



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 6th August, 2025

Third Assembly – Fourth Session
FOURTY SIXTH SITTING

*[The County Assembly met at 2:44p.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Abdirahman Abdikadir): You may be seated. Honourable Members, we cannot proceed until we have enough Members in the Chamber. I can see the Chief Whip is not around, Honourable Katana can you ask your fellow Members if they can be in the Chambers?

[Loud consultations]

Serjeants-At-Arms, please ring the quorum bell.

[Quorum bell rung]

[Murmurings]

[Loud consultations]

Honourable Members, the House is in session. Order! You can talk and consult in low tones, but we are not in market place. You can consult in low tones.

[Low consultations]

[Hon. Members streamed into the chambers]

Order! Clerks, please confirm if we have quorum!

[Quorum confirmed]

Let us proceed. Yes, Clerk next agenda.

COMMUNICATION FROM THE CHAIR

Honourable Members, during our previous session I had ruled that Honourable Matsaki to provide evidence of the claims he made and I will give him the opportunity to substantiate the claims he made.

The Leader of Minority (Hon. Matsaki): Ahsante sana Mheshimiwa Spika na pia kwa kunipa hii nafasi; ni kweli huo ujumbe ilikuwa nimeupata lakini nimefanya uchunguzi, kwa kweli wamesema hawataweza kuregesha vile vibanda tena, kwa sababu ya usafi wa ile hospitali, kwa hivyo nakubali kutoa huo ujumbe. Ahsante.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you Honourable Matsaki and Members I think it is a wise move made by the Leader of Minority to confirm facts before it is uttered in the Chambers. Yes, Clerk?

STATEMENT S

STATUS OF IMPLEMENTATION ON MOTION ON ACCESSIBILITY OF BUILDINGS BY PERSONS OF
DISABILITIES BY HONOURABLE FRANKLINE MAKANGA (MCA CHAANI WARD)

Yes, Honourable Frankline Makanga?

Hon. Makanga: Thank you Mr. Speaker. Honourable Speaker,

Pursuant to Standing Order 41 (2)(c), I rise to request for a Statement from the Chairperson of the Committee on Implementation regarding the status of implementation of motion I sponsored and which was adopted by this House on Tuesday, 15th November, 2022, during the 10th Sitting. The Motion called for accessibility of buildings by Persons Living with Disabilities.

Honourable Speaker, despite the Motion being adopted by this Assembly, it is now several years down the line with no visible steps or progress by implementing departments. Recently, I visited Bima Tower Building, which houses key County Departments and experienced a very unfortunate scene where a person living with disability was visibly struggling to access services on the higher floors due to lack of proper accessibility features. This was both disheartening and unacceptable.

Honourable Speaker, the Persons with Disabilities Act, 202, particularly the Second Schedule sets clear guidelines on accessibility requirements in both public and private infrastructure.

Honourable Speaker, this matter touches on the dignity and rights of a significant segment of our population. I kindly urge the Chairperson to take it up with urgency and report on the following:

1. What is the current status of implementation of the Motion on accessibility to buildings in the County?

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2. *How are building approvals being granted without factoring in disability access provisions?*
3. *What measures has the County undertaken to ensure that all public buildings meet the minimum accessibility standard as required by law?*
4. *Is there a framework in place to audit existing buildings and enforce compliance with the provision of the Act?*

Thank you Mr. Speaker and I know our Standing Order also allows us to have at least a minute to maybe elaborate on the statement, is provided for on our Standing Order so I may seek your leave so that I...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdilkadir): Which Standing Order are you talking about?

Hon. Makanga: It might not be expressed in the Standing Order, but it is best practised.

The Temporary Speaker (Hon. Abdirahman Abdikadir): And I will allow you please proceed.

