COUNTY ASSEMBLY OF MOMBASA
THE HANSARD

Wednesday, 8th May, 2024

Third Assembly – Third Session
THIRTY THIRD SITTING

[The County Assembly met at 11:28a.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 seat Honourable Members. Yes Clerk?

COMMUNICATION FROM THE CHAIR

Honourable Members, in light of the adjournment of the Assembly during both during the morning and afternoon Sitting on Tuesday May 7th 2024 due to lack of quorum, today's business will commence with a Motion by Honourable Samir Bhaloo of Tudor Ward on Measures to Mitigate against Illegal Connections of Sewer Lines and Environment Pollution in Tudor Ward and other vulnerable areas within Mombasa County, followed by the reading of the Mombasa County Disaster Preparedness and Emergency (Amendment) Bill, 2024 for the first and conclude with the laying of the Paper by the Leader of Majority Party, Honourable Athman Mwamwiri on the Mombasa County Programme Based Budget Estimates Fiscal Year 2024/2025. Yes, Clerk next order please.

MOTION

MEASURES TO MITIGATE AGAINST ILLEGAL CONNECTIONS OF SEWER LINES AND ENVIRONMENT POLLUTION IN TUDOR WARD AND OTHER VULNERABLE AREAS WITHIN MOMBASA COUNTY

[Resumption of Business that was interrupted on Tuesday May 7, 2024]

Yes, Honourable Samir, MCA Tudor Ward please move the Motion.

Hon. Bhaloo: Good morning Honourable Member. Mr. Speaker Sir, I beg to move the following Motion;

THAT AWARE THAT, Article 42 of the Constitution of Kenya, 2010 guarantees every person the right to a clean and healthy environment, including the right to have the environment protected for the benefit of present and the future generations;

FURTHER AWARE THAT, the Mombasa County Water and Sewerage Services Act, 2016 provides for a legal and Institutional framework for provision of water and sewerage services and for mechanism of ensuring high quality services to citizens, and commercial viability of the water service provider;

COGNIZANT THAT the residents of Tudor and other vulnerable areas within the County are facing severe environmental challenges, including storm water pollution, marine pollution, and drainage issues due to illegal connections of sewer lines particularly from high-rise buildings;

NOTING THAT the Department of Lands, Housing, and Urban Planning has a crucial role in regulating, approving and inspecting building structures to ensure that they comply with all the requirements of building including having a legitimate sewer line connections to prevent illegal activities that endanger the environment;

CONCERNED THAT, most upcoming high-rise buildings are not connected to sewer lines;

FURTHER CONCERNED THAT sewer emanating from such buildings are directly connected to storm water drainage and the sea which pose a significant threat to the health and well-being of the residents, as well as the marine ecosystem, causing irreversible damage to the environment;

I, therefore urge this Assembly to RESOLVE:

1. *THAT the County government, through the Department of Lands, Housing, and Urban Planning, conducts a comprehensive inspection and submits a Report on illegal sewer connections to storm water and the sea by high-rise buildings in Tudor and other vulnerable areas within the County,*

2. *THAT the County government, in compliance with Section 28 of the Mombasa County Water and Sewerage Services Act, 2016 immediately dismantles identified illegal sewer connections, restores affected areas, and enforces legal actions against culpable parties,*

3. *THAT the County government to regularly inspects and conduct spot-checks to prevent the recurrence of illegal sewer connections in Tudor and other vulnerable areas within the County.*

Mr. Speaker Sir, I would like Honourable Juma Manuari to second the Motion.

Hon. Juma Manuari: I second.

The Temporary Speaker (Hon. Makanga)**:** Thank you Honourable Samir Bhaloo and Honourable Juma Manuari. I now propose a question that the Motion by Honourable Samir Bhaloo on Measures to Mitigate against illegal connections of sewer lines and environment pollution in Tudor Ward and other vulnerable areas within Mombasa County be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Yes, Honourable Samir Bhaloo MCA, Tudor Ward the mover of the Motion, please make your contribution.

