

**MOMBASA COUNTY ASSEMBLY  
HANSARD REPORT**

Wednesday, 9<sup>th</sup> March, 2016

The House met at 9:18a.m.

*(Temporary Speaker (Hon. (Mrs.) Serah Nyamvula in the Chair)*

**PRAYERS**

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Kindly Hon. Members have your seats.

**STATEMENT**

Yes Hon. Stephen Wangudi.

**Hon. Wangudi:** Thank you Madam Speaker for giving me this opportunity to present a statement on the status of Chaani and Changamwe Markets.

*(Hon. Wangudi moved the Statement)*

**STATUS OF CHAANI AND CHANGAMWE MARKETS**

Madam Speaker Chaani and Changamwe markets were constructed using Constituency Development Fund (CDF) during the last regime. It is worth noting that despite the substantial completion of construction of the said markets, they are not in operation and currently they are being used as parking of carts, motorcycle and dumping site and this may lead to the dilapidation of the market hence a waste of tax payers money.

I therefore seek a statement from the relevant department to shed light on the following issues;

1. Have the markets been handed over to the County government;
2. If not when are they going to be handed over;
3. What steps have the County government through the relevant department taken to ensure handing over takes place;
4. Once handed over what criteria will be used to allocate the stalls to the members of the public?

Madam Speaker I beg to put the statement. Thank you.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Thank you Hon. Wangudi this is a good statement, yes Members any reaction on this statement? Yes Hon. Amir.

**Hon. Thoya:** Ahsante sana Mheshimiwa Spika, ningetaka kumshukuru Mheshimiwa Wangudi kwa kuleta taarifa hii katika Bunge na ni masikitiko makubwa kwa sababu kama masoko yametengenezwa kwa ajili ya kufanya biashara halafu ionekane sehemu hiyo haitumiwi ipasavyo, kwa sababu masoko yale yamejengwa ili watu wetu waweze kufanya biashara ila inafanywa kinyume masoko yale yanatumiwa kuegesha mikokotoni.

Kwa hiyo ningeomba Mheshimiwa Wangudi aweze kuigeuza taarifa hii ili iweze kuwa mswada ili tuweze kuijadili vilivyo, kwa hivyo ombi langu ni hilo Mheshimiwa Wangudi aweze kuigeuza iwe mswada ili tuijadili kwa kina kwa sababu ni jambo nzuri sana. Ahsante sana.

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**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes Hon. Enock.

**Hon. Mwinga:** Ahsante sana Mheshimiwa Spika. Pia mimi nimesimama kuunga mkono taarifa iliyoweza kuletwa na Mheshimiwa Wangudi. Mheshimiwa Spika ni jambo la kusikitisha sana kuona kwamba mahali ambapo kumetengwa kwa watu wetu wa Mombasa haswa haswa kwa watu wa Changamwe kuweza kufanya biashara pamegeuzwa na watu binafsi kuweza kuweka magari yao na hata mikokoteni yao.

Mheshimiwa Spika wakati huu ambao tumeona wafanyi biashara ndogo ndogo wameweza kuvunjiwa kwa sababu ya ile barabara kubwa inayotengenezwa kule Changamwe. Kwa hiyo watu wa Changamwe hawana mahali pa kuweka biashara zao pale mahali ambapo wangeweza kufanya biashara pamechukuliwa na watu binafsi na wamepageuza kuweka mali zao Mheshimiwa Spika. Hili ni jambo la kusikitisha na naomba kupitia kwa kiti chako Mheshimiwa Spika Bunge hili liweze kuamuru mahali pale pafunguliwe kuwe kwa biashara ili watu wa Changamwe wakaendeleo kufanya biashara zao. Ahsante Mheshimiwa Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Hon. Zainab Mumba.

**Hon. (Ms.) Zeinab Mumba:** Ahsante sana Mheshimiwa Spika, hata mimi nimesimama kuunga mkono taarifa hii ya Mheshimiwa Wangudi. Vile vile mimi pia ningependa kumuambia Mheshimiwa Wangudi ya kwamba anapoleta hii taarifa pia kuna hizi vijumba vyetu vya polisi yaani 'booth' ambapo kuna moja kule Frere Town inatumika vibaya sana watu wanajua ni kijumba cha polisi lakini sasa imegeuzwa inaishi watu na kuna watoto pia. Ahsante sana Mheshimiwa Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Hon. Karume.

**Hon. Karume:** Ahsante sana Mheshimiwa Spika, mimi pia ningependa kuunga mkono hii taarifa na ningependa Mheshimiwa Spika utoe uamuzi kwa Kamati husika ili tuletewe ripoti kamili na tuweze kuijadili pia kusudi tuweze kujua yale yote yanayotokea pale tupate ukweli wa eneo lile. Ahsante sana Mheshimiwa Spika,

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes Hon. Patrick Siminyu Muriuki.

