



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 7<sup>th</sup> October, 2020.  
The House met at 2:40p.m

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

### PRAYERS

**The Speaker** (Hon. Khatri): Hon. Members we may be seated.

*[Consultations]*

Yes, Clerk next Order please?

### STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON EDUCATION, INFORMATION TECHNOLOGY AND MV 2035 HON. IBRAHIM OMONDI ON CONSTRUCTION OF EARLY CHILDHOOD DEVELOPMENT EDUCATION (ECDE) CENTRE IN MAGOGONI WARD

Yes Hon. Ibrahim Omondi, Chairperson Committee on Education, Information, Technology and MV 2035 please respond to the Statement?

*[Silence]*

The Vice Chair for Committee on Education, Information, Technology and MV 2035?

*[Silence]*

Any Member in that Committee?

*[Silence]*

Clerk? Yes Hon. Raphael Bwire?

**Hon. Bwire:** Hon. Speaker it is very sad that the Chairperson and the Deputy are not here but the Members of the said Committee are here, can the Members tell us if they have a response or even if they do not have can they please say that they do not have so that they seek more time as a Committee? It is wrong for them to keep quiet and yet they are in this House Hon. Speaker. Thank you.

**The Speaker** (Hon. Khatri): Yes Hon. Milka Moraa?

**Hon. Ngare:** Thank you Mr. Speaker. Even though I have just walked in I heard a message from the Chairman that this response is not ready we will respond in the next session, maybe we need one week and we will bring response on the same.

**The Speaker** (Hon. Khatri): Ok. Thank you. So next week Wednesday. Yes, Clerk next Order please.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON WATER, SANITATION AND  
NATURAL RESOURCES HON. HAMIDA NOOR, ON ACUTE WATER SHORTAGE IN MWAGOSI  
AREA, AIRPORT WARD

Yes Hon. Hamida Noor, Chairperson Committee on Water, Sanitation and Natural Resources?

**Hon. Noor:** Thank you Mr. Speaker. Mr. Speaker as you know that we had a reminder that we send to the Minister of Water and Environment but they have not yet replied and we still need to get a reply from them. I ask for another week.

**The Speaker** (Hon. Khatri): Ok, so next week Wednesday?

**Hon. Noor:** Ok.

**The Speaker** (Hon. Khatri): Yes, Clerk next Order please?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRADE, TOURISM AND INVESTMENTS,  
HON. KIZITO OPEYA ON RELOCATION OF HAWKERS IN THE CENTRAL BUSINESS DISTRICT (CBD)

Yes Hon. Kizito Opeya, Chairperson Committee on Trade, Tourism and Investment please respond to the Statement?

**Hon. Opeya:** Thank you Mr. Speaker. Mr. Speaker I seek your direction on this statement because it is now like 21 days and I have also talked to the Member who asked the question, I have talked to the Deputy Governor twice on Monday and yesterday and he told me as a task force they have identified two places; one is Tononoka and the other is here at Makadara Grounds and they have forwarded the names to the Governor and they are waiting for the Governor to pick the one so that they can do the relocation.

So maybe you can give us direction because now it is taking too long and maybe the Member might think that the task force is not taking us seriously. So maybe you can give us direction on what steps we can go next. Thank you.

**The Speaker** (Hon. Khatri): Yes Hon. Amur do you want to reply on that?

**Hon. Murfad Amur:** I want to inform the Member Mr. Speaker, the idea of Makadara that land does not belong to the Mombasa County, so there is no way they are going to tell us to shift people to Makadara. It is not a County property; it belongs to a Muslim Welfare Association which is under the Trust Mr. Speaker. Unless they seek from the Trustee and yet the same place we have events every Islamic Calendar year so allocating the hawkers in that CBD or Makadara I do not see it happening. Let them tell us the truth of the fact, thank you.

**The Speaker** (Hon. Khatri): Yes Hon. Kizito Opeya?

**Hon. Opeya:** Mr. Speaker that is why I was seeking direction from your office because that is the reply that they have given me that they have picked two places.

As you can see one is already controversial and even Tononoka it is a football field; youth play soccer there so how are they going take people there? Maybe you can give us the direction on how we can go forward. Thank you.

**The Speaker** (Hon. Khatri): But did they give you timeline for the relocation or not?

**Hon. Opeya:** No, they forwarded the two names of the places to His Excellency the Governor, and the Governor was supposed to pick one.

**The Speaker** (Hon. Khatri): Maybe you should ask for the timeline so that you can inform this House how long will the process take.

