



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 5th November, 2025

Third Assembly – Fourth Session
SIXTY SIXTH SITTING

*[The County Assembly met at 2:30p.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Frankline Makanga) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Makanga): You may take your seats. Please, Clerk confirm if we have a quorum?

[Lack of quorum]

Thank you, Honourable Members. Pursuant to Standing Order No. 31 (1&2);

At the commencement of a seating after saying the prayer, the Honourable Speaker shall order the bell to rung for 10 minutes and if there is no quorum at the expiration of the 10 minutes the Honourable Speaker may direct the bell be rung a further five minutes.

So, Sergeant-At-Arms please ring the bell for 10 minutes.

[Serjeant-At-Arms rung the quorum bell]

Next order, Clerk?

STATEMENTS

REQUEST FOR STATEMENT BY HONOURABLE ALLEN KATANA ON BEHALF OF HONOURABLE SAMIR BHALOO ON THE STATUS OF THE PUBLIC TOILET PROJECT IN KIZIWI AND THE STORM WATER DRAINAGE PROJECT IN MBURUKENGE

Yes, Honourable Allen Rogers Katana?

Hon. Katana: Thank you, Honourable Speaker, for giving me this moment on behalf of Honourable Samir Bhaloo from Tudor, I want to issue this Statement, Status of the Public Toilet Project in Kiziwi and the Storm Water Drainage Project in Mburukenge.

Honourable Speaker, pursuant to the provision of Standing Order 41(2)(c), I seek a Statement from the Chairperson of the Sectoral Committee on Transport and Infrastructure regarding the status of the two critical development projects situated within Tudor Ward namely;

- 1. The construction of a public toilet facility in Kiziwi*
- 2. The storm water drainage project in Mburukenge*

Residents of the said areas have persistently expressed grave concern over the prolonged delays, stalling and apparent abandonment of these publicly funded projects. The lack of progress has undermined public confidence, aggravated the sanitation crisis, heightened health risks and worsened perennial flooding in densely populated neighbourhoods.

Mr. Speaker, in line with principles of public accountability, transparency and prudent use of public resources, I respectfully request the Chairperson to provide a comprehensive Statement addressing the following;

Public toilet construction in Kiziwi;

- 1. What is the current status of the project and what percentage of work has been completed on date?*
- 2. What were the original commencement and completion dates under the contracts?*
- 3. What is the total approval budget for the project? How much has been disbursed to date and in the expenditure within the budgetary allocation?*
- 4. What are the prices, reasons for the prolonged delay and stalling of the construction?*
- 5. What corrective measures has the department initiated to ensure resumption and timely completion?*
- 6. What is the reverse completion timeline for commissioning the facility for public use?*

Storm Water Drainage Project in Mburukenge

- 1. What is the current status of the project implementation?*
- 2. What are the initial timelines for the commencement and completion and what caused the non-adherence?*
- 3. What is the budget allocation, the amount already disbursed and has value for money been realized to date?*
- 4. What specific challenges have caused the slowdown or suspension of construction work?*
- 5. What decisive actions are being undertaken to resolve contractual, financial or logistical constraints affecting the project?*
- 6. What is the realistic new timeline for the completion and operationalization of the drainage system for the benefit of Mburukenge residents?*

Honourable Speaker, the timely delivery of this project is the utmost public interest; directly affecting the health, safety and welfare of the residents. It is therefore imperative that a clear, detailed and timeline-bound response be provided to this Honourable Assembly. I thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Allen Katana. Is the Chair for Committee on Transport and Public Works in the House?

[Silence]

If not, the Vice-Chair? Do you have any response to that effect, Honourable Mwaka? Okay. Yes, Clerk. Next Order, please?

REQUEST FOR STATEMENT FROM HONOURABLE MILKA NGARE ON PROLONGED WATER
SHORTAGE IN UTANGE

Yes, Honourable Milka Moraa Ngare Areba. Please request for your Statement.

