



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 23rd April, 2025

**Third Assembly – Fourth Session
SIXTEENTH SITTING**

*[The County Assembly met at 2:55p.m at the County Assembly Buildings]
[The Temporary Speaker (Honourable Frankline Makanga) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Makanga): Let us take our seats, Honourable Members.
Yes, Clerk?

STATEMENTS

REPAIR OF CABRO ROADS IN MTOPANGA WARD

Yes, Honourable Hassan Mohammed, Chairperson Committee on Transport and Infrastructure?

[Silence]

Yes, Honourable Hamisi Nyota?

Hon. Hamisi Nyota: Thank you. Mr. Speaker, Sir I am a Member of the Committee on Transport and Infrastructure. Since our Chair is not around, we beg to be given more time to make a substantive response. Thank you.

The Temporary Speaker (Hon. Makanga): Honourable Hamisi Nyota, I think the one who sought this Statement is in the House, so maybe we hear from him. Honourable Morgan Matsaki, please.

The Leader of the Minority (Hon. Matsaki): Ahsante Mheshimiwa. Kwa kweli hii taarifa si ya jana ama leo ni ya muda na kwa kweli inabidi nichukue hatua sasa, Mheshimiwa Spika nipatie muongozo kwa sababu zile barabara hata mwenyewe ukiziona haziridhishi kamwe; iko hela inatengwa ya kurekebisha zile barabara. Hii taarifa naona ni ya mwaka jana na imeregelewa hii ni mara ya tatu ama ya nne, ningepata tu muongozo mwafaka ili zile barabara ambazo nilizitaja ziweze kutengezeka kwa wakati unaofaa kwa sababu si mimi ila ni mwananchi ndie anaeumia, ahsante. Naomba mwongozo Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Honourable Hamisi Nyota?

Hon. Hamisi Nyota: Thank you Honourable Speaker. Honorable Speaker, the Chairperson on Transport and Infrastructure just texted me that he is on the way coming and he has a substantive response. So, if the Honourable Member from Mtopanga can be patient enough as the Honourable Member is on the way coming, I think it would be fair enough. Thank you, Honorable Speaker.

The Temporary Speaker (Hon. Makanga): So, do you mean that we call it back, or refer it back to the House Business, or I give directions?

Hon. Hamisi Nyota: Honourable Speaker, we can continue as our Honourable Member is on the way coming. In addition, we can give a response in our next sitting. Thank you.

The Temporary Speaker (Hon. Makanga): So, I think Clerk, you will...

[Silence]

Okay so Honourable Morgan, I will give directions before adjourning this Sitting. Yes, Clerk?

URGENT NEED FOR ACTION ON MTOPANGA RIVER INFESTATION

Yes, Honourable Leila Nyache? Honourable Jacktone Madialo, standing in for Honourable Leila Nyache, please. Honourable Madialo you should not be misleading the Speaker, please be guided Honourable Madialo you know you are a bishop do not create confusion, God does not love confusion. So Honourable Leila Nyache, you are supposed to respond to the Statement on urgent need for action on Mtopanga River infestation. Any Member of the Committee on Water, Natural Resources and Climate Change Resilience? Yes, Honourable Hamida Noor?

Hon. Noor: Thank you, Mr. Speaker. Mr. Speaker Sir, I think we need more time to get into this, we seek for more time.

The Temporary Speaker (Hon. Makanga): Honourable Hamida, are you aware how long this Statement has been pending for your response as a Committee?

Hon. Noor: It was before we went for the break but I seek for more...

[Silence]

You will pardon me Mr. Speaker Sir; I have just received the response from the Department and I am sure most of my colleagues have the response with them and they can go through it and all of them have received the report. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Honourable Matsaki, do you have a copy of the response from the Committee?

The Leader of the Minority (Hon. Matsaki): Ahsante sana Mheshimiwa Spika kopi niko nayo lakini bado langu suala ni kwamba huu ujumbe niliupana tangu mwaka jana na shida kubwa hata haya mambo ya *infestation* si shida kubwa.

Shida kubwa ni *reeds* zile ambazo zimemea katika huo mto na kwa sababu huu ni msimu wa mvua hili jambo nililipeana tangu mwaka jana na hata mwaka jana pia hizi *short rains* zilileta mafuriko. Juhudi zangu ni hii Kamati ichukue hatua wa *allocate* vijana pale waweze kutoa zile *reeds* ili mvua inaponyesha kuwe na urahisi maji kupita na yaelekee kwenda baharini langu ni hilo tu. Kwa hiyo kuna ugumu gani Kamati kuchukua hii *initiative* kujibu jibu linalofaa? Hapa wamesema watachukua *initiative* lini? Tangu mwaka jana bado wanachukua *initiative* na mvua ndio hii inanyesha naomba muongozo Mheshimiwa Spika. Ahsante.

