kuna na nyumba ya pili Mhe. Spika nayo wamekwenda kufanya kwenye watu kumi, watu wanane wamepata ugonjwa wa Corona.

Mhe. Spika kubadilisha Kamati kuna mpangilio, huwa kusema kuwa ni lazima mtu aje na marekebisho ya kusema kuwa mimi nataka kurekebisha hii badili ya jina hili iingie jina hili lakini kuna umuhimu kwa haraka vile inavyowezekana hii Kamati iingie ianze kufanya. Kwa sababu Mhe. Spika wakati huu iliokuja hivi sasa inachukua watu, watu wengi wamekuwa wanafariki kwa ugonjwa huu, hivyo basi nauliza wenzangu ni kuwa hii hoja tuiptishe, baadaye kama twataka kuja kufanya kitu tutafanya lakini kwa hivi sasa ipitishwe ili ianze kufanya kazi na mambo yapate kuwa yako kisawasawa. Ahsante sana Mhe. Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Ibrahim?

Hon. Omondi: Thank you Mr. Speaker Sir for the opportunity. Mr. Speaker I would like to support the appointment of the Members to this *Ad Hoc* Committee but I have the following to say. First of all Mr. Speaker I just want to give an advice, moving forward as I support this Motion just as the Chair for the matters on finance has stated through it is true that this pandemic is really eating up our people and we need to be very serious when we make decisions which are in line with the pandemic as we are making today.

Hon. Speaker, I wanted to advice that the Committees or the Members that have been in this particular Committee they would have considered one; the following factors like in our County government we know that we have departments, we have Committees which have been mandated maybe taking care of a group in our County for example I want to mention education it could very important the Chair of Education is supposed to be a Member bearing in mind that we are talking matters of pandemic and you know very well the schools will be opening soon and it was very important for Chair for Education to be considered to this particular Committee.

I also want to support that we could have also looked at the Sub Counties like the Kisauni Sub County Mr. Speaker would have maybe also taken one person in that particular side but all said and done let us leave that aside. I want to support Chair as I has said let us move forward, we have seen the names have already been availed Mr. Speaker and this is very important for us.

When we have this particular *Ad Hoc* Committee; one is that you know the country or the nation is struggling; there are lot of issues surrounding this pandemic in terms of one; finance, management of finances that are involved, they are a lot of questions here and there Mr. Speaker and am very optimistic has having this particular *Ad Hoc* Committee will make some matters clear. Also Mr. Speaker the Chair of Finance has said this is not the end of the pandemic, the pandemic is still going on and we need to have some mitigation measures or try to mitigate for further infections. Finally, Mr. Speaker I just stand to support then I sit. Thank you.

[The Deputy Speaker (Hon. Fadhili Mwalimu) exited the Chair]

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

The Temporary Speaker (Hon. Bwire): Thank you Hon. Ibrahim. Yes, now allow me to involve the Motion Mover to respond. Hon. Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kwa niaba ya mapendeleo ya Waheshimiwa wenza ipo haja kupitia Kiti chako kuomba ridhaa ya Bunge hili ya kwamba leo usiulize swali mpaka kesho tukijaaliwa turegeshe tena hoja hii ikiwa tumetathmini mapendekezo yao katika suala nzima la uwakilishaji. Mheshimiwa Spika kwa sababu hata katika hoja ya kwanza ilikuwa bayana tulinukuu na kukubaliana na Bunge hili kuwe na uwakilishi wa kila Gatuzi dogo katika Gatuzi za Mombasa na hapa kwa bahati mbaya kweli Kisauni imesahaulika kwa bahati mbaya pia mwakilishi wa ndugu zetu wanaoishi na ulemavu pia amesahaulika. Kwa hivyo Mheshimiwa Spika naomba kupitia Kiti chako na ridhaa ya Bunge hili wanikubalie ya kwamba majina haya yarudi kesho kabla ya kuuliza swali. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Bwire): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I rise to support.

The Temporary Speaker (Hon. Bwire): Thank you. I think that is noted. Yes, Clerk?

[Question on the Motion deferred pending further consultation on the membership of the Ad Hoc Committee]

ADOPTION OF THE REPORT ON THE PROPOSED KWA BULO PLOT NO.MN/1/397 SQUATTER
REGULARIZATION SETTLEMENT SCHEME IN MOMBASA COUNTY

Yes, Chairperson Committee on Lands, Planning and Housing, Hon. Ahmed Salama?
Yes Hon. Aran? Are you a Member of that Committee?

Hon. Aran: Yes.

The Temporary Speaker (Hon. Bwire): Okay?

Hon. Aran: Thank you Mr. Speaker.

Mr. Speaker Sir, I will go straight to the observations and findings, I hope each and every Member has a copy of the report so we go to observations and findings.