Hon. Makanga: Ahsante Mheshimiwa Spika. Nafikiri imekuwa ni kati ya hisia ambazo Waheshimiwa katika Bunge hili wanazo kwamba tunapitisha Miswada mizuri ambayo huwa haifanyiwi kazi na moja wapo ambayo ni ya kutamausha Mheshimiwa Spika ni hoja hii ambayo niliweza kuileta katika kikao chetu cha kumi mwezi mmoja baada ya sisi kuapishwa katika Bunge hili Mheshimiwa Spika na nieleze labda kwa kifupi kwamba hoja hii iliyoweza kupitishwa katika Bunge hili la kuwasaidia wenzetu wenye kuishi na hali ya ulemavu ama pia wale wenye maradhi kama vile arthritis, umri unaposonga huwa wanapata tabu. Kuna watu Mheshimiwa Spika mbali na kwamba, hawana ulemavu lakini wana hali za kiafya, kama wale wanao ugua ugonjwa wa moyo, wale ambao wana shida ya mapigo ya damu ama *high blood pressure*. Mheshimiwa Spika unapata wanapata changamoto sana kuweza kufikia huduma haswa katika nyumba zetu ambayo ni ile ya Bima Tower; Bima Tower Mheshimiwa Spika iko na sehemu muhimu za Gatuzi hili ikiwemo maswala ya ardhi, maswala ya utalii na biashara, maswala ya elimu na maswala ya watu kuandikishwa ama *registration of persons* Mheshimiwa Spika ukienda katika jumba lengine ambalo linaitwa *Betting Control* Mheshimiwa Spika, ambalo pia lina ofisi muhimu kama ofisi ya Katibu wa Kaunti, ofisi za maji, ofisi za halmashauri ya wafanyi kazi wa umma Mheshimiwa Spika ni jambo la kutamausha sana. Kilicho nisikitisha zaidi ni kwamba kwa siku kama tano zilizopita, niliweza kutembelea Bima Tower katika hali ya kutafuta rafiki yangu wa miaka mingi ambaye sikuwa nimemuona na akaniambia yuko pale. Mheshimiwa Spika naona unacheke labda? Niendelee?

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, please. I can see Honourable Mwaka is up on a point of Order. Just give her the microphone.

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika. Naomba Mheshimiwa Makanga Francis atueleze huyu rafiki alikuwa ni mume au mke? Manake namuona anaongea na furaha kwa sababu, pengine ni mke ama ni mume nataka tujue, manake ni wa siku nyingi.

Hon. Makanga: Mheshimiwa Spika sijajua kwa nini mama ana wasiwasi na aina ya urafiki nilio nao...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Order! Order! Yes, Honourable Mwaka?

Hon. Mwaka Bakari: Mheshimiwa Spika hapa hakuna mama hapa sote ni Waheshimiwa, mama nyumbani.

Hon. Makanga: Ahsante Mheshimiwa Spika japo katika sisi watu wa mji wa huu wa Mombasa, tunajua mama ni jina la heshima, mama ni mtu anastahili kuheshimika ama mtu yeyote ambaye ametuzidi kwa umri ila kama mama ama Mheshimiwa Mwaka anaona hawezi zaa kijana mtanashati kama mimi. Nasema samahani ahsante Mheshimiwa Mwaka; Mheshimiwa ukinirohusu niweze kuendelea, kilicho nisikitisha ni kwamba Mheshimiwa Spika nikapata pale...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Samir?

Hon. Bhaloo: Mheshimiwa Spika hujatueleza alikuweco ni mwanamume ama ni mwanamke? Tuendeleo.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Makanga, you might choose to respond or ignore?

Hon. Makanga: I choose the latter, Mheshimiwa Spika bila kupoteza mwelekeo ya kile ambacho najaribu kuzungumzia. Wajua hapa tunazungumzia maswala ya watu ambao wako na mapungufu ya kiafya ama disability, sasa labda huenda pia katika kimtazamo wangu, huenda tukawa pia tuko na wengine ambao wanauliza maswali haya ya kututoa katika hoja labda pia kuna hali ya kutamausha yao ya kiafya hilo tutaliangazia baadae. Kwa sasa niruhusu niendeleo Mheshimiwa Spika ya kwamba nikasikitika sana kupata nyanya ama mama ambaye ako na umri mtu mzima, kwanza ana shida ya magoti, pili alikuwa na shida ya kuona mbali. Kwa hivyo amekuja pale na mjukuu wake akijaribu kumwelekeza vile atafika gorofa ya tano kwa maswala ya ardhi na kilicho nisikitisha ni kwamba, mahali ambapo labda angefika kwa dakika kumi akiwa umri wetu, huyu mama ameng'ang'ana kwa sababu huyu mjukuu inabidi amuonyeshe mahali ile ngazi ya kukanyaga iko na pia amuhepeshe kwa sababu hili ni Jumba ambalo watu wengi wanapanda wakishuka.