Hon. Bhaloo: Honourable Speaker, I rise to make my contribution towards this critical Motion aimed at addressing the illegal connection of sewer lines and environmental pollution in Tudor Ward and other vulnerable areas within our esteemed County. The subject matter of this Motion delves deep into the core principles enshrined in our Constitution, particularly Article 42 which guarantees every individual the right to a clean and healthy environment. Furthermore, it aligns with the provisions of the Mombasa County Water and Sewerage Services Act, 2016, which establishes a legal framework for the provision of water and sewerage services while emphasizing the protection of citizens and the environment. Honourable Speaker, the challenges faced by residents especially in Tudor and other vulnerable areas are immense; illegal connection of sewer lines, particularly from high-rise buildings have led to severe environmental degradation, including storm water pollution and marine contamination. This not only poses a threat to the health and well-being of our citizens but also jeopardizes the integrity of our marine ecosystem, therefore it is imperative that we make swift and decisive action to address these issues. The Department of Lands and Urban Planning plays a pivotal role in ensuring compliance with building regulations, including legitimate sewer line connections therefore, it is essential that comprehensive inspections are conducted and reports submitted on identified illegal sewer connection. Furthermore, in accordance with Section 28 of Mombasa County Water and Sewage Services Act 2016, immediate dismantling of illegal connection, restoration of affected areas, and enforcement of legal actions against capable parties must be prioritized. Honourable Speaker, prevention is better than cure, regular inspection and spot checks are crucial in preventing the reoccurrence of illegal sewer connection. We must hold accountable those who engage in such unlawful activities to safeguard the interests of our residents and protect our environment. In conclusion, I urge my fellow Honourable Members to rally behind me, to rally behind this Motion and support the call of action by the County government. Thank you.

The Temporary Speaker (Hon. Makanga)**:** Thank you. Honourable Samir Bhaloo for your contributions. Honourable Members, the floor is now open for Honourable Members to make their contributions and therefore the seconder of the said Motion Honourable Juma Manuari Member of County Assembly Bofu Ward, Likoni Sub-County of the great County Mombasa, please make your contribution.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika kwanza nimshukuru Mwenyezi Mungu kwa siku ya leo. Pili, nimpe pongezi ndugu yangu Mheshimiwa Bhaloo kwa kufikiria zaidi maslahi na maisha ya binadamu pamoja na viumbe ambavyo vipo baharini. Mimi nimesimama kumuunga mkono ndugu yangu kwa sana na pia nishukuru Bunge hili kwa wakati huu kuja ndani ya hili Bunge kwa sababu huu Mswada wa ndugu yetu Mheshimiwa Bhaloo umemfanya ana kama wiki tatu wajua si tabia yake kuja sana kwenye Bunge lakini wiki tatu mfulilizo ameamua aje asubuhi na jioni ili ahakikishe huu Mswada wake umepita lakini leo jua atapata usingizi wa kutosha na hata kesho mkisema kesho kuna Bunge mtamsamehe kwa sababu hata mvua inyeshe yeye hatofika kwa sababu lake lishakamilika. Kwa hivyo mimi nasimama kumuunga ndugu yangu Mheshimiwa Bhaloo mkono na nimwambie hata kama amelitekeleza, mimi namuomba muda mwengine uje utupitishe na sisi yetu sisi. Ahsante Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Makanga)**:** Mheshimiwa Manuari ahsante kwa changizo yako. Mheshimiwa Joshua Ong'au, Mwakilishi Wadi wa Kata Ndogo ya Jomvu Kuu, *please make your contribution*?

Hon. Ong'ao: Thank you Mr. Speaker for giving me the opportunity also to air my views I am in support of the Motion. Thank you.

The Temporary Speaker (Hon. Makanga)**:** Thank you Honourable Joshua. Honourable Allen Katana, Member of County Assembly representing the people of Shanzu Ward make your contribution?