Hon. Ngare: Thank you, Mr. Speaker. I have a request for a Statement, which I'm going to issue now, on prolonged water shortage in Utange area. Honourable Speaker...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Milka, I'm guided here by the Table Clerk that I had not issued the directions. The initial Statement sought by Honourable Milka Ngare is under the Committee on Transport, so we expect them to respond within the next 30 days. Thank you, you can now proceed Honourable Milka Ngare.

Hon. Ngare: Thank you, Mr. Speaker. I rise to issue the following Statement on prolonged water shortage in Utange area.

Honourable Speaker, Pursuant to the provisions of Standing Order 41-2C, I rise to request a Statement from the Chairperson of the Sectorial Committee on Water, Natural Resources and Climate Resilience, regarding the prolonged and persistent water shortage in Utange area which the residents of Utange have endured severe and prolonged water scarcity, which has gravely affected households, schools, small businesses, and places of worship. This shortage has disrupted daily livelihoods, forced residents to rely on expensive and unsafe water, and has exposed the community to heightened risks of waterborne diseases. Despite repeated public complaints and appeals, the water crisis in Utange remains unresolved, raising concerns about equity, effective service delivery, and the accountability of the County government in fulfilling its mandate under Part 2 of the 4th Schedule of the Constitution of Kenya, 2010, which assigns water and sanitation services to the County Government. In this regard, I respectfully request the Chairperson to provide a comprehensive Statement addressing the following:

- 1. What is the current status of water supply in Utange and what is the average daily or weekly supply level?*

2. *What are the causes of the persistent water shortage and which specific infrastructure or operational challenges are responsible?*
3. *Has the County government, through the relevant department, conducted any assessment or audit on the adequacy of water distribution systems serving Utange?*
4. *Finally, what interventions or short-term measures have been put in place to provide residents with emergency water relief?*

Some of the long-term solutions we would want to know,

1. *What long-term strategies and projects are being implemented to guarantee reliable water supply to Utange residents?*
2. *What are the budgetary allocations towards improving water infrastructure in Utange and how much has been spent to date?*
3. *What is the realistic timeline for restoring sustainable, continuous water supply to the area? What plans does the County Executive have to ensure equitable distribution of water resources across all Wards, including Bamburi?*

Honourable Speaker, access to clean water and reliable water is a fundamental right and Article 43(1)d) of the Constitution and its denial has far-reaching implications on health, dignity and livelihoods. It is therefore imperative that a clear detailed and time bound response be provided to this House.

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Milka. Do we have any Member from the relevant Committee that is Committee on Water Natural Resources and Climate Change Resilience? Yes, Honourable Hamida Noor what is your response?

Hon. Noor: Thank you, Mr. Speaker, I think will go back to the department, we ask for one week.

The Temporary Speaker (Hon. Makanga): You meant one week?

Hon. Noor: Yes.

The Temporary Speaker (Hon. Makanga): Okay one week granted so you report to this House next week Wednesday. Yes, Clerk?

REQUEST FOR STATEMENT BY HONOURABLE MILKA NGARE, NOMINATED MCA ILLEGAL DISCHARGE OF WASTEWATER ALONG THE GOROFANI-BOMBO ROAD IN UTANGE

Yes, Honourable Milka Moraa Ngare, please request for a Statement.

Hon. Ngare: Thank you once again, Mr. Speaker. I issue a Statement on illegal discharge of wastewater along the Gorofani - Bombo Road in Utange. Honourable Speaker pursuant to the provisions of Standing Order 41(2) (C);

I, hereby request a Statement from the Chairperson of the Committee on Water, Sanitation and Climate Resilience regarding the continued discharge of wastewater along the Gorofani Bombo Road in Utange, adjacent to Distar Junior School.

Honourable Speaker, it has been brought to my attention that one property owner has been causing the discharge of wastewater into a public space in the said area since April, 2025. This has created a serious nuisance and inconvenience to students of Distar Junior School, neighboring residents, and the pedestrians using the said road.

The situation raises grave health and sanitation concerns for the community, particularly school-going children. Honourable Speaker, in this regard, I seek a Statement from the Chairperson of the Committee on Water, Sanitation and Climate Change Resilience to clarify the following:

- 1. Whether the County government is aware of the said nuisance and discharge of waste water by a property owner in Utange,*
- 2. What measures the County government has put in place to stop this illegal discharge and prevent further environmental and public health risks.*

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Milka Moraa Ngare again, Committee on Water, Sanitation and Climate Change Resilience. Do you have any response?