Kwa hivyo mtoto mdogo yuko pale anajaribu kupeana mwelekeo. Hili ni jambo ambalo lilinisikitisha sana Mheshimiwa Spika na naomba Waheshimiwa wenza, tumekuwa katika upande wa kulalamika kwamba tunapitisha hoja nzuri na hazifanyiwi kazi. Huu ni wakati wetu wa kuhakikisha kwamba, Kamati ya Utekelezaji imewajibika na hizi idara husika pia ikiwezekana kwa mwongozo wako Mheshimiwa Spika baada ya sisi kupitisha hoja kama hizi waletwe hapa tuwaulize maswali ni kwa nini miaka mitatu baadae bado tunang'ang'ana kupata huduma kama hizi. La kushangaza zaidi Mheshimiwa Spika ni kwamba, pale Bima Tower kuna lift lakini imewekewa Waheshimiwa, Waziri na *Chief Officers* wako na yao pale wakifika inaitishwa kutoka juu inawabeba na inawapeleka, lakini mwananchi wa kawaida na raia kama

mimi, basi hatuna nafasi ya kupata huduma hizo. Jamani hili ni jambo la kusikitisha na naomba sisi sote kuna sababu tu nyingi za mtu kupata matatizo ya kiafya tusiangalie wale ambao tayari wako na hali hio lakini kwamba sisi sote wengi wetu hapa tuko katika huu umri tunaelekea kufika hapo kwamba tutakuwa na tatizo ya magoti, afya zetu zitakuwa zimeanza ku *weaken* kwa sababu ya ki umri na kiafya na ni mambo kama haya ambayo yatatusaidia sisi sote kuweza kuwalinda wananchi wetu wa Mombasa. Kwa hayo ahsante sana Mheshimiwa Spika naomba kujibiwa maswala hayo.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Hamida?

Hon. Noor: Thank you, Mr. Speaker. I become very saddened of Motions that come about disability and they are never approved. Mr. Speaker as I am standing here, I have a Motion with the Mombasa County Assembly for the past eight years regarding disabilities and it has never been approved and I have been bringing it back again and again and again. My fellow colleague is saying this is the third year about disability functions that are not being done. There is no justice for them at all so for me, when I see these statements that are coming up, it really hurts me a lot because, the previous statements that has been there have not been worked on as my colleague has said let us bring these people here and ask them what is happening, because we pass budgets in this House and yet we are not getting any approval. Thank you so much.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Katana?

Hon. Katana: Mheshimiwa Spika, kwa mara ya kwanza Mheshimiwa Makanga ameleta hoja ya maana sana na kwa kuwa hii inahurumia watu ambao ni wahitaji sana ni lazima najua wengi wetu ni wageni katika Jumba hili na mienendo na desturi ama itikadi za Bunge hili bado tunajifunza na mimi naona Mheshimiwa Spika lifikie mahali tufanye marekebisho ya mwongozo wa jinsi itakayokuwa tukifanya kazi hapa kwa sababu vitu vyengine tutaonekana sisi hatuna tofauti na Nyumba zilizopita. Kwa sababu kusema ule ukweli Mheshimiwa Spika watu wanaumia na tena ripoti iliyokuja ni kwamba Mawaziri na wafanyikazi ambao wanalipwa na pesa ya ushuru wanatumia *facilities* hizi kama *lift*, alafu inakuwa watu wetu wazee na watu wanaoishi na ulemavu wanapata shida, licha tu hata kwa kupanda hata lile Jumba sehemu ya ngazi ina giza tororo, utafikiria umetupwa katika tundu la simba. Mimi ningeomba mbali na Taarifa hii, kama aliyeiomba ni kwamba wakaweze kuitwa, isiwe ni jukumu la Mwenyekiti Mheshimiwa Spika. Wakaweze kuitwa hawa wahusika ili tuje tu *deal* nao hapa Mheshimiwa Spika...

[Applause]

Na kwa kumalizia Mheshimiwa Spika si hii tu; mimi ingekuwa ni uwezo wangu hii dhana ya kuendelea kila kukicha tunaleta Mswada hatutaleta Mswada mpya ambayo haijaletwa katika Jumba hili tokea sisi hatuko mpaka tukaja kumeletwa vitu vizuri sana ambavyo havifanyiki na ili tutake vitu vifanyike ni lazima hawa watu waitwe tena kuwe na vyombo vya habari iangaziwe moja kwa moja wazi ili hata wananchi kule nje wakajue ni kweli sisi tunasukuma pale ambapo haki yetu inafika. Na niendeleo nimpongeze tena Mheshimiwa Makanga nimesema Mheshimiwa Spika kwa mara ya kwanza ameleta *agenda* ya kumhurumia mwananchi aliyemwajiri. Ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Samir?