Hon. Katana: Mheshimiwa Spika nikushukuru kwanza kwa nafasi hii, pia nikupongeze kwa kazi uliyoifanya mbali na *height* yako inayokutatiza katika kupanda na kushuka katika Kiti hicho lakini kazi umeifanya vizuri na Mheshimiwa Spika nimpongeze Mheshimiwa Bhaloo wa Tudor kwa kuleta Hoja hii. Mheshimiwa Spika, nijulishe Nyumba ya kwamba mpango wa mabomba wa kupeleka maji machafu si kwa watu binafsi pekee yake maana ukiangalia Mswada huu sana sana umegusia majumba ya kibinafsi lakini mpango iwe itakuwa ni jukumu la Jumba hili letu kuhakikisha inapeleka mbio ofisi za *executive* ili kuhakikisha kwanza mabomba yaliyo sawa yanapitisha maji kwa sababu tunaweza kulalamika watu wa majumba machafu wanafanya *connections* ambazo si za kihalali na ikawa hizo za kihalali pia nazo hazipitishe maji. Pia kwa kuwa hili jambo halitawezekana kufanyika kupitia kwa idara moja kuna idara tofauti ambazo mimi nafikiria zinaweza kuwa ni husika katika kuhakikisha hili jambo limekuwa sawa. Kwa sababu katika maombi yake nimeona amehusisha sana idara ya Ardhi lakini kwa kuongezea mimi naona idara ambayo utanisamehe Mheshimiwa Spika sijui kwa Kiswahili inaitwaje lakini idara ya *Public Health*, idara ya Maji na *Sanitation* na pamoja na idara ya Mazingira hawa watu watakapofanya kazi pamoja hii Mombasa yetu itaendelea kupata sifa ya usafi na hili jambo mimi ningeomba lifanyiwe tuweze kulipitisha kwa haraka lifanyiwe kazi haraka ili mwisho wa kwisha ikiwa itakuwa kweli ambapo gharika bado iko ama mvua nyingi bado inakuja tusiendelee kupata tabu katika usambazaji ama upatikanaji wa maji machafu katika hata sehemu zisizostahili.

Ametaja kitu ambacho Mheshimiwa katika maombi yake ametaja kitu kinaitwa *inspection* Kiswahili ni ukaguzi; mimi ningeomba Mheshimiwa Spika ikiwa Bunge hili kwa hakika inataka kazi ifanyike basi tusukume wale wanaoitwa *executive* ili nakupa mfano kuna jirani yangu anafuga ng'ombe ndani ya nyumba yake kinyesi chote, mkojo wote unamwagika na amelengesha tu barabarani ambapo umma wote unapita. Kwa hivyo Mheshimiwa Spika isiwe Jumba hili desturi yetu ya kupitisha vitu na havifuatilizwi tuhakikishe kwa kuwa huu Mswada ni wa maana na umekuja kwa wakati unaofaa itakuwa ni aibu kwa mtu kama wewe ambaye tunakuheshimu umekaa hapo kupitisha vitu vya maana kupitisha tu na ni vitu ambavyo havifanyiwi kazi. Mheshimiwa Spika, ni ombi langu ya kwamba Jumba hili na tukiongozwa pengine na Kamati husika ya Utekelezaji tuhakikishe baada ya siku saba ni ombi langu tuwe tumefanya kitu na mashinani tumeona kama ukaguzi umefanywa na si ukaguzi tu, lakini pia kazi zifanyike ili watu wetu kwa mujibu wa Katiba waweze kuishi kwa mazingira yanayofaa; na kwa sababu ya hivyo Mheshimiwa Spika naomba niuunge mkono hoja hii. Ahsante.

[Applause]

The Temporary Speaker (Hon. Makanga)**:** Ahsante Mheshimiwa Allen Katana kwa changizo zako na ningeomba nipeane mwelekeo kidogo kwa sababu swala hili kama ulivyochangia ni kwamba linawahusu ama linalihusu Bunge hili na Kamati tofauti zinahusika; kwa hivyo Mpambe Mkuu naomba tuletewe katika Bunge hili Mwenyekiti ya Miundo Msingi ama msaidizi wake ambaye ataweza kujibu hayo ambayo tutajadili...