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The Temporary Speaker (Hon. Bwire): Order Member! I think you are moving a Motion?

Hon. Aran: Yeah.

The Temporary Speaker (Hon. Bwire): Not reading a report.

Hon. Aran: Mr. Speaker Sir I beg to move the following Motion;

THAT this House adopts the report by the Committee on Lands, Planning and Housing on the Proposed Kwa Bulu Plot No. MN/1/397 Squatter Regularization Settlement Scheme in Mombasa County laid on the Table on Tuesday, 13th October, 2020.

The Temporary Speaker (Hon. Bwire): Who is your Seconder?

Hon. Aran: I humbly request Hon. Kombe Nzai to second the Motion.

Hon. Nzai: Thank you Mr. Speaker. I rise to second the Motion.

The Temporary Speaker (Hon. Bwire): Hon. Members allow me now to propose a question that Adoption of Report on the Proposed Kwa Bulu Plot No; MN/1/397, Squatter Regularization Settlement Scheme in Mombasa County, moved by Aran Moses be debated on the same terms as moved.

[Question proposed and agreed to]

Yes Aran?

Hon. Aran: Thank you Mr. Speaker. Mr. Speaker Sir the plan was brought about by a Court order based on Land Act, 2019, this plan was prepared over the County Department of Lands with other stakeholders involved and I want to assure you that all the stakeholders were involved and they made their contributions, therefore the plan was subjected to Public Participation. So I humbly request this Honourable House to pass this Motion without hesitation, it is something that will be of good help to our people who have been suffering for quite a long time. Thank you.

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

Hon. Nzai: Ahsante Mhe. Spika. Mimi nasimama kuunga mkono ripoti hii, ikiwa mimi mwenyewe ni mmoja wa Kwa Bulu, hivyo basi ni furaha na nderemo tele tele kwamba Kwa Bulu sasa tumepata vyeti...

[Interruption]

The Temporary Speaker (Hon. Bwire): What is it Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Mhe. Spika, Mheshimiwa aliyesimama hapa amesema yeye ni mmoja wa kwenye waliopata, kwa hivyo twataka a *declare interest* kabla hajaendelea.

The Temporary Speaker (Hon. Bwire): Yes, Hon. Nzai?

Hon. Nzai: Sijapata swali la Mhe. Hatimy.

The Temporary Speaker (Hon. Bwire): You first declare your interest as a beneficiary.

Hon. Nzai: Ooh, mimi langu ni shukrani tu kwa sababu tumelia siku nyingi na saa hii serikali zote mbili ya Gatuzi na Serikali kuu imeonelea ni vyema na sisi pia tuwe tukicheka kama wengine.

The Temporary Speaker (Hon. Bwire): Hon. Nzai, are you a beneficiary of the said plot? Are you one of the beneficiaries?

Hon. Nzai: Mama yangu ni mmoja wao, mimi siishi kwa hii ploti lakini mama yangu ni mmoja wao. Hivyo kama mama amepata nafikiri ni sawa na kwamba mimi nimepata.

The Temporary Speaker (Hon. Bwire): You may continue.

Hon. Nzai: Hivyo basi Mhe. Spika nataka niseme ripoti hii inajieleza vyema iko sawa kama vile ambavyo tulipoenda kule. Hivyo basi naona hii hapa isichukue mda Mhe. Spika, Bunge hili iweze kulipitisha mara moja ili mambo mengine kule yakaweze kuendelea mara moja, ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Bwire): Yes, Hon. Wambua Chief Whip?

The Chief Whip (Hon. Wambua): Ahsante sana Bwana Spika. Nasimama kuunga mkono hoja hii kwa sababu mimi nikiwa mmoja wa Kamati ya Ardhi tuliweza kukutana na wale wakaaji wa hapo na tukaonyeshwa kile kinachoendelea hapo na vile watu wata *benefit* katika hiyo sehemu. Kwa hivyo yetu ni furaha kama Mombasa tukiona sehemu kama hio watu wananufaika tunasema ni ahsante kwa sababu pia sehemu tunawakilisha tuna watu kama hao ambao wanateseka. Kwa hivyo sina mengi yangu ni kuunga mkono, ahsante.

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

Hon. Omondi: Yes Mr. Speaker we all know that matters that are connected with land are very sensitive and I was pleased when the Member who was moving the Motion because we may not know actually a lot about this issue of the land. Mr. Speaker as we are passing this particular Motion, but again I was happy and pleased when the mover of the Motion tried to clear my doubts when he said that this matter was actually subjected to public participation.

Mr. Speaker, he also said they involved the relevant stakeholders in that particular issue and also the Committee on Planning, Lands and Housing also it has been confirmed by one of the Members that indeed they were fully involved in this particular process.