**Hon. Opeya:** Ok, I can bring an answer next week Wednesday.

**The Speaker** (Hon. Khatri): Ok, thank you Hon. Kizito Opeya. Yes, Clerk next Order?

### MOTIONS

REPORT BY COUNTY ASSEMBLY SERVICE BOARD (CASB) ON REMITTANCE OF GRATUITY PAYMENTS FOR MEMBERS OF COUNTY ASSEMBLY AND STAFF BY THE COUNTY GOVERNMENT OF MOMBASA

Yes Hon. Murfad?

**Hon. Murfad Amur:** Thank you Mr. Speaker. Mr. Speaker Sir I have a response to the issue raised on 16<sup>th</sup> September, 2020 by Hon. Shebe Athmani which has not been allocated today and I think it is better I give the Report today for the purpose of Members to know because this is a worrying issue of Members gratuity.

I want to be very clear that we had done what was required to be done but the report that I have received I want it to be shared in this Honourable House and way forward by this Honourable House to be made. Mr. Speaker, if permission granted I may continue with your permission.

**The Speaker** (Hon. Khatri): So you are giving us the Statement or you are just asking for permission.

**Hon. Murfad Amur:** Permission to respond to that Statement by Hon. Shebe Athmani. Hon. Speaker with regards to gratuity...

*[Interruption]*

**The Speaker** (Hon. Khatri): Hon. Amur sit please.

*[Consultations]*

So Hon. Amur I am informed that you are supposed to give the response next week which is on 14<sup>th</sup>, but you are saying that you have expedited the process and you have the response to give us today. So I think that is fine as long as you have the response you can just give us the response.

**Hon. Murfad Amur:** Thank you Mr. Speaker Sir. The issue was raised on 16<sup>th</sup> September by Hon. Shebe Athmani in regards to remittance of gratuity of Members and the staff. Mr. Speaker Sir, on behalf of the Board and on behalf of the Assembly we did write two letters to the Executive Member of Finance, both letters were dated 29<sup>th</sup> September.

One was requesting her to reply on remittance of outstanding service gratuity for Members of County Assembly and contract staff, the other one was an invitation letter to the Executive Member to come and meet with the Board so that we could deliberate on the issue of this matter.

Mr. Speaker it is unfortunate that the letters were sent on 29<sup>th</sup> September, 2020, they were received according to the delivery book yet the Hon. Member or the Executive Member showed us something that is never expected to be seen! Mr. Speaker Sir, the time and the place of the meeting was clearly stipulated in that letter that was to be at 12:00p.m on 6<sup>th</sup> the meeting to take place at the Clerk's office. The Members of the Board Mr. Speaker Sir met at 12:00p.m. exactly the first agenda on that issue was the Executive Member to come and deliberate on issues in regards to that.

Mr. Speaker Sir, it is unfortunate we waited until 12:45p.m. the Member never showed up; in fact we went to other agendas buying time maybe she would appear but unfortunately we deliberated all the agendas on that day until the meeting had been called off. The Executive Member showed up after the meeting had been called off Mr. Speaker; so what I want to say the Board invited not summoned her so that we can deliberate on the issue so that we can bring a comprehensive Report in this House. Unfortunately that is what happened that day she never appeared before the Committee Board Members Mr. Speaker and in return late in the evening what we received was a letter from the Executive Member not even stipulating what had been asked by the letter that was sent in regards to the contribution of gratuity, the CPF but the issues that were brought back were different from what we asked from the Executive Member.

Mr. Speaker we wanted to know how much has not been remitted, when was it going to be remitted and what are the days to be remitted; but that was never to happen. I want if allowed to read the response that the Executive Member wrote to us, if I am allowed I can read it...

*[Hon. Murfad Amur read the letter]*

*The Clerk of County Assembly of Mombasa,*

*Dear Sir,*

*Re: Invitation to County Assembly Service Board*

*The above subject matter refers;*

*I wish to respond to the issues on the agenda of the meeting as follows...*

Mr. Speaker you cannot respond to the agenda of the meeting that you did not appear; maybe she is responding to the letter of gratuity that was written, there were two different letters, she never appeared before the Committee. So there is nothing like saying I wish to respond to issues on agenda of the meeting as follows, she did not appear before the County Assembly Service Board. I want it to be very clear in this House so the response that the Executive Member brought is another issue Mr. Speaker Sir, different from what we asked...

*Number one, the entity has to raise vouchers for remittance for gratuity for CPF, note that from July, 2017 to September, 2019 the County Assembly did not raise vouchers for process and remittance...*

She is now asking us for more vouchers, how did she or the department pay for other payments for the Assembly yet they were paying during those times? They were under their mandate paying salaries, statutory deductions each and everything now.