The Temporary Speaker (Hon. Makanga): Honourable Morgan, the response from the Department, you have it, so are you satisfied with the response or not?

The Leader of the Minority (Hon. Matsaki): I am satisfied but I am still waiting for them to give me the specific date for them to come on the ground.

The Temporary Speaker (Hon. Makanga): Are you satisfied or not satisfied?

The Leader of the Minority (Hon. Matsaki): I am not satisfied.

The Temporary Speaker (Hon. Makanga): Okay, so now that you are not satisfied, maybe I give directions that you have a sitting with the committee and maybe the committee can bring forth the department so that you have a sitting together with the department and committee and if need be, you do a site visit together to go and assess the situation because right now what we have here is a professional response from the concerned, the accounting officer I think that will be a good direction. So, you stand guided Honourable Morgan.

The Leader of the Minority (Hon. Matsaki): Ni sawa wacha tushiriki Kamati tukae nao.

The Temporary Speaker (Hon. Makanga): Thank you. Yes Clerk?

OWNERSHIP AND STATUS OF LAND TITLE NUMBER MN/V161 IN MIKINDANI WARD

Yes, Honourable Ahmed Hamisi? There is a Statement that was sought by Honourable Jackton Madialo on ownership and status of land title number MN/V161 in Mikindani Ward. Yes, Honourable Ibrahim Omondi?

Hon. Omondi: Thank you, Mr. Speaker. Mr. Speaker, as a Member of Lands Committee, I'll stand in for my Chair, who is not around, Mr. Speaker. Mr. Speaker, this statement was sought by Honourable Madialo, the MCA in Mikindani Ward, on the status and ownership of land title number MN-VN61 in Mikindani Ward. Mr. Speaker, reference is made, in your letter Reference number CAM-CAC-CORR-VX1-88 dated 6th June, 2025 on the above subject matter in response.

The land was allocated to United Methodist Church on 13th May, 1958

1. *It is a freehold tenure*
2. *It has an acreage of 216 acres*
3. *Five, the plot is registered under CR 6347.*

We do not have a parcel file for this plot, only a plot card exists.

6. *The department has not been made aware of any dispute on the land, but are aware of an encroachment on the said land*
7. *We have also not been enjoined in any court cases pertaining to the land hence, will not know of a ruling that has been made with regards to the particular parcel of land.*

Lastly, we are not privy to any eviction notices that have been served to entities or individuals on the land. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Yes, Honourable Director Madialo. Please reply.

Hon. Madialo: Thank you, Mr. Speaker. I am satisfied with the answer.

The Temporary Speaker (Hon. Madialo): Thank you. Yes, Clerk.

The Temporary Speaker (Hon. Makanga): Today being Wednesday afternoon session according to our Standing orders, it is also time to seek Statements and as such, anyone, any Member with a Statement, please proceed to do so. Honourable Jactone Madialo?

REQUEST FOR STATEMENT FROM HONOURABLE MADIALO ON THE REVERSAL OF SINGLE BUSINESS PERMIT CHARGES

Hon. Madialo: Thank you, Mr. Speaker Sir. I rise to seek Statement on the reversal of single business permit charges. Honorable Speaker, I stand pursuant to Standing Order 412C to seek a statement from the Chairperson Committee on Finance, Budget and Appropriations regarding the recent changes in single business permit charges. Honourable Speaker, it has come to my attention that the cost of acquiring a Single Business Permit was previously lowered from Kenya Shillings 9,600 to Kenya Shillings 5,000. However, the charges have been reverted to 9,600 without communication to the business community. This abrupt change has raised concerns among traders who were already adjusting to revised rates. Honourable Speaker, in responding to this request, the Chairperson should inquire and report on the following.

1. The reasons behind the initial reduction to the single business permit charges from 9,000 to 5,000
2. Rationale behind the recent decision to revert the charges to 9,600
3. Whether there was consultation with stakeholders before this adjustment was made
4. Whether the county government has any plans to review the charges again to ease the burden on small business owners

I thank you, Honourable Speaker.

The Temporary Speaker (Hon. Makanga): Okay, thank you, Honourable Jackton Madialo. Yes, Honourable Patrick Mbelle.

[Interruption]

Honourable Patrick Mbelle, wait first.