Hon. Noor: Thank you, Mr. Speaker. I do stand again to say that the previous Statement and this one. We would like to have two weeks together with them so that we can have more response and accurate response from the Department. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Hamida. For purposes of being realistic and for you to be able to get enough time to get the feedback from the Department, request for two weeks granted and for the previous one reviewed from the one week to two weeks so that you are able to report back expeditiously. Yes, Clerk.

REQUEST FOR STATEMENT BY HONOURABLE MCA TIMBWANI WARD HAMISI MBAYA ON LAND
TENURE STATUS, OWNERSHIP RIGHTS, AND THREATENED EVICTION OF RESIDENTS OF
MWANANGUVUZE VILLAGE, LIKONI SUB-COUNTY

Yes, Honourable Hamisi Mbaya, MCA Timbwani Ward. Please proceed to request for the Statement.

Hon. Hamisi Mbaya: Thank you, Mr. Speaker Sir, for giving me this opportunity. I stand to raise a Statement on land tenure status, ownership rights, and threatened eviction of residents of Mwananguvuze village, Likoni sub-County.

Mr. Speaker Sir, pursuant to the provision of Standing Order 41(2) C, I rise to request a Statement from the Chairperson Committee on Lands, Urban Planning and Housing

regarding the precious land situation facing the residents of Mwananguvuze village, Timbwani Ward, in Likoni Sub-County.

Honourable Speaker Sir, Mwananguvuze is a pre-colonial settlement established in the 1860s and is currently home of over 12,000 residents. The land is registered as plot number 120, holds significant ancestral value, containing ancient gravesites and mosques whose foundation was laid in the 1980's. For the decades, these residents have known this land as their own home.

Despite this long standing and uninterrupted occupation, the community faces an imminent threat of eviction. A private individual, one Mr. Mahesh Jethalal Haria, has laid claim to the entire parcel of land, causing immense fear and uncertainty among the residents.

Honourable Speaker Sir, this matter is not new; it was subjected of a Public Petition No. 063 of 2021 to the National Assembly presented by the Member of the Parliament, Honourable Mishi Mboko, for Likoni Lands Commission to resolve the issue. However, the dispute remains unsolved and the threat of displacement looms larger than ever.

Given the gravity of the situation and the potential for a humanitarian crisis, it is imperative that the County government of Mombasa, through your committee address this matter with the urgency it deserves. In the Statement, the chairperson should enquire into and provide clarity on the following;

a. Official land status, what is the official ownership and tenure status of the land parcel known as Plot No.120, Mwananguvuze, Timbwani Ward. According to the records held by the County government of Mombasa.

b. Awareness and action. Is the County Department of Lands, Urban Planning and Housing aware of the ownership claim by Mr. Mahesh Jethalal Haria and the consequence threat of mass eviction? If so, what specific measures has the department taken to date?

c. Protection of residents' rights. What tangible steps has the County government taken to safeguard the constitutional and land rights of the thousands of Bonafide residents of Mwananguvuze? Recognizing their ancestral and historical ties to the land.

d. Investigation title. What information does the County government have regarding the circumstances and legality under which a title deed for this ancestral community land was reportedly issued to a private individual and what actions are being considered to investigate this transaction?

e. Intervention measures. What immediate and decisive measures is the county government deploying to help the impending eviction and engage all concerned parties to find a just and lasting solution?

f. Issuance of title deeds. What is the County government plan to secure the issuance of title deeds to the deserving residents of Mwananguvuze thereby granting them security to tenure they have sought for generations?

Honourable Speaker Sir, the people of Mwananguvuze are looking to this Assembly for protection and justice. Thank you, Mr. Speaker Sir.

[Applause]

[Consultations]

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Hamisi Mbaya. Do we have any Member from the Lands Committee? Yes, Honourable Allen Katana. We have the Vice Chair, Honourable Amriya. Yes, Honourable Allen Katana. Yes, Honourable Allan Katana?