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Hon. Bhaloo: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika ni jambo la huzuni sana kila tukipitisha hapa lakini kule juu hayaendelei. Ndugu yangu Mheshimiwa Katana nakubaliana na yeye hawa watu waitwe hapa wajibu maswali bila hivyo hatutaendelea na hili Jumba, ni lazima walemavu wapewe kipao mbele, hawa ni binadamu ni haki yao na ni jukumu letu sisi kama walivyo tuchagua walamka alfajiri kuenda kupiga kura tuwatetee. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Madialo?

Hon. Madialo: Mheshimiwa Spika mimi ni nani nipingie maneno mazuri ya hawa wapendwa. Ninaunga mkono.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Leila?

Hon. Nyache: Ahsante sana Mheshimiwa Spika na mimi kuweza kuniruhusu niweze kuchangia. Nimesimama kuchangia ama kuongezea katika hii Taarifa ambayo imeletwa na Mheshimiwa mwenza ambae ni Mheshimiwa Makanga. Mheshimiwa Spika kusema la kweli enyewe wenzangu wanasema yanahuzunisha zaidi sana kwa sababu haya maswala ya walemavu ilianza na kina Ramla Said tangu muhula uliopita walileta hoja hapa ya kuhusu walemavu na haikutekelezwa tukaja na Ngugi, Ngugi pia ameleta hoja hapa ya walemavu vile vile na haikutekelezwa. Kwa hivyo tunaomba idara husika ama wale ambao ni wahusika wa hili swala waje hapa waje watuelezee shida ni nini kwa sababu hawa ndugu zetu wanaishi na walemavu ni binadamu kama sisi na wana haki zao wanatajikana kuishi kama binadamu wengine. Kwa hivyo mimi naunga mkono wenzangu naungana na wenzangu hawa watu waje hapa wale department husika wafike hapa waweze kutuelezea shida ni nini na hii niniyo iweze kutekelezwa mara moja sana. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, allow me to make a ruling on this issue once and for all. The issues on implementation of Motions of this House have not been to our satisfaction and I have chaired this House on several occasions regarding the statements issued by Members. Some of these statements have not been responded to; some of them are half-baked and as such this might injure the reputation of this Assembly. This is a House that is mandated to come up with rules, regulations, laws, as well as policies that will guide the County government of Mombasa. Honourable Members, there was an amendment that was passed on this very House that executive Members might be invited to this House to answer to pertinent issues. Honourable Members, allow me after consultation with the Clerk allow me to make the following on this matter that the Committee on Implementation should write to the County Secretary and inquire on the status of all the Motions that have been passed and after that in three weeks we are expecting the County Secretary to grace this House and respond on the status of the Motions that have been adopted by this very I am talking about Motions.

[Interruption]

Honourable Katana, do not interrupt my ruling! The County Secretary should appear in person with a comprehensive report on the status of all the Motions that have been adopted by this House since its inception the third Assembly I mean for that matter. We would like to be furnished with all the reports and as such Members will be accorded an opportunity to also ask

further questions. Honourable Members, this will be first of the many plans that we will put in place to restore the dignity of this House and as such let the Committee and the Chairperson of the Committee on Implementation be advised to write a letter directed to the County Secretary. With that I want to believe the issues of Members Motions that have gone unanswered have gone unimplemented will be sorted. Yes, Clerk?

STATEMENTS

RESPONSE OF STATEMENT BY CHAIRPERSON COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS HONOURABLE KIBWANA SWALEH ON THE REVERSAL OF SINGLE BUSINESS PERMIT CHARGES

Yes, Honourable Morgan? Honourable Morgan you want to respond on behalf of the Chairperson?

The Leader of Minority (Hon. Matsaki): Yes.

The Temporary Speaker (Hon. Abdirahman Abdikadir): But I can see the Vice-Chair is also present.

The Leader of Minority (Hon. Matsaki): Okay.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Unless you have prior communication.

The Leader of Minority (Hon. Matsaki): Yes, I can because she has already given me the information.

The Temporary Speaker (Hon. Abdirahman Abdikadir): She has given you the information? You can proceed.