She has twisted the ball Mr. Speaker saying that the departments should remit vouchers and as per our records all the vouchers that are sent were sent with deliveries and signed for, so there is nothing like saying that all the vouchers that were supposed to be remitted they were not remitted.

*2. Kindly provide clarity on the matter to enable us to respond expeditiously...*

What clarity? The letter was very clear Mr. Speaker Sir that the remittance of gratuity, the remittance of the loan of Ksh.7.3 Million owned by Chase Bank that was deducted from Members and not remitted to the bank. Mr. Speaker this is something that they know, they used to deduct money from Hon. Members but they did not remit; so I do not see there is no clarity needed there yet they were deducting money from the Hon. Members yet they were not remitting Mr. Speaker.

Mr. Speaker, on National Health Insurance Fund (NHIF) deductions for the Assembly they are telling us they have paid from 1<sup>st</sup> July to 30<sup>th</sup> September, 2019, in our letter we did not request for 2019 we requested for the current, for the last three months. Mr. Speaker no statutory deductions have been remitted so we do not want to take the blame as Board on behalf of other people.

Mr. Speaker we want to inform the Members clearly today here the Board is trying its best that is why it invited the Executive Member so that we could expedite this issue and come up with a concrete response, but unfortunately they had not paid for NHIF and statutory deductions including loans recovery.

Number four, she is telling us due to settlement of Senate under performance of local revenue owing to adverse effects of COVID-19 the County Executive secured a bank loan... Mr. Speaker if we refer to the Constitution Article 212, I would wish to read it says; Borrowing by Counties,

*A County government may borrow only;*

*a) If the national government guarantees the loan and,*

*b) With the approval of the County Government Assembly,*

This loan which was paid for the salaries...Mr. Speaker I want to say it here openly and freely that there was no approval from this Assembly, we do not know how the approval was granted because as a Board when we were deliberating on the issue of taking a loan, we wanted clarification of such information like, how much per cent is going to be charged? We were told 0.5 per cent, we wanted more information about the service charge, how much are they going to charge before we got that document. Mr. Speaker we found our salaries in our bank accounts, we as the Board we are not an oversight body but we are a body that can sue and be sued so this matter must be brought to this Assembly and the Assembly may or shall make a final decision, either I am allowed to bring a Motion in regards to forming an Ad Hoc Committee to expedite the issue because as a Board we do not have the mandate of oversight. But again Mr. Speaker even if you go to the Constitution of Kenya;

*a) County Executive Member of the Finance may on behalf of the County government raise a loan for that government purpose only if the loan and the terms and condition...,*

The terms and conditions is what we wanted to be given, more information on the terms of the loan, what is the percentage, what is the Memorandum Of Understanding (MOU) saying, what is the commission?

But Mr. Speaker Sir that MOU was not given to us, we never saw it as a County Assembly Service Board (CASB), we never saw it in this House! We do not know how it was used because according to this we did not get any MOU to see and grant the approval by this Honourable House. Mr. Speaker so for me I want to be very clear; Members this money is the money after your term, each and every Member will benefit out of it, it is not Amur's money nor anyone's money it is our money. If it has reached the amount of Ksh.34Million Mr. Speaker Sir, it is now Ksh.34Million, I want to give the figures to Hon. Members so that they wanted to know the figure. Mr. Speaker Sir as we stand the figure is Ksh. 34,228 Million...

*[Interruption]*

**The Speaker** (Hon. Khatri): Yes Hon. Raphael Bwire?

**Hon. Bwire:** Thank you Mr. Speaker. Mr. Speaker I am up to make a special request. Hon. Speaker the issue raised by the Hon. Member is of a grave concern, I was or I appeal to your Chair if it pleases you we suspend today's activity to discuss much on what the Hon. Member has just tabled, if it so pleases you because it is an issue that touches on the welfare of Hon. Members plus the staff and its issues to do with finance.

Hon. Speaker it also does not make sense if Hon. Members plus the Board can request or invite the CEC Member and she fails to come without reason, it makes this Assembly look awkward. So am up Hon. Speaker to request you if you can guarantee us or give us time we suspend today's agenda and discuss the issue tabled by the Hon. Member, if we finish it in time we can then come back to our business today. Thank you.

**The Speaker** (Hon. Khatri): Thank you Hon. Bwire but your request for discussing the issue I think we are guided by law in this House so when we want to discuss the issue it depends on how the issue you are going to bring it in the House; either by a Motion and Statement. We cannot debate on a statement so the Hon. Member I think he was stating it very clearly that he will come up with a Motion on the same issue whereby to form an *Ad Hoc* Committee whereby they will investigate or look into this matter. I think that is what Hon. Amur was saying so maybe we should just give a chance to the Hon. Member to finish the response to the statement.