[Applause]

Pili, Mwenyekiti ama Naibu wa Kamati ya Maji, Mwenyekiti ama Naibu wa maswala ya Afya, Mwenyekiti ama Naibu wa anayehusika na maswala ya Ardhi na Mipangilio ya Mji…

[Applause]

The must respond on the floor of the House so that we are able to make progress. thank you. Honourable Pamela Ojala please make your contribution.

Hon. Ojala: Thank you Mr. Speaker for giving me this opportunity to contribute. Before I continue, I would like to thank the Almighty God for having given us this wonderful day today. Mr. Speaker, I stand to support the Motion brought in this House by Honourable Samir Bhaloo from Tudor Ward and I also congratulate him for this Motion. Mr. Speaker, as you are aware health is very important for us as human beings and it is true that Mombasa County we are experiencing illegal connection of sewer lines due to poor…, how can I say, we have, if you look along the Mombasa you will notice that the houses within Mombasa the place they use to build houses in Mombasa; proper procedures were not followed that is when you walk around you will see many stagnant waters around. So, it is high time for us as Honourable Members, I heard you also noticed that it is good to have the Chairperson of Lands and Water so that they can be responsible for this question. And Mr. Speaker if we do not take this matter as of urgency, even the society will suffer because we shall experience diarrhoea around, people will be affected by diarrhoea malaria and other diseases. Mr. Speaker, I also want to say now we are experiencing high rainy season and it is important that we put measures so that our people of Mombasa are not affected by the floods. Mr. Speaker, I stand to support, thank you.

The Temporary Speaker (Hon. Makanga)**:** Thank you Honourable Pamela for your contribution. Honourable Salim Juma Mbaya…

[Interruption]

Hon. Hamisi Mbaya: Mimi si Mheshimiwa Salim Mbaya Bwana Mwenyekiti…

[Interruption]

The Temporary Speaker (Hon. Makanga)**:** Pole, Mheshimiwa Mbaya, Mwakilishi Wadi wa Timbwani tafadhali peana changizo zako.

Hon. Hamisi Mbaya: Ahsante sana Mheshimiwa Spika kwa kunipatia fursa hii. Mheshimiwa Spika, nisiwe mwingi wa maneno mtoto wa kucheka hachekeshwi sana huchekeshwa mara moja na akacheka; kwa maana hio nimesimama kuunga mkono hoja hii. Ahsante sana Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Makanga)**:** Ahsante Mheshimiwa Mbaya naona umekuwa Mhenga siku hizi; sasa yule mtoto unasema hachekeshwi sana hatujui ni Mheshimiwa Mtoto wa Mwakirunge ama ni mtoto wa aina gani kwa sababu wewe ukiwa katika Kiti chako ni vizuri tujue ni mtoto wa aina gani; ni Mtoto Mheshimiwa wa Mwakirunge, ni mtoto msichana kwa sababu pia Mombasa mtoto inamaanisha msichana ama mtoto una maanisha gani?

Hon. Hamisi Mbaya: Ahsante sana Mheshimiwa Spika kwa kunipatia fursa tena kuweza kuchangia kutokana na vile ambavyo nimezungumza. Mheshimiwa Spika, shuka inabakia shuka na kaniki inabakia kaniki; kawaida tukisema mtoto tumemanisha mtoto hatujasema jina. Ahsante sana Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Makanga)**:** Ahsante sana Mheshimiwa Mbaya na naona Mheshimiwa Milka Areba anasikia raha amepiga makofi na ametaka aongee baada ya wewe, karibu sana Mheshimiwa Milka Ngare.