We have the Vice Chair, Finance. Do you have any response to the made Statement?

Hon. Madialo: Honourable Speaker, I was waiting for the response before I embarked on my last Statement. Thank you.

The Temporary Speaker (Hon. Makanga): Yes.

Hon. Noor: Thank you, Mr. Speaker. Thank you, Honourable Madialo. We are aware of the increase that we have gotten and we are getting on to it. We are waiting for a response from the Department of Finance. Thank you.

The Temporary Speaker (Hon. Makanga): Honourable Madialo, please do your second Statement.

REQUEST FOR STATEMENT FROM HONOURABLE MADIALO ON THE STATUS OF THE COMPLETION
OF AMANI AND ST. MARY'S BANGLADESH ECDE CENTRES

Hon. Madialo: Thank you Honourable Speaker for the opportunity and I would also like to urge the Chairperson Committee on Finance to speed up, because already people are being charged and most of the traders are defaulting thank you. Thank you, Honourable Speaker. I would like to seek a statement on the status of the completion of Amani and St Mary's Bangladesh ECDs Centres. Honourable Speaker, I stand pursuant to Standing Order 41(2) (c) to request a Statement from the Chairperson Committee on Education and Vocational Training Centres, regarding the Status of the Completion of Amani and St Mary's Bangladesh Early Childhood Development Education ECDs Centres.

These Centres are vital for the provision of quality Early Childhood Education, which plays a critical role in laying a strong foundation for our children's future. Honourable Speaker, the community has expressed concerns in regarding the delay in the completion of these projects, which has left children without access to the much-needed facilities. Furthermore, these are questions about the management to resources, allocated to these projects and whether due process was followed in the implementation, as a custodian of public resources it is our duty to ensure that transparency and accountability are appealed and the projects are delivered to serve the intended purpose.

Honourable Speaker, in response to this request the Chairperson should inquire and report on the following;

1. On the total funds allocated to the projects for the construction and completion of Amani and St. Mary Bangladesh ECDs Centres
2. Whether Public Participation was conducted prior to the initiation of these projects as required by law
3. The details of the contractor or contractors awarded the contracts for these projects including the procurement process followed
4. The expected timelines for the completion of the projects and whether there have been any delays including reasons for such delays if applicable.

Thank you, Honourable Speaker.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Madialo. Yes, Honourable Ibrahim Omondi, Chair of Education and Vocational Training.

Hon. Omondi: Thank you Mr. Speaker. Mr. Speaker, first of all it should go on record because the Hansard is on, I am not a Chair of Education and Vocational Centres, I am a Chair of

Education and Digital Transformation not as it was put by the Honourable Member Mr. Speaker. So, I do not know whether he meant me or somebody else because I am not a Chair of that. Thank you.

The Temporary Speaker (Hon. Makanga): But unfortunately, you are the one who stood, so can you respond as the Chair of Education because you are the one who stood to respond.

Hon. Omondi: Thank you Mr. Speaker. I would like inform the Member that we request for two weeks, so that we that we can be able to give out very comprehensive and reliable information on the same Mr. Speaker thank you.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Ibrahim. Yes, Honourable Patrick Mbele? Member from Bamburi Ward please make your request for Statement.

Hon. Mbelle: Thank you Mr. Speaker. Mr. Speaker I stand pursuant to Standing Order 41(2) (c) to request for a statement from the Chairperson, Committee on Lands, Urban Planning and Housing regarding the status of public utilities in Kiembeni. Honourable Speaker, It has come to my attention that several parcels of land (11MN/7203, 11MN/7204, 11MN/7205 and 11MN/7206) within Kiembeni Estate are said to be designated as public utilities. However, there is a growing concern among residents over the lack of clarity on ownership and documentation of these spaces, which is hindering their utilization for community development. Honourable Speaker, in light of the above, the Chairperson should enquire and report on the following;

1. Whether the Chairperson is aware of the existence of public utility parcels in Kiembeni. And if so,
2. Whether the said parcels have valid title deeds issued under the name of County Government or the relevant public institution.
3. If not so, what measures the Department of Lands is taking to ensure these utilities are protected, titled and made available for public use.

Thank you, Honourable Speaker. I equally have another Statement to the same Committee; would I be allowed to do so Honourable Speaker?

The Temporary Speaker (Hon. Makanga): Let us wait for the Committee to respond. Yes, Honourable Florence?

Hon. Kachumbo: Thank you Mr. Speaker, on behalf of the Chair I would like to urge you to give us two weeks, so that we can sit on the matter and then respond to you.