**Hon. Murfad Amur:** Thank you Hon. Speaker. Mr. Speaker the amount that had not been remitted as at today by the Executive department is at Ksh. 34,228,319.80Million, this is since when we were being paid by the Executive our salaries and allowances. Mr. Speaker they used to pay us then sometimes from October, 2019 the County Assembly started to pay its salaries and its deductions directly and the Assembly paid Ksh. 10, 113,879.85Million through our own Human Resource department. So the Ksh.34 Million has not been remitted, and in this letter of the Executive Member has not even said whether she is going to remit it when or how Mr. Speaker.

So this is why Mr. Speaker I brought this issue, I do not want the blame to be placed on the Board, that is why am saying this House has the power through your Chair to appoint an *Ad Hoc* Committee so that it can go and investigate and get a true picture of how this money is going to be because as a Board we invited the CEC for Finance so that we could deliberate and she never showed up in the Committee. So for us we think it is best if an *Ad Hoc* Committee is appointed and go and do a follow up Mr. Speaker, we will not be taken for granted as a Board. Mr. Speaker not only that Ksh. 34Million has not been paid even the Ksh.7.5 Million of Chase Bank that was from the last Assembly the Hon. Members were deducted and yet has not been remitted.



Mr. Speaker, it is not only that; NHIF Members have been admitted and forced to pay again yet they have been deducted money from their pay slips in regard to NHIF. It is very unfortunate Mr. Speaker, we do not want to be taken for granted as a Board, the House has more power than the Board, we have limited power but this Honourable House and that is why I brought this issue here.

Mr. Speaker, again I said for borrowing there is a way of borrowing money unless there is an approval; I did not see that approval from this House so it is upon the House to confirm whether there is an approval for the loan or not. Mr. Speaker, again I said the Memorandum of Understanding (MOU) for the loan we wanted clarification on that in regards to the service charge, the 0.5 per cent, is it after? But to my understanding Mr. Speaker Sir, after 30 days each day it will incur a 0.5 per cent service charge, so on behalf of the Board I do not want us to be taken as a Board that is not performing. Mr. Speaker, we have done our duty, it is upon this House to either when I bring that Motion of formation of *Ad Hoc* Committee be agreed or this House to give another way of following it up. Thank you Mr. Speaker.

**The Speaker** (Hon. Khatri): Thank you Hon. Amur. Hon. Amur i think you have made your response and you have given us the way forward that you are going to see how you are going to bring that issue in the House again. Hon. Raphael as well you can sit down and see what is the best way to bring it back to the House so that we can have more discussion about it and the way forward and the conclusion of this matter. Yes, Clerk next order please?

DECONGESTING THE STREETS AND ENSURING STEADY FLOW OF CLIENTS TO SELLERS OUTSIDE THE  
CENTRAL BUSINESS DISTRICT (CBD)

Yes Hon. Athmani Mwamwiri, MCA Likoni Ward please move the Motion.

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

THAT AWARE that the street hawking and vending has been perennially problematic for many years now;

FURTHER AWARE that the hawkers are small traders seeking to self-employ themselves and income for their families and helps to employ thousands of Kenyans;

NOTING that hawkers tend to concentrate in the Central Business District near bus termini and around market areas;

CONCERNED that if the issue of street hawking and vending is not properly managed especially in the areas such as Likoni, it will continue to pose a menace and contribute to congesting pathways, road reserves, petrol situations and markets;

I therefore urge this Assembly to RESOLVE:

1. THAT, the County government to come up with a comprehensive policy framework and legislation to address the street hawking and vending with a view to safeguarding businesses and livelihoods of all players and decongesting the Central Business District;

2. THAT, the County government to relocate bus and matatu termini from the Central Business District so that street traders will shift to the new commuter transport stations;

3. THAT, in Likoni, buses and Matatus termini be moved from termini be moved from Caltex petrol station to the Shika Adabu new County market to decongest the ferry area;

4. THAT, in Likoni, Tuk Tuk termini at Ujamaa and Barabara ya mchango, Shika Adabu be moved to the Shika Adabu new County market.

I do ask Hon. Mwalimu Hamadi Mgwisho to second the Motion. Thank you Hon. Speaker.

**The Speaker** (Hon. Khatri): Thank you. Yes Hon. Mwalimu?

**Hon. Mwalimu Hamadi:** I second.

**The Speaker** (Hon. Khatri): Thank you Hon. Mwalimu. Hon. Mwamwiri. Hon. Members i now propose the question that the Motion by Hon. Athmani Mwamwiri on the decongesting the streets and ensuring steady flow of clients to sellers outside the CBD be considered by this House in the same terms as moved?