Mr. Speaker Sir, and therefore I think its fully for us to do just in this particular Motion and therefore I support, thank you.

The Temporary Speaker (Hon. Bwire): Thank you, now allow me to invite the Motion mover. Hon. Hatimy, are you up?

Hon. Mohamed Hatimy: Mr. Speaker, I will support this so long as this report is not contradicting a Court order then I support. Thank you.

The Temporary Speaker (Hon. Bwire): Was there a Court order? The Motion mover, can you testify to that?

[Loud consultations]

The Chief Whip (Hon. Wambua): Haina *Court Order* Mheshimiwa Spika kwa sababu tulikuwa kwa Kamati ya Ardhi na tukaizungumzia na tukaambiwa iko salama. Tulikuwa na *Chief Officer* na kila mtu alikuweco Mheshimiwa Nzai nafikiri pia alikuwa katika Kamati ya Ardhi...

[Power interruption]

[Technical Hitch]

The Temporary Speaker (Hon. Bwire): Hon. Members let us not create confusion, Hon. Hatimy are you a Member of the said Committee?

Hon. Mohamed Hatimy: Yes?

The Temporary Speaker (Hon. Bwire): Were you in that meeting?

Hon. Mohamed Hatimy: No! I was not there Mr. Speaker.

The Temporary Speaker (Hon. Bwire): So yes Hon. Nzai?

Hon. Nzai: Mr. Speaker let me shed light on the same issue; as we are talking now the Director for Settlement Mr. Nyaikirimu is on the ground waiting for our approval to continue with this work, so I can assure this House that there is no Court order at Kwa Bulu plot. Thank you.

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

The Chief Whip (Hon. Wambua): Mheshimiwa Spika hata wakati Gavana alikuwa hapa alikuwa anaiulizia kwa nini hatujaweza kupitisha katika Bunge. Juzi tulikuwa na *Chief officer* hapa katika mkutano na Mheshimiwa Mwenyekiti Hatimy alikuja, juzi wakati tulikuwa tumeita *Chief Officer*...

[Loud consultations]

Naam labda unai *confuse* na ile ya Buxton!

Lakini kule iko safi kwa sababu pale hata *Chief Officer* alikuwa anataka tumsaidie hii ipite katika Bunge na alikaa sana pale akiturai *Chief Officer* wa Idara ya Ardhi Dr. June na hakuna mahali ambapo alituelezea kama iko na utata wowote. Hii ambayo tunazungumzia ya Kwa Bulu...

Hon. Mohamed Hatimy: I am not disputing, this is a report which the Committee I sit I have no problem but the problem is Mr. Speaker if you go to page number three you see bullet number two, *'Mr. Speaker Sir the plan relates to the land situated within Mombasa mainland North Nyali Sub County Kadzandani Ward. This land was protracted ownership dispute between the registered owners...'*

[Interruption]

The Temporary Speaker (Hon. Bwire): Which paragraph?

Hon. Mohamed Hatimy: Number Two.

The Temporary Speaker (Hon. Bwire): Okay.

Hon. Mohamed Hatimy: There was a dispute. It is in the report...

[Loud consultations]

[Power interruption]

Anyway Mr. Speaker I do not have any problem to pass this report but just for information that we must be ready if anything comes up we know how to do. Thank you Mr. Speaker.

Hon. Nzai: Mr. Speaker last paragraph says, *'The parcel of land was settled on by the area locals and this led to a protracted battle upon which the registered owners agreed to regularize the settlers stay on the Court settlement'*, yes it was resolved.

The Temporary Speaker (Hon. Bwire): What do you understand by those words?

Hon. Nzai: "Regularize", the owners accepted to regularize it to be a Scheme, that is why today the Director of Settlement is in my Ward waiting for our approval.

The Temporary Speaker (Hon. Bwire): Okay point is taken, in case there will be anything else you will notify my office and now let me invite the Motion mover to respond.

Hon. Aran: Thank you Mr. Speaker Sir. Mine is just to thank Committee Members for a job well done and also Honourable Members of this House for supporting the Motion and this will go on record that this House has done a tremendous work that will have great benefit to our people. Thank you so much Hon. Members...

[Power interruption]

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The Temporary Speaker (Hon. Bwire): Thank you Hon. Members, allow me to put a question that this House adopts the Motion moved by Hon. Aran Moses on behalf of Hon. Ahmed Salama on adoption of the report on the proposed Kwa Bulu plot number MN/1/397 squatter regularization settlement scheme in Mombasa County in the same terms as moved.

[Question put and agreed to]

Yes Clerk?

ADJOURNMENT

Hon. Members having being no any other business, this House stands adjourned until Wednesday 14th of October, 2020 at 10:00a.m.

The House rose at 4:15p.m.