Hon. Katana: Mheshimiwa Spika kwanza nimshukuru Mheshimiwa Mbaya kuleta Taarifa ya maana ya kuulizia hali halisi ya watu wetu wa kule watapata hati miliki lakini Mheshimiwa Spika, Mheshimiwa Mbaya ni baadhi ya wale watu wanakaa na Gavana kila siku wanaimba *two terms* na ilhali hawapati *hati miliki* na hili jambo mbali ya kwamba mimi ni Mwanakamati wa Kamati hii Mheshimiwa Spika nimekuwa kipao mbele kuuliza hizi hati miliki si kwa upande wa Likoni pekee yake lakini kwa upande wa Mombasa nzima lakini kwa sababu anaauliza tutafanya kama ilivyo desturi na tutamjibu baada ya wiki mbili. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana, the Honourable Member has every right to request for Statement. His political affiliation is regardless. So, he is right. Maybe when he is with the Executive, he is not having the ability or the time to ask because they normally have...

[Interruption]

Honourable Allen Katana, you are out of order! So, Honourable Hamisi Mbaya you are just doing okay and the Committee on Lands has two weeks to respond to this matter comprehensively. Thank you.

Yes, Clerk?

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

This is supposed to be a response by the Committee on... Oh, there is another Statement?

Yes, so Committee on Labour and Public Administration, please issue the response.

Hon. Ngare: Thank you, Mr. Speaker. On behalf of Labour Committee, we have reminder on submission of Statement on implementation status of the Mombasa County Village Administration Act, 2024.

We acknowledge receipt of your letter reference blah blah that long number dated 28th November, 2025.

[Interruption]

However, we acknowledge receipt of your letter reference number CAM/CAC/CO.ORR/volume LX/12 dated 28th November, 2025. However, the function was moved to the department of Serikali Mtaani domiciled in the Department of Lands, Urban Planning and Housing and Serikali Mtaani during the reshuffle in July, 2025. We remain committed and available for further clarification on the same issue.

This was done by Chief Officer, Pauline Oginga from the Chief Officer Public Service Administration and it is copied to the CCM. Thank you.

The Temporary Speaker (Hon. Makanga): As a Committee, are you satisfied with that answer?

Hon. Ngare: I think owing to the fact that there was a reshuffle, we now need to do a Statement or a request to the relevant department, yes. So, I think for now, this suffices but we need now to write to the right department. Thank you.

The Temporary Speaker (Hon. Makanga): So, how long do you need to bring the response back to this House?

Hon. Ngare: Give us one week.

The Temporary Speaker (Hon. Makanga): Okay, one week is granted...

[Loud consultations]

Honourable Milka, I'm aware that *Serikali Mtaani* is under the oversight of the Labour Committee, right?

Hon. Ngare: Yes.

The Temporary Speaker (Hon. Makanga): So, you handle this matter and respond to this House within the shortest time possible.

Hon. Ngare: Thank you, Mr. Speaker. Members of Labour...

[Interruption]

There is so much talks. Are in the plenary or where are we?

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana, we are in plenary.

Hon. Katana: We are consulting...

[Interruption]

The Temporary Speaker (Hon. Makanga): You can consult in low tones.

Hon. Ngare: Members, Committee Members within this House have a different feeling that we should be given two weeks, if granted.

The Temporary Speaker (Hon. Makanga): Okay, two weeks granted for you to respond to this House.

Hon. Ngare: Thank you.

The Temporary Speaker (Hon. Makanga): Yes, Clerk.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE IMPLEMENTATION HONOURABLE
SAMUEL MWAURA ON THE STATUS OF IMPLEMENTATION ON MOTION ON ACCESSIBILITY OF
BUILDINGS BY PERSONS OF DISABILITIES

Yes, Honourable Samuel Mwaura, Chairperson Committee on Implementation or any Member from the said Committee to respond to the statement?

[Silence]

Do we have any Member in the Committee on Implementation?

[Silence]

So, no response the matter to be taken back to the County Assembly Business Committee for consideration. Yes, Clerk?

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 11th November, 2025 at 10:00a.m. Thank you.

The House rose at 3:14p.m.