*[Question proposed and agreed to]*

**The Speaker** (Hon. Khatri): Yes Hon. Athmani Mwamwiri please make your contribution.

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika hoja hii iko bayana kujaribu kutafuta suluhu ya shida ama almaarufu wanaitwa wachuuzi kutoka msongamano katikati ya miji ili kuwezesha shughuli nyingine kuweza kuendelea. Mheshimiwa Spika tutambue ya kwamba hawa wa shida ni watu muhimu ambao wamejiajiri na wameajiri baadhi ya Wakenya katika kukimu mahitaji ya mahitaji yao. Kwa hivyo hakuna sababu ya kutumiwa nguvu kuwalazimisha kutoka isipokuwa kwa mipangilio maalum Mheshimiwa Spika.

Mheshimiwa katika tafiti zangu kabla kuja na hoja hii nilithathmini hali halisi ya soko la Muthurwa kule jijini Nairobi ambapo hawa ni sehemu ile ilikuwa wazi na ikafanywa kituo cha kuegesha magari ya umma ambayo baada ya kituo kile kuanza kutekeleza majukumu basi wachuuzi wengi waliokuwa wamejaa katikati ya mji iliwalizimu pasi na msukumo, kwa hiari yangu Mhe. Spika kuenda katika soko la Muthurwa ambapo pale kwa sababu ya kiegesho kipya na usafiri wa abiria iliwezesha wao kuwafikia watu ambao ni walengwa katika biashara zao na wenyewe ikawa wanawacha sehemu ya katikati ya mji Mhe. Spika.

Hii Mhe. Spika ikitekelezwa hapa kwetu itaweza kusaidia pakubwa pasi msukumo; japo nimeona Mhe. Mwenyekiti wa maswala ya Biashara, Uchumi na Uwekezaji akikataa na jawabu la jinsi gani atawaondoa wachuuzi katikati ya mji maeneo ya soko ya Market almaarufu Marikiti lakini kwa kuzingatia hoja hii ikiwa wataweza tu kuondoa kiegesho cha matatu pale Marikiti na kututafutia steni nyengine bila shaka wachuuzi wenyewe watatoka pale kufuata kiegesho kilipo, kwa sababu palipo na kiegesho ndipo pahali palipo na abiria, ndani ya abiria wale wale ndio walengwa ama ndio *clients* wa wachuuzi hawa.

Kwa hivyo Mhe. Spika mikakati ipo, taratibu zipo, ikiwa idara itaitekeleza basi suluhu itapatikana; kutilia nguvu swala hili kuna soko jipya ambalo serikali Gatuza imejenga na kufungua katika maeneo la Likoni almakhususi Shika Adabu. Lakini soko lile Mheshimiwa limekosa nguvu na uwekezaji kuimarika kwa sababu liko kando na mji na mtu kwenda kufanya biashara pale inakuwa mushkil kwa sababu, mtu anapotoka kiegesho cha Ferry vituo vyote vya mabasi, matatu na Tuk tuk viko maeneo ya pale.



Kwa hivyo atanunua kwa wachuuzi walioko pale na kusafiri pasi kushuka maeneo ya Shika Adabu; lakini Mhe. Spika tukiweza kuondoa kiegesho cha matatu kilichoko Likoni Caltex na kukipeleka katika soko lile kitasaidia kupungua kwa msongamano wa wachuuzi Ferry; moja, pili kitasaidia kupeleka wanunuzi katika soko la Shika Adabu na kulifufua kwa sababu wachuuzi sasa hivi walioko katika eneo lile Mhe. Spika wanafanya biashara ya hasara kwa sababu hakuna wanunuzi.

Mhe. Spika pia maeneo ya Ujamaa sasa hivi imekuwa ni hatari na matokeo ya ajali yamekuwa yakitokea mara kwa mara kwa sababu kumelazimika kufanywa kituo cha *Tuk tuk* katika maeneo yale ya Ujamaa na bara bara ya mchanga na wachuuzi wamesongamana pale ili kuweza kuwafikia wasafiri hawa na wakuuzie bidhaa zao.

Kwa hivyo Mhe. Spika idara ikiweza kuwagurisha kituo hiki na kuwapeleka katika soko la Shika Adabu ambapo kuna nafasi kubwa wanaweza kufanya huduma zile na hata msongamano wa Shika Adabu utapungua na ajali hizi katika maeneo yale yatapungua. Mhe. Spika ni kwa moyo mkunjufu tu na nia njema kuomba Bunge hili kuitazama hoja hii kwa manufaa katika pande mbili, kupunguza msongamano na wakati huo huo kusaidia wachuuzi wetu kuweza kuendelea na shughuli zao, na hali kadhalika kuweza kuwa na mwelekezo wa wanunuzi wa bidhaa zao katika maeneo yanayostahiki. Kwa hivyo Mhe. Spika ninakuomba tu Bunge hili kwa nia safi tuweza kuunga mkono hoja hii kuweza kusaidia serikali yetu Gatuza kwa kuwanufaisha wachuuzi katika jiji letu la Mombasa, ahsante Mhe. Spika kwa wakati huu.