The Leader of Minority (Hon. Matsaki): Ahsante Mheshimiwa Spika. Swala la cheti cha biashara ilikuwako ni Kamiti iweze kujibu lakini kwa sababu ya haikuweza kujua hasa cheti hiki cha biashara ni cheti aina gani kwa sababu biashara ni nyingi tofauti. Kuna vyeti ambavyo vinasimamia *butcheries*, kuna vyeti ambavyo vinasimamia *chemistries*, kuna cheti ambacho kinasimamia maduka madogo madogo na makubwa sasa ingekuwa ni bora zaidi kamiti kwa yule ambaye ameleta hili swala angalau aweze kutuelezea ilikuwa ni cheti aina gani tuweze kukaa tena kujua na tufanye uchunguzi tuweze kumjibu na najua ni Mheshimiwa Madialo samahani kwa hilo lakini ingekuwa bora zaidi kujua zaidi ili Kamiti izidi kufanya ili tuweze kumjibu kwa uchunguzi zaidi wa hicho cheti alikuwa anakizungumzia. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Madialo.

Hon. Madialo: Mheshimiwa Spika. Nilivyouliza swali langu lililikuwa *direct*. Nilikuwa naeleza kuhusu *Single Business Permit*, kwa hio it was *specific* na imekaa sana zaidi ya tuko mwezi wangapi? Wanane... Imekaa miezi minne hili swala.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I think the response from the Committee is not very satisfactory to say the least and as such I am advising the vice chair with

the Member to look into the matter and come with a response in a week's time. Is that okay? Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LABOUR AND PUBLIC SERVICE
ADMINISTRATION HONOURABLE JACTONE MADIALO ON THE STATUS OF IMPLEMENTATION OF THE
MOMBASA COUNTY VILLAGE ADMINISTRATION ACT, 2024

Honourable Jactone Madialo. Please respond.

The Temporary Speaker (Hon. Abdirahman Abdikadir): He is very much in order to walk out.

Hon. Madialo: Mheshimiwa Spika Ahsante kwa kunipatia fursa hii kama Mwenyekiti wa Kamati ya Leba kujibu swali hili ambapo limeulizwa na Mheshimiwa Frankline Makanga kutoka Chaani na swali hili...

[Interruption]

Ngoja kidogo.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Makanga.

Hon. Makanga: Honourable Speaker, for record purposes I am not the one who requested for that Statement, it was Honourable *Lettarazi*. So, I think it is important that the Chair get his facts right.

Hon. Madialo: Well guided.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you for the clarification. Please proceed.

Hon. Madialo: Na hili swali liliulizwa kitambo sana na kila wakati hata sisi tunawauliza idara, kwa hivyo Mheshimiwa Spika nime *direct* Karani wangu ya kwamba sasa hhatutaki taarifa tunataka wajibebe kama idara wakuje kwa Kamati na majibu haya. Ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): So, when do we expect feedback?

Hon. Madialo: After three weeks.

The Temporary Speaker (Hon. Abdirahman Abdikadir): In three weeks. Thank you Honourable Madialo. Yes?

Hon. Makanga: Mr. Speaker, maybe to inform the Chair that as much as he has requested for three weeks there is ongoing conversation around the recruitment of those officers. So, three weeks may be a lot of time and it may be passed by events; maybe a week or two will be suffice and maybe your Committee also takes action to stop any recruitment pending them coming here or bringing for the report.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Madialo?

Hon. Madialo: Thank you very much Honourable Speaker. I give three weeks with a reason maybe we are not of course the last order is about adjournment and next week we will be having devolution so we cannot. We would have loved to call them in a week's time but that will not be so, I would like to assure Honourable Frankline because when we were doing our... When we met our department some weeks back, they told us that money is in the budget for recruitment but we asked them where the item is. They could not show us, but we also are hearing that already there might be deployment, that there will not be recruitment. So that is why I'm suspecting they do not want to be straight in giving us answers. So, I concur with Honourable Frankline that as we write to them, we will tell them that until they meet with the Committee for proper explanation, no recruitment or deployment should happen, so I agree with him.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Three weeks it is. Yes, Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LANDS, URBAN PLANNING AND HOUSING HONOURABLE AHMED KHAMIS ON THE STATUS OF ISSUANCE OF TITLE DEEDS TO RESIDENTS OF KIDUNGUNI AREA, LIKONI WARD

Yes, Honourable Ahmed Khamis.

Hon. Ahmed Khamis: Thank you, Mr. Speaker. Honourable Speaker, I stand to respond to Statement made by Honourable Pamela Ojala on Tuesday, 1st July, 2025 during the 34th Sitting on the above matter. Mr. Speaker, we wrote to the Department of Lands, Urban Planning and Housing regarding this matter and the Department informed the Committee that the area under question had been contracted by GEODEV Kenya under KISIP II, which is one-year contract. Several stakeholders' participation was done. Part development plan was prepared and approved by the County Assembly in the month of May, 2025. Survey compilation and the file submitted to the Director of Surveys in Nairobi. Honourable Speaker, this contract has been extended to March, 2026 due to unavoidable circumstances. Hence, the Department anticipates to get titles for the area of Kindunguni on or before March, 2026. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Honourable Ahmed Khamis, perhaps as a Committee were you satisfied with the response you got from the Department?

