



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 7th April, 2026

Third Assembly – Fifth Session
TWENTY SIXTH SITTING

*[The County Assembly met at 2:40p.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Hamisi Nyota) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Hamisi Nyota): Members you may sit. Yes, Clerk, confirm if there is a quorum in the House?

[Quorum confirmed]

Yes, Clerk?

STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON, COMMITTEE ON LANDS, URBAN PLANNING AND HOUSING TO STATUS OF MOMBASA COUNTY ARDHI FUND

Yes, Honourable Ahmed Khamis Chairperson, Committee on Lands, Urban Planning and Housing?

Hon. Ahmed Khamis: Thank you Mr. Speaker, I rise to respond to the Statement requested by Honourable Allen Katana, MCA Shanzu Ward on Wednesday 11th March, 2026 regarding, *the Operation Status and Fiscal Management of the Mombasa County Ardhi Fund*. Honourable Speaker, following the request the Committee on Land, Physical Planning and Housing, sort a comprehensive brief from the relevant department. I wish to inform this House that the Ardhi Fund is fully operational, the board is dully constituted initially funds have been disbursed and active public engagement with the settlers is currently underway.

On the matter on financial allocation and disbursement for the Financial Year 2025/2026, the fund was allocated a total of Ksh.44,154,827 Million. I can confirm that Ksh.20 Million was successfully disbursed in March, 2026, the variance between allocation and actual disbursement was occasioned by the administrative delays inherent in the approval protocols of the Office of the Controller of Budgets.

On the criteria for beneficiaries, Honourable Speaker, the identification and vetting of beneficiaries are strictly governed by the Mombasa County Ardhi Fund Regulation, 2024.

To qualify for support an applicant must be;

- 1. A bona fide resident of Mombasa County;*
- 2. A squatter residing within a designated settlement;*
- 3. Classified as a vulnerable or marginalized individual.*

Furthermore, the board maintains the discretionary power to recommend additional criteria, subject to the formal approval of the County Executive Committee.

On the progress of identification and titling, the board has already identified the priority settlements for intervention based on the affirmation criteria. Upon the conclusion of the surveying, physical planning and titling processes, the Department of Lands has committed to laying a comprehensive register of beneficiaries before this House.

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you so much, Honourable Ahmed. Yes, Honourable Allen Katana that is the response for your Statement you want to table before this House and I think the Chairperson for the Committee on Lands has just responded. Are you satisfied with the response?

Hon. Katana: Mheshimiwa Spika nishukuru Mwenyekiti kwa sababu amefanya bidii lakini kuna vitu sielewi na ningemuomba Mwenyekiti tupate ufafanuzi. Kwa sababu Mheshimiwa Spika hili swala la Ardhi Fund wewe ukiwa shahidi limechukua mda, na hivi tumepata ripoti ya kwamba Mwaka wa kifedha 2025/2026 walikuwa wameekea walikuwa ni maombi yao wake million 44, lakini kulingana na karatasi hii wanasema ripoti hii, wana uhakika ya kwamba million 20 ilifanyiwa kazi. Hatujajua shida ama matatizo ilikuwa wapi ambapo hawakuweza kutumia milioni 44 na alafu hii milioni 20 pia Mheshimiwa Spika, hatuambiwi na hatupewi ripoti ya kwamba iliweza kufanya hili na hili. Kwa hivyo Mheshimiwa Spika sitaki nikuelekeze sana lakini kama kwa hekima yako, itawezekana idara nzima ya Ardhi kwa sababu ni maswala ambayo yanatutatiza sana kule nyanjani Mheshimiwa Spika, ikikupendeza ningeomba utoe mwelekeo ili idara nzima ya Ardhi ikiwa na kamati husika katika kusimamia maswala ya Ardhi Fund, wakaweze kuitwa hapa Bunge ili tukaweze kupata majibu yatakayo kuwa ni majibu yanastahili kupelekwa chini nyanjani kwa wahusika. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you Honourable Allen Katana, Honourable Ahmed Khamis, the person who floated the Statement, there are some elements of the responses he does not agree on them, he does not fully understand. So I think the best way is for your Committee, you write to the Department on Lands and Physical Planning, so that they can appear before the Committee and I will also wish Honourable Allen Katana, also be in copy of the day and date of your meeting, so that when you are meeting with the department, so that he can be there to air out all those areas he does not fully understand so that the Minister for Lands can maybe clarify on those areas he does not understand I think that is the best way so I just direct you, write a letter to the Department on Lands and give them a date and day, when

they appear before your Committee, Honourable Allen Katana also be there, so that at least he can get all the clarification he needs. Thank you. Yes, Clerk?

REQUEST FOR STATEMENT BY MEMBER OF COUNTY ASSEMBLY (MCA) BAMBURI WARD,
HONOURABLE PATRICK MBELLE ON THE REGISTRATION, VALUATION AND FISCAL INTEGRATION OF
PLOTS WITHIN MAJAONI SETTLEMENT SCHEME

The Temporary Speaker (Hon. Hamisi Nyota): Yes, Honourable Patrick Mbelle, MCA for Bamburi Ward please make your Statement.