**The Speaker** (Hon. Khatri): Ahsante Mhe. Athman Mwamwiri. Yes, Deputy Speaker?

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Ahsante sana Mhe. Spika. Mhe. Spika mimi nimesimama kupinga hoja hii ya ndugu yangu Mhe. Mwamwiri. Mhe. Spika tukiweka ama sote tuna ufahamu ya kuwa ni juzi tu Mahakama iliweza kuamua masahala kuhusiana na *Finance Bill*, ile ya mwaka ya fedha iliyopita. Mhe. Spika sana iliangaziwa masahala ya kuongeza bei ya bidhaa na kutokumfikiria mwananchi; ikiwa leo Bunge letu tutashikana kwa pamoja kumuongezea mwananchi gharama, ya kuwa kituo cha mabasi ama kituo cha uchukuzi kiwe kitaondolewa pale kilipo sasa kipelekwe zaidi ya kilomita tatu ama nne kipelekwe katika maeneo ya Shika Adabu. Mhe. Spika tunaolewa wanaovuka kituo kile pale Ferry wengi ni mama zetu, wengi ni baba zetu, wengine hata kuna wale walemavu ambao itakuwa ni masikitiko makubwa kama itakuwa hatutawafikiria watu wale, tutakapokuwa tumeshirikiana pamoja kupitisha hoja hii.

Mhe. Spika tukiangazia kuwa kuna soko jipya la Shika Adabu twaelewa sababu ambazo serikali ya Kaunti imeweka soko lile na tuna imani soko lile limewekwa kwa wakaazi wa Shika Adabu na ni mwanzo ndio soko lile kidogo tunaona labda wanunuzi ni wachache. Lakini nina imani Mhe. Spika tutakapoendelea kwenda mbele soko lile litaweza kupanuka, mimi ningeomba alioleta hoja hii ni afadhali ingekuwa kupunguza wingi wa watu kwenda soko la Kongowea basi magari mengine ambayo yanaleta bidhaa yawe yataweza kufikia soko la Shika Adabu ili watu ama wachuuzi wawe wanaenda katika soko lile la Shika Adabu badili ya kuja soko la Kongowea ili mahali pale ama soko lile liweze kupata biashara.

Mhe. Spika lakini kuwaondolea wananchi wetu kituo kile cha kuabiri magari itakuwa tunawaongezea gharama katika matumizi yao, maana itawalazimu labda watumie mfumo wa *boda boda* kufika Shika Adabu ama mfumo mwengine mbadala na kwa kusema kweli kutembea kuanzia pale mpaka kwa soko la Shika Adabu hiyo itakuwa tunawapa adhabu ambayo si malengo ya Bunge letu wala Kaunti yetu ya Mombasa kuweza kuwaadhibu wananchi wetu.

Malengo yetu Mhe. Spika tuweze kukuza maeneo yale kama Shika Adabu ili yaweze kupanuka, ningomba aliyeleta hoja hii arudi nyuma abadilishe matakwa yake katika hoja hii ili iwe itakuwa ni matakwa ambayo yatakuwa yanaleta manufaa kwa serikali ya Kaunti na yatakuwa ni matakwa ambayo hayatakuwa ni yenye kugandamiza mwananchi wa Kaunti yetu ya Mombasa. Ahsante Mhe. Spika.

**The Speaker** (Hon. Khatri): Thank you Hon. Makarani. Yes, Hon. Amriya Juma?

**Hon. Amriya Juma:** Ahsante sana Bwana Spika kwa kunipa fursa hii. Langu pia ni kidogo kuwa na wasiwasi manake tukisema tunatoa kituo pale Caltex tukipeleke mpaka Shika Adabu nafikiria wale dada zetu, mama zetu tunawapa mbinu gani mbadala? Pia naona hii hoja haikusema mbadala watakuwa wanatumia nini; kusema ukweli watu ni wengi, maelfu ya watu wanavuka pale kituo cha Ferry na wengi ukitazama ni watu ambayo wanatembea kwa miguu Bwana Spika, wale ambayo wana bahati ya kuvuka kwa magari ni wachache, labda ni kampuni ama sisi wachache ambao tuko na manyumba kuvuka Ferry. Kwa hivyo wengi ni wale ambao wanavuka kwa miguu, sasa naona hoja ni nzuri lakini ningemuomba Mheshimiwa mwenza atoe mbadala kwa wale ambao manake washazowea ukishuka Ferry tu unapata boda boda pale pale unapanda ama unapata pale Caltex wapata kabla hatujakuwa na magari ulikuwa ukishuka Ferry unapanda pale ngazi unashuka unapanda *boda boda* ama unapanda matatu unaanza kunyoosha.