**Hon. Siminyu:** Thank you Mr. Speaker for giving me this opportunity it is so sad to see taxpayer's money going to waste...

*(Interruption)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes what is it Hon. Enock?

**Hon. Mwinga:** Madam Speaker I'm wondering that the Hon. Member is addressing you as a he....

*(Laughter)*

**Hon. Siminyu:** Madam Speaker has been promoted to a she...

*(Laughter)*

Madam Speaker I just want to say that it is sad to use taxpayer's money just going to waste as it is I have seen in Changamwe and Chaani. Madam Speaker the issue needs to be looked into so that we can know whether the money which was used to construct these markets and the committee which will be directed to help us revive them so that we can have those markets to help our people as we understand the road construction affected most of our

people so these markets are going to help them and if they are going to be handed to the County government.

Madam Speaker if these markets are handed over to the County and the relevant committee to deal with it will help the people of Mombasa and I fully support my colleagues and I ask the report to be brought next week so that our people could benefit. Thank you.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Hon. Karisa Nzai.

**Hon. Nzai:** Ahsante sana Bi Spika kwa kunipa fursa hii baada ya kuniona, baada ya kusimama kwa muda mrefu. Bi Spika nami nataka pia kumshukuru Mheshimiwa Wangudi kwa kuleta taarifa hii kwa sababu Bi Spika huwa kuna pesa ya umma kutumiwa vibaya kwa kisingizio ya mahali panapotengenezwa kule.

Bi Spika nashukuru kwamba siku ya leo labda utatoa uamuzi vizuri tujue watu wa shirika la Transitional Authority (TA) wamefikia wapi? Na ni miradi ambayo tulipewa na imemalizika ama haijakamilika ndio tujue kwamba jukumu letu litakuwa limefikia wapi? Inaweza kuwa hapo sababu ya mikokoteni na baiskeli yanayowekwa kwa masoko yetu ya Kaunti kisingizio ni kuwa Mjumbe alisema anataka kuchukua hayo masoko na kwa sababu watu hawakutaka kubishana wakampatia nafasi ya kufanya lakini mpaka sasa hajaleta ripoti kwamba mradi ule ulimalizika ama bado? Mkandarasi, aliyepewa ameshapeana mradi, ama bado hajapeana? Hatuwezi kuingia katika mradi ambao bado una utata ama bado haujamalizika. Kwa hio uzuri Mheshimiwa Wangudi amekuja na taarifa kama wamemaliza ni lini tutapewa mradi huo? Na kama haujamalizika tutapewa taarifa kutoka kwa TA watueleze kwamba mradi huu ambao ulikuwa unafanywa kama umemalizika na sasa uje kwa Kaunti tupeleke maaskari wetu wauchunge mradi ule. Sioni kwa nini mradi ambao umekula mamilioni na sasa kuna mikokoteni, mapikipiki na inatumika kama jaa la taka.

Tukiwa tuko na vijana wa kitengo cha 'Inspectorate' yetu ambayo inataka kuchunga mahali pale tunataka kujua kama mradi umemalizika ama haujamalizika basi tupatiwe vile ulivyo kwa sababu tuko na wafanyi biashara wengi wenye biashara ndogo ndogo, wanaotaka kupewa mahali nadhifu na wataweza kukuza uchumi wa Kaunti kwa sababu wafanyi biashara wanataka kufanya biashara zao mahali salama. Kwa hivyo Bi Spika tunaamini kwamba leo utatoa mwelekeo mzuri na hususan hii taarifa iwe mswada sasa ili tuweze kuijadili kwa kina na tuweze kusaidia wafanyi biashara wetu. Ahsante sana Madam Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Well thank you I have seen the Chairman of Trade Committee Honorable Ibrahim Kondo am giving you this opportunity.

**Hon. Ibrahim Kondo:** Ahsante sana Bi Spika kwa kunipa nafasi hii; mimi kama Mwenyekiti wa Biashara ingekuwa sawa Kamati yetu tukikutana na Waziri na wahusika wa masoko yale kama alivyosema Mheshimiwa Nzai ili tuweze kujua kwa sababu gani mradi ule bado uko mashinani na haujapeanwa kwa Serikali ya Kaunti. Kwa hivyo Bi Spika kwa uamuzi wako utupatie muda nipate kukaa na Kamati na tuweze kupanga muda wa kuweza kwenda kuangalia sehemu zile vile zilivyo. Ahsante, Bwana Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Thank you very much Hon. Ibrahim I would like first to congratulate Hon. Wangudi for bringing this statement even if it is a bit late, honestly I wish it could have come some time back but it is good that it has come. One of our mandates Hon. Members is to oversight, secondly another mandate is to represent the people, thirdly the project we are talking about is in our County and so my thinking is that whatever the project is it is in our County the money used is public money. So we have a duty and a responsibility to ensure that we know the status and the TA know the status and so am very happy that we have discussed and this has come to us, but let us remember even if it is a