Hon. Ngare: Thank you Mr. Speaker. I will not respond to the unnecessities but am up on a point of support for this very important Motion by Honourable Samir Bhaloo of Tudor Ward. This Motion is self explanatory and the prayers that have been made here are so key that indeed we need to support the Motion, this is a very fundamental issue that Honourable Samir Bhaloo has raised and as many of my colleagues have already stated, it has come at the right time when we are experiencing heavy rains; and if we do not put our efforts on our oversight role on the Departments as other Honourable Members have stated that are concerned with the installation of this illegal sewer lines and also the Committee on Implementation and overall the Honourable Members of this House for proper oversight we will not sort out this issue. So, you did a good thing to direct the Departments that are concerned to be in this House, I do not know if they have come but I see the Vice Chair for Water is around probably she will have something to tell us and give us a promise on how they are going to make a follow up on this Motion that I am sure we are going to pass in this House. Illegal sewer lines will definitely emit dirty and contaminated water this dirty and contaminated water finds itself into our homesteads, children will play around with it and some may even end up drinking this dirty water. It gets into our water masses like the Indian Ocean and we have our sea life, ocean life that will get affected and we shall lose a lot of money. So, we definitely need to take it seriously, ensure that the illegal sewer lines have been disconnected, have been put in the right place and as I have already stated we do our oversight work to ensure that the three prayers by Honourable Samir Bhaloo in this Motion have adhered to; and let us not have this habit of passing Motions in this House and they go to gather dust in the shelves as has been the case in most times. So, thank you so much Mr. Speaker, I stand strongly to support this Motion.

The Temporary Speaker (Hon. Makanga)**:** Thank you Honourable Milka Ngare. Honourable Hamida Noor please make your contribution.

Hon. Noor: Thank you, Mr. Speaker Sir for giving me the opportunity to contribute on this Motion. Mr. Speaker Sir, I think this Motion has come at the right time, we have been waiting for it.

This is because as you are aware, right now, Mombasa we are having a lot of developments, especially in Tudor. Mr. Speaker, the kind of weather now that we are having, that we know that there is a weather change; we know that our rains are becoming more and more and whatever legal construction these apartments are doing into the river. I think we need to take more caution on this Motion so that we can see that even though we are having a lot of developments within Mombasa and it is getting more developed but we have to look at what is going into our sea so that we do not have to get to eat the fish that has been terminated through the sewers. So, Mr. Speaker, I support the Motion. Thank you so much.

The Temporary Speaker (Hon. Makanga)**:** Thank you, Honourable Hamida Noor. Honourable Nusura Mwinyi Kimuswa. Please make your contribution.

Hon. Nusura Mwinyi: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii. Kwanza nataka kushukuru Mwenyezi Mungu kwa kutuamsha salama na kutuleta tena katika Bunge hili ambapo Mheshimiwa Bhaloo jana alikuwa ameleta Mswada wake kwa bahati mbaya *quorum* haikukamilika lakini tulimwambia afanye bidii hii siku ya leo yeye mwenyewe afike hapa na *quorum* iwe imekamilika. Pili, nataka kumpa pongezi yeye Bwana Bhaloo kwa kuleta Mswada huu hapa, nafikiri ameileta kwa wakati unaofaa. Sasa hivi nafikiri Mheshimiwa Spika tuko na mvua nyingi ambayo inaweza kutuletea madhara kwa njia moja au nyengine, kwanza kuna vidimbwi ambavyo vinakaa maji pale ambayo hayakauki kwa haraka ambapo maji yale yanaweza kutuletea mbu, ikatuletea malaria. Vile vile maji kama haya wakati huu yanachanganyikana na maji ambayo sisi wenyewe tunakunywa, kwa mfano maji ya visima vyetu yanachanganyikana sana na maji ya mvua ambayo yanapita ambayo pia yanaweza kutuletea…

[Interruption]

The Temporary Speaker (Hon. Makanga**):** Honourable Nusura pole kwa kukusimamisha. Please Sergent at Arms usher in the Honourable Members for Ziwa la Ng'ombe, please usher him in because this is an important Motion that he must take part in this conversation otherwise, it will be injustice for people from Ziwa la Ng'ombe. Please usher him in, into the Chambers. Please proceed Honourable Nusura Mwinyi.

Hon. Nusura Mwinyi: Thank you Mr. Speaker. Nikiendelea kusema maji haya yanaweza kutudhuru kwa sababu wakati kama huu yana changanyikana sana na maji yetu ambayo tunakunywa na sisi kama watu wa Mombasa tunashida ya maji *fresh*, tunatumia maji ya chumvi ambayo yanachanganyikana kwa sasa hivi na maji ambayo yanapita, hivyo basi yatatuletea sana mkurupuko wa maradhi kwa wakati huu, kwa hivyo pongezi kwako Mheshimiwa Bhaloo, nimesimama kuunga mkono Mswada huu.