Hon. Ahmed Khamis: I think Mr. Speaker I'm satisfied. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay. Yes, Honourable Pamela, is the Chairperson or the Committee satisfied? The Chairperson is the spokesperson of the Committee so, I'm assuming if the Chair is satisfied, the Committee is also satisfied. So, Honourable Ahmed Khamis is much in order. Yes, Pamela, are you satisfied with the response you got?

Hon. Ojala: Chair, as you know land issues has been a problem in the Coast region and Mr. Speaker it seems they are trying to throw dust into my eye but let us wait and see because I can remember one day when we had a meeting at Kindunguni the residents were very bitter about this and they even burst on us. That is like we do not understand our mandate and roles,

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Mr. Speaker that is why I took the initiative to come and seek this Statement in this Honourable House and as the Chairman of Lands has stated I think Chair, this is genuine information from your own source of mouth. So, failure to reach I think you know what effect it will take because this House is a House of records and whatever you are talking here it goes on record. So, do not try to please me while you know very well that your department will be not in a position to give title deeds to residents of Kindunguni but one day I will remind you on this Chair before March, 2026. Yes, thank you for your cooperation. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Ahmed, do you have anything to add on to that?

Hon. Ahmed Khamis: Ahsante Bwana Spika. Nafikiri amejieleza na vile vile tumetoka kuongea hapa tutawaita kama kuna jambo lolote Mheshimiwa hajatosheka na nina imani mambo yatatendeka. Ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Pamela, this response is from the department. I do not think the Honourable will be held liable personally for any inconvenience that will be caused and as such he is absolved from any issues that will arise but however there is commitment from the department. Just be informed. Yes, Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON WATER, NATURAL RESOURCES AND CLIMATE CHANGE RESILIENCE HONOURABLE LEILA NYACHE ON THE STATUS OF APPLICATION FOR CONSTRUCTION OF WATER KIOSKS UNDER LOT 2BIN MWAKIRUNGE WARD

Yes, Honourable Leila Nyache.

Hon. Nyache: Ahsante sana Mheshimiwa Spika. Nimesimama kama Mwenyekiti wa maji hapa katika hili Bunge, lakini Mheshimiwa Spika la kusikitisha hii taarifa nafanya kuikokota kule idara nafanya kuifwata haswa. Hivi leo nilivyotoka chakula cha mchana nimepitia huko nikaenda nikauliza wamefikia wapi mpaka sasa hivi ndio wanaomba tena wiki mbili waitengeze ndio niende nikaifuata ama wailete.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Katana, just take your seat!

Hon. Nyache: Kwa hivyo Mheshimiwa Spika mimi ningeomba tu unipe hii nafasi ya mwisho, nikikosa hii Mheshimiwa Spika sasa tutawaita tuwaulize shida ni nini. Sawa Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Katana?

Hon. Katana: Honourable Speaker, I just wanted to be informed because as I have been saying, I am still new to this House and I am learning. What I do not understand is the fact that a Honourable Member is the one walking into offices, in person, looking for responses. It baffles me, I do not understand; could that be the best practice or what? I do not understand.

Hon. Nyache: Mheshimiwa Spika, wajua mimi hapa nilikuwa nimeomba nipewe muda wa wiki mbili, hasa nilivyoenda kwa Makarani nikauliza nikaona hayo majibu haijakuja, ikabidi

niende huko, sio ni kawaida yangu kufuata majibu hapana. Hii imebidi niende huko nikawaulize, kwa nini majibu haijaja mpaka sasa, nimeenda nikauliza tu.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I think there is nothing harmful in the Chairperson walking into the department as an extra effort to follow up on this matter, there is nothing harmful in that because I am assuming letters were written and up to date, she did not receive any response. So, she took it upon herself to follow up. So, there is no harm in that. Yes, Honourable Pamela?

Hon. Ojala: Thank you, Mr. Speaker. Once again, I am up on a point of ... There is something I forgot, Mr. Speaker as you know a credible response must have a letterhead and stamp from the department and this one... The response...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Water department?