The Deputy Speaker (Hon. Fadhili Makarani): Okay thank you, Honourable Florence. Yes, Honourable Patrick Mbelle, your second Statement?

REQUEST FOR STATEMENT FROM BAMBURI MEMBER OF COUNTY ASSEMBLY HONOURABLE
PATRICK MBELLE ON THE STATUS OF GOVERNMENT LAND IN BOMBO - MAZIWANI AREA

Hon. Mbelle: Thank you, Mr. Speaker, and I'm satisfied by the answer. Now, to my second Statement, Mr. Speaker, I again pass on to Standing Order 41, Section 2, Sub Section C,

to request on a Statement from the Chairperson of Committee on Lands, Urban Planning and Housing regarding to the status of government land in Bombo - Maziwani area. Mr. Speaker, Bombo is home to thousands of residents currently occupying government land with families having settled there over years. In addition to the occupied areas, there exist undeveloped vacant spaces that hold significant potential for development of public utilities such as schools, health centers, recreational areas, and other community facilities. Honourable Speaker, in light of the above, the Chairperson should enquire and report on the following; whether the Chairperson is aware of the availability and current occupancy status of government land in Bombo. Whether there is any existing documentation or plans to formalize land tenure for residents occupying the land. Lastly, Mr. Speaker, what steps the County government is taking to initiate the titling process for the occupied and vacant government land in Bombo. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Mbelle. Yes, Honourable Ibrahim Omondi?

Hon. Omondi: Thank you Mr. Speaker, once again for the opportunity. Mr. Speaker, I'm still standing in for the Chair for Water as a Committee Member. I would like to respond to actually answer what the Member has requested; That, Mr. Speaker Sir matters lands, lands, that is Committee on Lands not water matters on lands are very sensitive, very involving...they need a lot of research, a lot of due diligence to be done, before we report back. Therefore, Mr. Speaker, I kindly request on behalf of the Committee that we be given three weeks so that we can come up with a very clear and comprehensive report on this, Mr. Speaker. Thank you.

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim, the moment you see an Honourable Member has made request for statement, it is because it is a matter of public concern. And we cannot just come here to ask for timelines. We are not here to do things in our comfort. The same Committee is handling the prior, the just concluded request and therefore, the same timelines, because it is the same Chief Officer, the same department that is supposed to respond. So, two minutes granted to the first request, two weeks, the same two weeks period you should respond to this House comprehensively, comprehensively. You are not the one responding, Honourable Ibrahim It is the department to respond so tell them you have been given two weeks to bring back the response to this house. You are guided.

Hon. Omondi: Mr. Speaker most obliged. But at the same time, Mr. Speaker, this is not a House where we just come in with stories and matters that are not of importance to the community Mr. Speaker. When we come up...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim...

[Interruption]

Hon. Omondi: When we come up, we come up with a concrete answer to this House Mr. Speaker.

The Temporary Speaker (Hon. Makanga): You are not the one giving responses. It is the department.

Hon. Omondi: I am a Member of the Committee Mr. Speaker and I do speak on behalf of the Committee Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim...

[Interruption]

Honourable Nyota what is it?

Hon. Hamisi Nyota: Mr. Speaker you have ruled. So, I do not think if a Member is in order to overrule your decision. Thank you.

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim, you are totally out of order because I had ruled, I have given directions that you as a Committee have two weeks to bring response to this Honourable House. Yes, Clerk?

[Interruption]

Before we go to the Motion, there was the issue of Mtopanga that Honourable Morgan feels that we have taken a lot of time. Honourable Members, the Committee on Transport has an obligation to give a response as far as the repair of cabro roads in Mtopanga Ward is concerned. This Statement was requested on 14th August, 2024, that is over six months, it was during the 67th Sitting and today they are still asking for more time as a Committee to respond. I think this is the final direction so Clerks you communicate this position that they have been given two last weeks to bring forth a response, if they fail to do so then we shall give directions for the whole House to take action. Yes Clerk?

MOTION

ENHANCEMENT OF SANITATION STANDARDS AND MANDATORY MASKING FOR SALOONS AND BARBERS IN MOMBASA COUNTY

Honourable Members, before I adjourned the morning session, we had a conversation around the Motion on enhancement of sanitation standards and mandatory masking for saloons and barbers in Mombasa County. As the Speaker I give directions that the said Motion be taken back to the House Business Committee for consideration. Yes Clerk?

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 29th April, 2025 at 2:30p.m. Thank you.

The House rose at 3:28p.m.