The Temporary Speaker (Hon. Makanga)**:** Thank you so much Honourable Nusura. Honourable Mwaka Bakari, I had given direction here that the leadership of Transport and Infrastructure, the Leadership of Water and sanitation, the leadership of Health, and the leadership of Housing and Urban planning they are parties to this Motion and they will have a right to respond because it will touch on their Committees as part of their mandate so, please can you make your contributions even as you give a position on behalf of your Committee.

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika. Nashukuru Mwenyezi Mungu ambaye ameniwezesha ama ametuwezesha kufika hapa siku ya leo.

Mimi kwa upande wangu na Kamati yangu nataka kusema tunaiunga mkono lakini kwa sababu ya vitengo vitatu ambavyo ni *Transport, Environment, Lands* ambazo kwamba ni Kamati husika wa kuweza kujizatiti na kuweza kufaulu hoja hii ikawa. Nataka kusema sisi tunaona tunaenda *benchmarking* sana labda sote tumewahi kufika Dubai, tukaona nyanja zote ziko chini ya ardhi lakini kwetu hapa sisi…

[Interruption]

The Temporary Speaker (Hon. Makanga)**:** Honourable Hamida wait! Honourable Hamida, please Serjeant, we have…, Wait Honourable Mwaka! We must conduct ourselves in a manner that up holds the integrity and dignity of this House and please let the gates of the Assembly be closed, we must close this conversation as House, please proceed Honourable Mwaka.

Hon. Muludonda: Kwa hivyo donda sugu hili tutasema kupitisha lakini donda sugu hili ni donda sugu ambalo nila siku nyingi, haliwezi kusema sisi tunapitisha kitu hapa leo natukasema kitakuwa kwa sababu ni kitu cha ukolono, kwa hivyo sisi, mimi na kamati yangu nitaweza kupeleka ujumbe huu katika kamati ya transport ili tuwezeku play our part kama Transport lakini jambo hili ni jambo ambalo kwamba liweze kushirikishwa kamati zote tatu ilituweze kufaulu na tuweze kujuwa mswada huu tumeupitisha, ili tuweze kufanikisha jambo hili. Kwa hivyo Mheshimiwa Spika kwa upande wa Transport sisi tutaweza kukaa chini na kamati hizi zote tatu husika ilituweze kuona jambo hili limefanyika, kwa upande wangu naunga mkono jambo hili kwa kuweza kusaidia wananchi wetu wa Mombasa, ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga)**:** Ahsante sana Mheshimiwa Mwaka kwa niaba ya Transport and Infrastructure. Leadership from or any Member from the Water and sanitation Committee, do we have anyone? The Vice - Chair was here and she has left, any Member from the Water Committee? Yes, Honourable Hamida Noor.

Hon. Noor: Being a Member of the Water Committee Mr. Speaker, as my colleague have said we should all have a joint meeting together so that we can all seat and see where this problem can be solved, it is an urgent thing because you can here everybody is complaining about implementation because we do pass Motions in this House and they are not implemented. So, if this thing is going to take a week or so, so that we can come back and discuss the problem, it would be very good because right now, it is an environment that is changing within our country. You can all see that we were going to have a cyclone wind and thank God it did not happen but our rains are not what they used to be and I think everyone is finding out that there is a change within the environment so that we can take this thing seriously, once and for all.

We get to talk to the people who are doing the developments; especially in Tudor, I am emphasizing because all the beautiful, nice, big houses are going away and being replaced by apartments within Tudor it is becoming more and more crowded so, if all these departments we can sit down together, the three Departments that have just been said, including the Honourable Member who has brought in this Motion, I think it would be a good thing. Let us take this thing seriously, Mr. Speaker and do the implementation once and for all. Some of us have brought motions here, and they are yet to be implemented. So, with this, let us start and make it a habit when a Motion comes up less than a week, we implement it so that our members of public themselves will feel that we are doing something for them.

