



**COUNTY ASSEMBLY OF MOMBASA  
OFFICIAL REPORT**

Wednesday, 24<sup>th</sup> November, 2021  
The House met at 2:30p.m.

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

**PRAYERS**

**The Temporary Speaker** (Hon. Bwire): Once again welcome back Honorable Members to our afternoon session. Yes Clerk?

**NOTICES OF MOTION**

EMPLOYMENT OF YOUTH ON COMMISSION BASIS FOR ENFORCEMENT OF RULE ON LITTERING THE  
COUNTY

Yes Honourable Athman Mwamwiri, kindly give the Notice of Motion.

**Hon. Athman Mwamwiri:** Thank you Mr. Speaker Sir. I beg to give Notice of the following Motion;

THAT AWARE THAT, the County under the Fourth Schedule Part II (3) had devolved the functions of control of public nuisance,

FURTHER AWARE THAT, there is a legislation which prohibits littering the environment and penalty for such an offence is imposition of a fine;

CONCERNED THAT, the public continues to litter the environment, not because of lack of legislation but because of weak enforcement on part of the County government due to lack of personnel in the Department of Environment, Waste Management and Energy to enforce this rules;

I therefore urge this Assembly to RESOLVE that:-

1. The County government to employ on contractual terms the youths who are involved in garbage collection activities to assist in enforcing legislations that bars the littering of the environment in the County;
  2. The County government to pay the youth on commission basis of 20 per cent on fine charged on the law breakers after being charged in the court.
- Thank you Mr. Speaker.

**The Temporary Speaker** (Hon. Bwire): Thank you Honourable Athman Mwamwiri. Yes Clerk, next Order?

RESPONSE TO STATEMENT BY CHAIRPERSON, COMMITTEE ON ENVIRONMENT, WASTE  
MANAGEMENT AND ENERGY HONOURABLE ATHMAN MWAMWIRI ON  
GARBAGE PILE-UP AT MICHELENI COLLECTION POINT IN KIPEVU WARD

Yes Chairperson, Committee on Environment, Waste Management and Energy, Honourable Athman Mwamwiri?

**The Chairperson, Committee on Environment, Waste Management and Energy,** (Hon. Athman Mwamwiri): Thank you Mr. Speaker. Mr. Speaker, I wish the Member who brought this Statement was in first to confirm to me whether the said Micheleni collection point is a Gazetted collection point or an initiative by the community before I proceed. But since she is not in, I rather reserve my response until next week. Thank you.

**The Temporary Speaker** (Hon. Bwire): Honourable Mwamwiri, are you interacting with the statement for the first time? I think you were to respond today and if you had some issues with the statement then you should have raised it before the response day.

**The Chairperson, Committee on Environment, Waste Management and Energy,** (Hon. Athman Mwamwiri): Mr. Speaker, when first this statement was brought I was not in, but I saw it in my Committee and as a way of responding first I wanted to confirm the said Micheleni, is it a gazetted collection point by the County government or a public initiated illegal dump site because before you complain of collecting such garbage at the such point is it a legal point first, if not, then this should be an cooperative initiative of both the public, the Member and the Department to make sure that such collection point is not only garbage are collected but to also completely closed to safeguard the interest of the people and our environment. So I have to confirm with the Member first.

**The Temporary Speaker** (Hon. Bwire): Yes Honourable Ogutu?

**Hon. Ogutu:** Mr. Speaker I think the Member is trying to be smart, he should give the response for the benefit of the whole House. Thank you and Honourable Leila is here, is also an aspirant there, so she knows whatever....

*[Interruption]*

**The Temporary Speaker** (Hon. Bwire): You are out of Order Honourable Ogutu! That is not our business today. Yes Honourable Thoya?

**Hon. Thoya:** Mr. Speaker I think what is very important is the name Micheleni is not the first time that is coming to this House. Before the coming up of the Chairman, the current Chair, there was another Chair, Micheleni has been coming to this House frequently and sad enough there was no question like that of either being gazetted or it is not but if it is supposed to be gazetted or not, the Chairman had the opportunity if that day the statement was being requested.

Even if he was not in, still he had time to interact with the same statement in the Committee so he had time to call Honourable Faith to that Committee to expound on the same. We as the House we demand a respond of the same today. Thank you.