Hon. Ojala: Lands department, it must have the letterhead and stamp Mr. Speaker and the response that I have at my hand there is nothing like a letterhead and stamp from the department. Mr. Speaker, this is null and void response Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Has it been signed?

Hon. Ojala: It has not been signed, Mr. Speaker. This is from a County Assembly.

The Temporary Speaker (Hon. Abdirahman Abdikadir): It's the County Assembly.

Hon. Ojala: This one is not from the department because the credible response must have the letterhead and the stamp from the department that is a credible response Mr. Speaker but the one I have at the hand I am very sorry Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Who issued you with that one?

Hon. Ojala: The Clerks. This one is from the Clerks, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I want to assure you if it has originated from the Clerks then it is a genuine document. However, to put you at ease, I have the original response with me of which I can share a copy with you that has the letterhead from the County Government of Mombasa, Department of Lands, Planning and Housing. It has been signed, stamped by Marianne Mapenzi, the Chief Officer of Lands, Urban Planning and Housing.

Hon. Ojala: Mr. Speaker, thank you for your guidance but they could have issued me with that statement earlier before I stand to respond. Mr. Speaker, this is very unfortunate this House is a House of records and law whatever you speak here it is on the record and I'm very sorry for this, Mr. Speaker today, my day, it will be very bad as I stand here as a Honourable Member, statements which you are supposed to give me this statement earlier so that I also be convinced that whatever you gave me is right, Mr. Speaker that is why I say, you people, you are

trying to throw dust into my eye. You are pleasing me with something which is not credible, Mr. Speaker. Mr. Speaker, I'm not sorry for that, Mr. Speaker. Thank you.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): I can see also the Chairperson is among the ones celebrating.

Hon. Ojala: It is very unfortunate even the Chairperson did not notice this Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, I think the Member has said you have ruined her day and such should not call for any celebration.

Hon. Ojala: This is a big null and void response Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Pamela, I will direct the following; as such, you will be given a copy of this true original from the department.

[Applause]

Hon. Ojala: Thank you for your confidence, Mr. Speaker...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): ...and going forward, I want the Clerks to also take note of the following; that once a response is issued, before the response is read in the House, the concerned Member should be given sufficient time. The concerned Member should be at least given 24 hours to go through it so that once he or she is at the floor of the House can better ask further questions but the practice where the statements are issued during the session is not very encouraging.

Hon. Ojala: Thank you, Mr. Speaker, for your cooperation.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. As such, you will be given a copy of this, Honourable Pamela. Thank you for making yourself very clear. Yes, we were on the issue...

[Interruption]

Yes, Honourable Hamida?

Hon. Noor: Honourable Speaker, I want to talk about the response from the departments; Mr. Speaker, as we stand here, we ask you to give us two weeks, three weeks for response from departments and as it is, today one of my colleagues walked to a department to go and fetch for an answer, Honourable Speaker, I don't think that is...

[Applause]

...Something to be talking about, Mr. Speaker, because I think our mandate is to legislate and oversight. I do not see why the executive should be walking to their office to go and get a response from them. We are giving them two to three weeks to respond on these things. Mr. Speaker, I think the executive departments are very lenient on what we are asking for. Since even some of us are still waiting for responses for eight good years Honourable Speaker! So, this is very wrong. I find it very, very wrong!

[Applause]

There is one statement that has come from my department of finance and we are still waiting for it and the colleague of mine is saying this is about four months, Mr. Speaker it really demoralizes our mandates so please from your office can you guide us well. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Members, I think I need to make a ruling on that as well. I rule as follows; that issues to do with this department are issues of great concern to the residents of Mombasa and as leaders, our right to oversight is done through Committees and as such, whereas I will commend the work, the good work done by the Chairperson of the Committee I will not stop at making the following; that the Committee, Honourable Chairperson, Honourable Leila I am making a ruling that perhaps you will be interested in. The Committee should write a reminder again to the department, failure to which the department ought to respond in seven days and as such in the next sitting, if the response is not ready, then the matter will be referred back to the Liaison Committee to deliberate further. So, we are giving the Committee at least seven days; we are expecting seven days' response from the department and during our next sitting, we expect to be furnished with a full report concerning this statement. Yes, Clerk?

MOTION

ADJOURNMENT ON URGENT MATTER OF COUNTY IMPORTANCE

Honourable Members, it is my absolute pleasure now to give an opportunity for the Leader of Majority, Honourable Prischillah Mumba, to issue and move her first and maiden Motion as the leader. Please proceed?