Sasa ukisema tutoke hapo twende mpaka Shika Adabu kule soko najua katika hoja hii Mheshimiwa hapa anataka pia kuhamasisha watu watumie lile soko la Shika Adabu manake pia yeye ameona kidogo soko la Shika Adabu halijashika moto kama soko la Kongowea. Sasa labda pia katika hilo wazo lake kufanya pia lile soko liuzike ni kwamba matatu na Tuk tuk zianze pale Shika Adabu lakini kusema kweli Waheshimiwa tutakuwa tumewaumiza katika kujenga hoja ya soko na kulijenga soko tutakuwa pia tumeumiza watu wengi sana.

Kwa hiyo akija kujibu atueleze wale watu tukitoa kituo chao hapa Likoni Caltex tukipeleka Shika Adabu twadhamiria vipi ama tutawapa mbadala gani ndio kabla hatujaunga hiyo hoja ndio hawa watu wasiathirike. Shukran.

**The Speaker** (Hon. Khatri): Thank you Hon. Amriya. Yes Hon. Raphael?

**Hon. Bwire:** Thank you Mr. Speaker. Mr. Speaker I beg to support the Motion moved by Hon. Athman Mwamwiri. Hon. Speaker we all understand that the County government of Mombasa has used a lot of resources in building up the Shika Adabu Market that needs at the end of the day to bring back the returns to the County government and the people of Mombasa and by having activities within or around the market it will also create that income or returns that am talking about.

Two Hon. Speaker it has come to my knowledge that the terminal at the Likoni, the current one that is being used is not the County government's facility, instead it is a private facility. Hon. Speaker, that means if the owner wakes up today and decides to close it up our people will have no alternative.

So it is better the County government comes up with a plan as early as today to have an alternative so that when the private investor or the owner of that place decides to close it up our people will not have a problem or will not have a lot of headache thinking where to relocate to, so Hon. Speaker I support. Of course during the pandemic we all know we decongested the Kongowea Market and we transferred so many activities to Tononoka and so many people had to cope up so it is just a matter of initiating the project and the people of this County will just cope up.

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So it is better to have our own place where we relocate our people safely where we know this is a County facility, that these are grounds owned by the County government and the levies that will be collected there goes direct to the County government as opposed to what is happening today where a lot of revenue collected there is being channeled to private pockets of people because the place is owned by the private developer.

Hon. Speaker, I just want to urge my fellow Hon. Members to think outside the box; in fact those people who use those Matatus are from other Counties; mostly from Kwale because those Matatus do ferry people mostly to Kwale, our people will not be much affected as we may think. Hon. Speaker, so kindly Hon. Members let us support it, it is a good initiative our people in the beginning just like some of us or some of the people used to see distance from Tononoka to maybe Kongowea being a very long distance but at the end of the day they cooperated and we had a solution to the pandemic.

Therefore let us have a final solution of having this terminal being transferred to Shika Adabu so that Shika Adabu can also be busy and that market can also be busy and we can also generate income from there. Thank you Mr. Speaker Sir.

**The Speaker** (Hon. Khatri): Thank you Hon. Nyiro. Yes, sorry Hon. Raphael. Yes Hon. Nyiro?

**Hon. Nyiro:** Thank you Mr. Speaker. Mr. Speaker indeed the intentions of the Hon. Member are good but again the reasoning I think he has not done his research well; let me begin by informing Hon. Mwamwiri that the people who are flocking Likoni is not because of bus terminal or *machinga* it is because of the Likoni ferry. So all these people who are coming to Likoni ferry to do business are coming there to target people who cross using the ferry, so Mr. Speaker even if you move the bus terminal to Shika Adabu those people who will have crossed using the Ferry will always be in large numbers across the Ferry and of course the *machingas* as he had said or the hawkers will always be there because most of these people who cross do not even board the Matatus and the buses as he suggests.

Most of these people who cross live around the ferry and the nearby villages so they just buy their things and walk to their homes; the issue of these people suggesting to relocate the terminal because of them... they are just a few who board Matatus to go outside Likoni or to the far end of Likoni. So Mr. Speaker in my own thinking I do not think moving the bus terminal and the Tuk tuk to Ujamaa will be good for the people because as they cross most of them will be forced to walk and we will not have decongested the area.