project that has not been funded by the County government it is still a project within the County and funded by Public money and so it is our responsibility and one of the thing which is very convenient some of our MPs think we cannot touch their CDF projects because they belong to their CDF kitty. The CDF kitty belongs to the people of this Country, the people who pay tax and the woman who buys a packet of maize meal so it is public money whichever way it is public money. So we have duty to go and see what they are doing and a lot of things have been said and I just want to touch on the very important thing which I have heard; and it is that we are have shortage of markets in Changamwe and everybody knows that there's a construction of a Highway and our people have been displaced and if someone used CDF kitty doing a project that is not her/his money.

Another thing that I have heard from you is our opportunity to collect revenue and this has been very clear from Honorable Karisa Nzai; it is a revenue collection that we are missing because that is our market and we are getting nothing from it and then another thing the market is under us, it doesn't matter what project we have and so I agree with you Hon. Members now the TA should come out clearly to give us the status about that and I heard you say that you want this statement to become a Motion. It is very clear that Hon. Members want to know the status of these amazing markets and the police booths. The police booth actually is a shame that a police booth which was donated is abandoned and it is used as a home so we have a lot of things, so for me am taking, so I will like to direct the right committee to investigate come back and give us the report and then come and see if it will be a Motion but first we should go out and investigate. So I call upon the Committee on Trade the Chairman being here to go out and give us and come back within seven days to come up and bring a report on the status of the two markets so as to move on with the speed.

*(Interruption)*

Yes Hon. Patrick Siminyu what is it?

**Hon. Siminyu:** I have a statement if you may allow me Madam Speaker.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes go ahead.

### STATEMENT

**Hon. Siminyu:** Mine is similar to this Madam Speaker and it had passed in this House almost a year ago; about public toilets which were constructed in Tudor and the donor wants to take the money back which was to construct the public toilet. Madam Speaker I have done a letter to the Environment department and I have sat with the minister concerned but there's no result and it is a concern where they are going to scare away donors; like the funder for that public toilet is UN Habitat. So Madam Speaker there are many complaints concerning the department of environment, I think it will be better to speed up this project of public toilet so that we can have a public toilet and also for donors to come up and fund our County so that we can move on. So I beg the relevant committee and the able Chair of the committee of Environment to go out and investigate so that they can come with a good comprehensive report about this issue. Thank you Madam Speaker.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Thank you Hon. Patrick Siminyu for that statement but nevertheless equally the representation and oversight that we were talking about it will be interesting to hear about this project, about the status and if you have taken it to the relevant authority and nothing has been done it will be interesting because the Chair of the Environment Honorable Zainab Mumba and her Committee Members will go out and investigate about the status of Tudor public toilets within seven days and come back so that we can find out the status of the toilets in Tudor. Thank you very much.

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*(Interruption)*

Yes what is it Hon. Wangudi?

### **PROCEDURAL MOTION**

**Hon. Wangudi:** Madam Speaker I rise to seek permission if you will allow a procedural Motion and allow this House to start earlier, the afternoon sitting so as to go and join our Governor who is coming back from Malindi. Madam Speaker give us permission to allow this.

**Temporary Speaker** (Hon.(Mrs.) Nyamvula: Hon. Wangudi you are not clear; are you asking for the afternoon sitting to start a bit early or are you asking for the Procedural Motion to adjourn the afternoon sitting.

**Hon. Wangudi:** I'm asking for the afternoon sitting to start early at 1:00 pm.

**Temporary Speaker** (Hon.(Mrs.) Nyamvula: Okay go ahead.

*(Hon. Wangudi read Motion)*

**Hon. Wangudi:** Bi Spika kwa rukhsa yako ningependa kutoa mswada kwamba kikao cha mchana kiweze kufanyika saa saba mchana ili Waheshimiwa wapate fursa ya kuweza kumpokea Gavana wetu kwa sababu kuna ratiba ambayo inasema kuanzia saa 1.30pm waheshimiwa wote wawe wamefika eneo la Shanzu ili kumpokea Gavana. Kwa hio Bi Spika naomba Nyumba hii iweze kuunga mkono ili tuweze kupata nafasi ya kufanya mambo yanayoweza kusaidia Mombasa na pia kumpokea Gavana na pia tuwe ni wenye kusherekea pamoja kutokana na ule ushindi aliotoka nao Malindi. Bi Spika naomba kuuweka Mswada huo na naomba Mheshimiwa Siminyu aweze kuunga mkono.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes Hon. Siminyu.