Hon. Mbelle: Thank you Honourable Speaker. Honourable Speaker, Pursuant to provisions of Standing Order 41(2) (c) of the County Assembly of Mombasa, I rise to request a Statement from the Chairperson of Committee on Lands, Physical Planning and Housing, regarding the registration and inclusion of plots within Majaoni Settlement Scheme in the County Evaluation roll for purposes of land rates.

Honourable Speaker, Majaoni Settlement Scheme comprises of approximately 2,939 parcels of lands, all of which have been issued with title deeds by law, these properties are subject to payment of land rates as part of County's own source revenue. However, it has been noted that a significant number of these plots remain unregistered in the County Evaluation roll, effectively denying the land owners the opportunity to fully utilize their titles for lawful transactions and to contribute to the County's Revenue basket.

Mr. Speaker, an attempt was made in the year, 2021 to integrate some of these parcels into the evaluation roll. Unfortunately, the excise experienced both technical and administrative flaws that resulted in serious discrepancies, including overlapping plot numbers and duplication of titles within the system, two mismatches between physical survey data and system records, and thirdly, incorrect and inconsistent billing, leading to physical inaccuracies and confusion among residents.

Honourable Speaker, by way of illustration, the following cases highlight some of the anomalies. Number one, Ms. Elizabeth Kadzo Ziro, whose original plot number is number 357, was erroneously captured in the system as plot number 246. Mr. Alex Baya Thoya, whose original plot number is 337, was captured erroneously in the system as 326 and lastly, Mr. Speaker, Mr. Ahmed Marei, who is actually the Chairperson of the settlement scheme, whose original plot number is 326, has been captured in the system as plot number 315, these Mr. Speaker, are not isolated, they reflect a broader systemic problem that must be addressed.

Honourable Speaker, during a public forum held on 10th December, 2024 in Majaoni, His Excellency the Governor, following a request that I presented on behalf of the residents of Majaoni Settlement Scheme, committed to grant waivers on land rates from the date of titling up to the fiscal year of 2025 and to engage the relevant department to ensure that all unregistered plots are properly captured in the system. Consequently, the residents welcomed this directive and have since expressed their willingness to comply and pay land rates as and when registered and properly guided.

Honourable Speaker, concerned that the County government has now embarked on an exercise to collect land rates arrears whilst offering 100 per cent waiver on penalties, some residents of Majaoni Settlement Scheme continue to receive payment demands from revenue officers under unclear and inconsistent records.

Honourable Speaker, this situation creates confusion, placing the residents at risk of being unfairly charged or double-billed whilst leaving out many others that would wish to contribute to the County's on-source revenue basket.

In this regard, I request the Committee on Lands and Urban Housing to provide a statement on;

1. When the department will conduct a comprehensive public solicitation exercise to guide the residents on registration and payment of land rates;

2. The Chair should equally provide a statement on the specific measures being undertaken to audit, correct, and clean up the valuation roll, particularly addressing duplication mismatches and billing inconsistencies arising from the 2021 exercise;

3. Also, may provide a statement on the status of the implementation of the Governor's commitment on land rates waivers, including the criteria for eligibility and scope of the waiver and lastly Mr. Speaker;

4. To provide the timelines for full and accurate regularization and integration of all 2,939 title plots within Majaoni Settlement Scheme in the County's valuation role.

Honourable Speaker, let us restore order in the system; let us first give clarity to our people only then can we fairly and lawfully demand compliance, which my people are ready to offer. I thank you Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you so much, Honourable Patrick Mbelle for your Statement. The Chairperson for Lands was around; he has stepped out, you take note of that and then you Honourable Mkanjala, you are standing in the place of a Chairperson. Okay. You are the Vice Chairperson?

Hon. Mkanjala: I am the Vice Chair. I wanted to say, Honourable Mbelle you give us two weeks to respond.

The Temporary Speaker (Hon. Hamisi Nyota): Honourable Patrick Mbelle, are you satisfied with the two weeks the Vice Chair has requested?

Hon. Mbelle: Mr. Speaker, I have heard what the Vice Chair has said, but unfortunately the excise of collection of the land rights is ongoing. Confusion has arose within the residents of Majaoni and it is important that this excise is done as quick as possible. I would wish if the department would take this as a matter of urgency and that they hit the ground as soon as possible. If possible, any day from tomorrow. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you so much, Honourable Patrick Mbelle. Honourable Florence, now that the matter is of urgency, I would also want you to, maybe first track it so that Honourable Patrick Mbelle can be satisfied on the request for this statement.

Hon. Mkajala: Thank you, Mr. Speaker. Maybe you can kindly give us one week and we will do the necessary.

The Temporary Speaker (Hon. Hamisi Nyota): I think that is okay, Honourable Patrick Mbelle, one week?