Again Mr. Speaker the reason why if you get into town, even here in the Central Business District (CBD) most of these Matatus like the buses and the other Matatus that go outside this town are hosted within petrol stations...for example if you go to Mwembe Tayari those Matatus which commute the route to Voi, Taita Taveta are hosted at the petrol station and the other petrol stations across the other side.

So Mr. Speaker it is because of lack of enough space within our County or within our CBD; remember this is an island and it is very small and that is why the Chair of Trade is finding it hard to find land to relocate hawkers because we do not have enough land here in the town and we had a case with the bus and matatu owners last time and we did not succeed because there is no space. There is no way we can relocate buses terminals to places because we do not have space, the County does not have space for us to relocate them.

Mr. Speaker I think it is an all-inclusive thing, we need to bring on board stakeholders so that we can know what we are doing, we cannot just do it for Matatus and Tuk tuk owners.

This is because they are doing business with us and we are also collecting a lot of revenue from those people so if you relocate them from where their customers are Mr. Speaker we will be asking for war from these Tuk tuk and Matatu owners because they are paying levies and they must go where the customers are and in this case most of their customers are the people who are crossing the ferry.

Therefore I think Hon. Mwamwiri being a resident of Likoni you should by now know people do not come to do business, they do not come to Likoni across the ferry just to do the business but they just waiting for the people who cross so that they can do business with them. It is very difficult for us to relocate anyone to do business because as long as the ferry leaves they will always be many people across the ferry and they must be a terminal and there must be Tuk tuks and there must be people who are selling their wares and again Mr. Speaker as I wind up we should be able to bring on board all these stakeholders so that we can see the best way forward. Otherwise as it is Mr. Speaker I do not agree with this Motion, i beg to oppose.

*[The Speaker (Hon. Khatri) exited the Chair]*

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

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you Hon. Nyiro. Yes Hon. Ibrahim Omondi?

**Hon. Omondi:** Mr. Speaker thank you for the opportunity. Mr. Speaker I was not feeling well but the importance of the Motion and my appetite is up to contribute to this particular Motion despite the fact that am not feeling well. Mr. Speaker Sir, first of all I may not have practical experience as much as those people who stay in Likoni and those who cross the ferry often. But, I remember that I can try and figure out the advantages and maybe the disadvantages that may occur if the Motion passes through or does not pass through, and that is why I am up.

Mr. Speaker Sir, I would like to say that Members when sometimes they come up with Motions it is very important to share or whip other Members outside before the Motion is brought because the Motion might be very important. Again you find that there are some of the issues that Members want to add on it even before it comes to the House because it is already polished that it can go through.

Mr. Speaker, one; I would like to support the Motion with the following facts, considering the Corona Virus Pandemic that we are just going through I think this Motion is in agreement with the health regulations because you will find the congestions at the ferry will be reduced and therefore it will also contribute to the decongestion of people and activities and of course it will be easier to tackle the pandemic.

Number two Mr. Speaker I also support the Motion due to the congestion of the people and trucks, especially this one will reduce airborne diseases and even some water borne diseases like noise pollution and so on will be able to be controlled in that place. You will find Mr. Speaker that in a very organized city or a very organized town or a CBD actually the noise and unnecessary movements are not important in such places and that is why am saying the trucks will be decongested in a certain area then it becomes an organized place for people. And then another thing Mr. Speaker I also support the Motion because of the criminal activities which increases when there are a lot of people around, there is a lot of pick pocketing here and there and again you find out that now the criminals are taking advantage of such situations and you find that they actually participate in those criminal activities and therefore decongesting the place I think is good for us Mr. Speaker...

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*[Interruption]*

**The Deputy Speaker** (Hon. Fadhili Mwalimu): I think there is a Member who is up. Yes Hon. Raphael?

**Hon. Bwire:** Thank you Mr. Speaker. Mr. Speaker indeed the debate is good and it is for the interest of the people we represent but looking around am afraid that we do not constitute the quorum that will fit the debate of the Motion as it is. I am therefore worried about this lack of quorum and maybe through your directions if Members can be called in the House so that we wind up on this session. Thank you.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes, Clerk confirm if there is quorum or not?

*[The Clerk confirmed lack of quorum]*

Hon. Members under the Standing Order 32, I order the Serjeant-At-Arms to ring the quorum bell.

*(The Serjeant-At -Arms rung the Quorum bell)*

### **ADJOURNMENT**

Hon. Members under Standing Order 32 (2)(a) the House stands adjourned until Tuesday 13<sup>th</sup> October, 2020 at 10:00a.m.

The House rose at 3:4 p.m.