**Hon. Siminyu:** Madam Speaker I second the Procedural Motion because we are proud of our Governor who has campaigned in Malindi and came back with a win from Malindi. Thank you.

*(Question proposed)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: I now propose a question that this House allows the afternoon sitting, today the 9<sup>th</sup> of March, 2016 to start at 1:00p.m.

*(Question put and agreed)*

We can now debate this, Yes Hon. Wangudi.

**Hon. Wangudi:** Ahsante Bi Spika, kama wanachama wa CORD na Wabunge wa Mombasa tunahisi kuna haja ya kuungana na Gavana wetu anapotoka katika uchaguzi mdogo wa Malindi. Hili linaonekana wazi kwa kuwa ushindi wa Malindi ni ushindi wa Mombasa kwa sababu sisi ni mandugu na kama Gavana wetu anarudi rasmi katika eneo lake la Mombasa na ameamua kuingia kwa shangwe, vifijo na nderemo na ni wakati ambao hatuwezi kukubali kubaki nyuma ama kuweka sababu yeyote ya kutuzuia kujumuika pamoja. Sisi watu wa Mombasa na wote viongozi wa CORD wakiwa watamkaribisha Naibu Mwenyekiti wa chama cha ODM na tukijua tuko na Miswada ya kujadili katika Jumba hili haina haja ya kuahirisha Miswada ila tufanye kikao kiweze kuanza na mapema ili tuweze



kwenda kuwa pamoja na Gavana wetu na kwa sababu hiyo tu ndio ninaomba kuungwa mkono na waheshimiwa wenzangu. Ahsante.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Hon. Karisa Nzai.

**Hon. Nzai:** Ahsante sana Bi Spika kwa kunipatia hii nafasi nami naunga huu mswada ulioletwa na Mheshimiwa Wangudi kwa dhati kwamba kikao cha mchana kianze mapema tuje tujadili yale ambayo yako mbele yetu kisha tuende kule Shanzu. Kama ilivyo desturi tuna mila zetu ni kuwa watu wakishaenda kwa vita wakija wanapokelewa kwa furaha na sisi watu wa Mombasa tukiwa ni watu wa furaha, sisi tuna raha zaidi na zaidi kwa sababu Gavana wetu akiwa kinara wa ODM aliweza kukita kambi Malindi zaidi ya miezi mitatu kuhakikisha kwamba mambo yameenda sawa sawa, na baada ya kushinda kwa mshindo mkubwa zaidi ni jukumu letu sasa kama Jumba hili kwa heshima kuweza kwenda kumpokea na kumkaribisha nyumbani kwa kazi nzuri ambayo ameweza kuifanya na wakaazi wa Mombasa wajue kwamba Gavana alikuwa Malindi kwa kazi nyengine na imeonekana wazi kwa yale mazuri ambayo ameweza kuyafanya na akaweza kuyaleta kwa uongozi wa chama chetu cha ODM. Kwa hio Mheshimiwa Spika naunga mkono kwa dhati tuweze kuupitisha na tuweze kuwakilisha maeneo yale ya Shanzu ili tujumuike kwa pamoja. Ahsante sana Bi Spika.

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Hon. Hudson Karume.

**Hon. Karume:** Ahsante sana Madam Spika. Mimi naunga mkono mswada ulioletwa na Mheshimiwa Wangudi. Mheshimiwa Spika ni muhimu tuwe pamoja na mbabe wetu wa Pwani Gavana Hassan Ali Joho ameweza kutekeleza jambo ambayo kwamba waliofikiria wao ndio mababe wameweza kubwagwa kwa njia ya aibu kabisa. Sisi ndio tunatafikana tumpungeze, tusimame imara na yeye wajue kuwa ODM iliwakilishwa na sisi ambao hatukuwa kule tunatafikana tujitokeze tuwe na wao kule Shanzu. Kwa hivyo Mheshimiwa Spika naunga mkono kabisa mswada tujitokeze na tufanye majukumu tuliopewa mapema na ili pia tuweze kumkaribisha Gavana wetu kule Shanzu.

*(Applause)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Yes Hon. Siminyu.

**Hon. Siminyu:** Thank you Madam Speaker it is important for us as CORD leaders to be with the other CORD leaders in welcoming our Governor of Mombasa County. The afternoon sitting should start earlier than expected because it is very important to be with our leaders who have been in Malindi to make sure they arrive safely. Madam Speaker I fully support what Hon. Wangudi has brought to this House and I urge all Hon. Members to support this.

*(Question proposed)*

**Temporary Speaker** (Hon. (Mrs.) Nyamvula: Now thank you Hon. Members and I now put a question that the afternoon sitting to resume early at 1:00p.m.

*(Question put and agreed to)*

This adjournment is guided by Standing Order 27.

### ADJOURNMENT

This House stands adjourned until today at one o'clock.

The House rose at 9:56a.m.