Hon. Mbelle: Mr. Speaker, I would wish to concur with whatever she is saying, but as a matter of urgency, I would wish that she consults the department so that she can give us the right answer. But at this moment, a week for me is too much because I don't know when this waiver is going to stop and if it stops, then it is going to be a big problem to my people. It is not my issue, but it's an issue of the residents of Majaoni. So kindly, I ask that you treat it with urgency. Thank you.

The Temporary Speaker (Hon. Hamisi Nyota): Honourable Patrick Mbelle, I think I should concur with Honorable Florence because even if we get the answers tomorrow, we have no plenary tomorrow. So, unless you wait for next week Tuesday with the plenary so that she can give the response on this House, so if she has said one week, it is basically enough because one week that means by next week sitting, she will have all the answers and the responses.

Hon. Mbelle: Mr. Speaker, I concur with you. However, I know they are a very fast department and I'm sure probably by this weekend, they should have done something on the ground. But otherwise, I am well guided by your Statement. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you, Honourable Patrick Mbelle. Yes, Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON, COMMITTEE ON LABOUR AND PUBLIC
ADMINISTRATION HONOURABLE JACTONE MADIALO ON RENEWAL OF CONTRACTS FOR STAFF
MEMBERS WITHIN THE COUNTY PUBLIC SERVICE

Yes, Honourable Jactone Madialo Chairperson Committee on Labor And Public Administration.

[Silence]

The Temporary Speaker (Hon. Hamisi Nyota): Yes, Honourable Benard Ogutu, are you standing in for the Chairperson?

Hon. Ogutu: Yes, Mr. Speaker. But Mr. Speaker, we just received the response right now, so we must sit as a Committee to discuss it so that when we brought it here, it becomes the position of the Committee, so we are requesting for one week so that we bring it next week. Mr. Speaker, thank you.

The Temporary Speaker (Hon. Hamisi Nyota): Okay. I think that is in order, so by next week, Tuesday, maybe you can give a response on the same. Wednesday, sorry. Next week Wednesday is a statement day. Yes, Clerk?

REQUEST FOR A STATEMENT BY HONOURABLE SAMIR BHALOO, MEMBER OF COUNTY ASSEMBLY (MCA) TUDOR WARD ON COMPLIANCE OF HOUSING DEVELOPMENT IN TUDOR WARD

Yes, Honourable Samir Bhaloo MCA for Tudor Ward please make your Statement?

Hon. Bhaloo: Request for a Statement Compliance of Housing development in Tudor ward. Honourable Speaker;

Pursuant to Standing Order 41 section 2(c) of the Standing Orders of the County Assembly of Mombasa; I hereby seek Statement from the Chairperson Committee on Lands, Urban Planning and Housing regarding on the proposed ongoing development by Ultra-Modern Homes Limited Tudor Ward. Comprising approximately of 282 apartments units, in the Statement the Chairperson should ensure into and report on the following matters;

- 1. Whether the developer, Ultra Modern Homes Ltd, has obtained all the request development approvals, change of user approval, where applicable. Building plans, approval and occupation permits from the relevant County government departments and other statutory agencies.*
- 2. Whether the said development has put in place an approval and functional bio-digester system, sewage disposable system, and other waste management infrastructure sufficient for residential development of 382 apartments.*
- 3. Whether the project has fully complied with all physical planning, land use owning, environmental, public health housing, and building safety requirements under the relevant national and County laws.*
- 4. Whether the County government has undertaken regular inspection, monitoring and enforcement compliance checks on developments to ensure adherence to approval plans and physical planning standards.*
- 5. What measures has the County government is taking to safeguard the residents of Tudor Ward from possible environmental sanitation, drainage, congestion, and infrastructure risk that may arise from non-compliance by the developer.*

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you so much, Honourable Samir Bhaloo. Yes, Honourable Florence Mkanjala, Vice Chairperson Committee on Lands and Urban Planning?

Hon. Mkanjala: Thank you, Mr. Speaker. We request for two weeks to respond.

The Temporary Speaker (Hon. Hamisi Nyota): Honourable Samir Bhaloo, the Vice Chair has requested for two weeks.

Hon. Bhaloo: Thank you, Mr. Speaker. I think two weeks is a lot; I can give her a week to comply the report.

The Temporary Speaker (Hon. Hamisi Nyota): Is it a matter of urgency, Honourable Samir Bhaloo?

Hon. Bhaloo: Mr. Speaker, as we are talking now, the construction is going, there is a lot of congestion of trucks and a lot of risks there. So, I think one week is fair enough. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Hamisi Nyota): Yes, Honourable Florence Mkanjala. Honourable Samir Bhaloo has requested for a week because of the urgency of the situation.

Hon. Mkanjala: Okay, we accept. Within one week, we will come up with a response.

The Temporary Speaker (Hon. Hamisi Nyota): Thank you so much, Honourable Florence. Yes, Clerk?

ADJOURNMENT

This House stands adjourned until Tuesday, 21st April, 2026 at 10:00a.m.

The House rose at 3:10p.m.