[Applause]

The Leader of Majority (Hon. Mumba): Thank you, Mr. Speaker. I am really humbled. Honourable Members, I stand. Mr. Speaker Sir, I beg to move the following Motion. That;

*Pursuant to Standing order 30(1) of the Mombasa County Assembly Standing orders;
This House stands adjourned until Tuesday, 19th August, 2025 at 10:00a.m. in the morning.*

Honourable Maimuna, you stand to second.

Hon. Maimuna Salim: Ahsante sana kiongozi wa Walio Wengi katika Bunge, nimesimama kuunga mkono hoja hii ilioletwa Mheshimiwa Spika. Nimesimama kuunga mkono hoja hii ilioletwa ya kuweza kwenda katika mapumziko.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I now propose the question that the motion by Honourable Priscilla Mumba, the leader of the majority party, on adjournment on urgent matter of county importance be considered by this Honourable House in the same terms as moved?

[Question proposed and agreed to]

Honourable Priscilla Mumba, please make your contribution.

The Leader of Majority (Hon. Mumba): Ahsante Mheshimiwa Spika sababu kuu ya kuwa tutakuwa katika tarehe hizo ambayo ni wiki ijayo kutakuwa na mkutano wa mabunge ya Kaunti kule upande wa Homa Bay ambapo Mheshimiwa Spika wawakilishi wa Nyumba hii watakuwa wanaenda kuwakilisha Kaunti yetu ya Mombasa na kuhudhuria katika kongamano lile na kongamano la ugatuzi ambapo litakuwa linaanza tarehe kumi na mbili mpaka tarehe tano ambapo itakuwa ni wakati ambapo tutakuwa hatupo katika mji huu wa Mombasa tutakuwa tumeenda kuwakilisha Kaunti yetu ya Mombasa. Kwa hivyo ndiposa nimeomba tupate ruhusa hii kama viongozi tuweze kusafiri na tuweze kuwakilisha na Mungu akitujaalia tuweze kurudi kwa wakati mwafaka tena baada ijayo tuweze kuendeleza ratiba zetu za Bunge. Ahsante Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Ahmed Khamis?

Hon. Ahmed Khamis: Ahsante Mheshimiwa Spika nimesimama kuunga mkono kiongozi wa Walio Wengi Bungeni wetu, kwanza nampa pongezi kwa kuchaguliwa kama kiongozi wa Walio Wengi Bungeni na vilevile pia mapumziko ni muhimu ili tuweze kwenda nje ya Mombasa kuweza kuona hali ya wenzetu vile iko ili tukirudi hapa tujue Bunge letu tutaliendesha vipi zaidi. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Samir?

Hon. Bhaloo: Thank you, Honourable Speaker. I stand to second the motion and it is very important for us to travel and go and meet our colleagues out there so we can share a lot and learn more so that we can come back with new ideas. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Katana?

Hon. Katana: Mheshimiwa Spika naunga mkono. Ahsante.

[Laughter]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, if there is any other member who wishes to be given an opportunity before I give the leader of majority to respond. Please, any member? Yes, Honourable Priscilla.

The Leader of Majority (Hon. Mumba): Ahsante Mheshimiwa Spika nilijua hakuna atakayepinga kwa sababu jambo hili linaenda kutoa pia mafunzo kwa Waheshimiwa linaenda pia kuwapatia wakati muafaka hata wengine kuweza kutembea nakuangalikia mandhari ya Kenya na kujua hali ya Homa bay nayo ni Kaunti aina gani kwa sababu wengine pengine itakuwa nai mara yetu ya kwanza kuweza kufika pale na kuweza kujua magatuzi haya mengine yanaendeshwa kiviipi changamoto na maendeleo yale ambayo yanapatikana na pengine tukaige mfumo mpya tutakao kua tumeupata kutoka Homa Bay tuje nao hapa Waheshimiwa wenza tukaweze kujua tutasaidia Bunge letu vipi tuweze kusonga mbele. Manufaa mapya katika usafiri huwa yanaleta natija katika jiji letu. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I now put the question that the motion by Honourable Prischilla Mumba, the Leader of Majority party adjournment on urgent matter of County importance be approved by this House in the same terms as debated.

[Question put and agreed to]
[Applause]

Honourable Members, the Motion by Honourable Priscilla Mumba on adjournment on urgent matter of County importance is adopted by the House. Yes, Clerk.

ADJOURNMENT

Consequently, this House stands adjourned until Tuesday 19th August, 2025 at 10:00a.m. Thank you, Members.

The House rose at 3:49p.m.