**The Temporary Speaker** (Hon. Bwire): Just thank Honourable Renson Thoya. Yes Honourable Hamida Noor?

**Hon. Noor:** Thank you Mr. Speaker. Mr. Speaker speaking about the garbage pilling I think the Chair for Environment should be more concerned because right now having the Corona with us and then we get *Chikungunya* and then we get Dengue fever with all these garbage that is around I think this is a very important thing that we should be concerned. Thank you.

**The Temporary Speaker** (Hon. Bwire): Thank you. I guess Honourable Chairman you are taking note that people are so concerned. Yes Honourable Nzai?

**Hon. Nzai:** Thank you Honourable Speaker, being a Member of the same Committee I think my Chair was right to request for more time because...

*[Interruption]*

**The Temporary Speaker** (Hon. Bwire): Honourable Nzai, the Chairman has not requested for more time. The Chairman has requested to...

*[Interruption]*

**Hon. Nzai:** No! The Chairman has requested for clarity.

**The Temporary Speaker** (Hon. Bwire): Yes.

**Hon. Nzai:** So he is right to ask for that clarification, because of late Mr. Speaker...

**The Temporary Speaker** (Hon. Bwire): Yes.

**Hon. Nzai:** There have been changes in this garbage pilling collection centres so I think my Chair is right to be given that time so that he can do clarification whether that Mcheleni is truly a collection point or is just a check point.

**The Temporary Speaker** (Hon. Bwire): Thank you. Yes Honourable Renson Thoya?

**Hon. Thoya:** Mr. Speaker, I do not think we need this drama here and there. We have said they had enough time, call the said Honourable Member who brought this statement so whether there are changes in garbage collection points the vocabularies that they are bringing here gazetted or not gazetted whatever those are not our concerns our concern is response to us. Thank you Mr. Speaker.

**The Temporary Speaker** (Hon. Bwire): Thank you Honourable Chair I think you are just to do the honourable thing; you interacted with this statement sometimes back and you were to call the author of this statement to confirm whether the alleged place is a gazetted or not gazetted. So it seems you have no response as we speak? So I think just like the other Member has said it is better you ask for more time Honourable Faith and the Department at large whether it is a gazetted or non gazetted according to the statements it is a pile up already and it needs to be decongested.

I mean... so I think we just ask for more time if I will be in order so you ask for more time to consult with the Member and the Department if that is right.

**Hon. Athman Mwamwiri:** Thank you Mr. Speaker for your guidance and I concur with your directives.

*[Applause]*

That I beg to ask your Honourable House and your Chair for one week for official response Mr. Speaker. Thank you.

*[Applause]*

**The Temporary Speaker** (Hon. Bwire): Thank you Honourable Chairman next week Wednesday you will be through with it. Yes Clerk please?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRANSPORT,  
INFRASTRUCTURE AND PUBLIC WORKS, HONOURABLE PRISCILLA MUMBA ON STREET LIGHTS IN  
KIPEVU WARD

Chairperson Committee on Transport, Infrastructure and Public Works Honourable Priscilla Mumba?

*[Silence]*

Vice Chair or any other Member?

*[Silence]*

Yes Honourable Omondi Ibrahim?

**Hon. Omondi:** Thank you Mr. Speaker. Mr. Speaker, I am a Member of the said Transport Infrastructure and Public Works Committee and I would request you actually give us one week so that we can come up a very comprehensive response for that statement, thank you.

*[Interruption]*

**The Temporary Speaker** (Hon. Bwire): What is it Honourable Thoya?

**Hon. Thoya:** Can we be given reasons as to why we are postponing this response to next week Mr. Speaker!

**The Temporary Speaker** (Hon. Bwire): Yes Honourable Ibrahim?

**Hon. Omondi:** It is very clear Mr. Speaker if I said to be given a comprehensive response; when I talk on comprehensive statement that I mean that we want to do more research...

*[Interruption]*

**The Temporary Speaker** (Hon. Bwire): You mean you have a shallow one? You have a shallow report?

**Hon. Omondi:** Not a shallow one, we do not want to bring a shallow one! That is why we need more time so that we can come up with a quality response that will going to satisfy this Honourable House Mr. Speaker.

**The Temporary Speaker** (Hon. Bwire): Permission granted Honourable Ibrahim Omondi?

**Hon. Omondi:** Thank you.

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

### **ADJOURNMENT**

Honourable Members there having no other business this House stands adjourned until Tuesday 30<sup>th</sup> November, 2021 at 10:00a.m.

The House rose at 2:45p.m.