With this it is going to be an experiment for us and an eye-opening. So, let us take this seriously with all the departments that have been mentioned so that we can do this for our County. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga)**:** Thank you so much, Honourable Hamida Noor for that contribution and the position on behalf of the Water Committee. Committee on Environment any leader or a Member of that Committee?

[Silence]

The Temporary Speaker (Hon. Makanga)**:** There is no one present? Honourable Maimuna, you are a Member of the Environment Committee. Please make your personal contributions and give a position of the Environment and Solid Waste Management Committee.

Hon. Maimuna Salim: Mheshimiwa Spika ahsante sana. Kwa niaba ya Kamati ya Mazingira ningesimama kuzungumza ya kwamba ni mpaka tushirikiane Kamati zote hizo ambazo umetaja tatu tuweze kukaa na tuje na suluhisho la kudumu. Kwa hivyo ningeomba unipatie hiyo nafasi Kamati tutawafahamisha, Makarani watawaandikia ya kwamba kuna kikao cha idara tatu, ya *Health, Environment na Water*…

The Temporary Speaker (Hon. Makanga)**:** And the Transport and Infrastructure Committee.

Hon. Maimuna Salim: Ndio ni Wizara nne kwa hivyo tutakaa tuweze kujadiliana tuje na mwelekeo ambao utakaowaridhisha wananchi wetu Mheshimiwa Spika. Ahsante sana.

The Temporary Speaker (Hon. Makanga)**:** Thank you so much, Honourable Maimuna. Honourable Nyota, Member of the County Assembly, Ziwa La Ng'ombe I think a Member of the Implementation Committee. Please make your contributions as a Member of Ziwa La ngombe.

Hon. Hamisi Nyota: Thank you, Mr. Speaker. I support the Motion.

The Temporary Speaker (Hon. Makanga)**:** Thank you so much, Honourable Priscilla Mumba, Chief Whip of the Majority Party. Please make your contribution.

The Chief Whip (Hon. Mumba)**:** Ahsante Mheshimiwa Spika. Nilikuwa niko hapa nafikiria leo nitaselelea lakini kwa sababu huyu ni jirani yangu katika maeneo tunayotoka na nikiweka historia ya kuwa katika Bunge hili lilipokuwa katika Bunge la pili nilikuwa Mwenyekiti wa Kamati ya Barabara na Miundo Msingi na naelewa haya matatizo ambayo Mheshimiwa Bhallo ameyaleta hapa na hii ndio shida kubwa tulionayo. Saa hii Mheshimiwa Spika katika mji huu wetu ambao unaoendelea kwa kasi na shida kubwa ambayo iko hapa ni shida ya hawa hawa mabwenyenye wanaojenga hizi nyumba kila mtu anakwambia mimi ninajua nina sauti na nitamshika nani kwa vile siwezekani. Hiyo ndio shida imeharibu haya majukumu kushuhulikiwa na Wizara zinazostahili maanake wakifika wao wanatumia nguvu zao sana; na ninaunga mkono zaidi vile Mheshimiwa Hamida alivyozungumza hapa kuwa jambo hili linataka kushughulikiwa haraka iwezekanavyo kwa sababu hili ni donda sugu na limekuwa likisumbua hapa kwetu Kaunti na limekuwa likisumbua wizara nyingi kwa sababu ya kazi yake iliyotaka kutekelezwa.

Maana haya majumba kazi ya kwanza ikiwa yataenda yakifungwa ili uchafu uweze kuwaregelea wenyewe ndio waweze kuchukua hatua; kwa hivyo tutakua tunajua tumeanza vita vikubwa na vita hivi ni mpaka watu washirikiane vilivyo na mimi namshukuru Mungu kwa kitu kimoja katika hii Wizara ya Mazingira nafikiri tuko na *very able* Naibu Gavana ambae haogopi kitu. Mumemnukuu mara nyingi akiweza kutetea na kusaidia kuona kazi imefanyika Mheshimiwa Bhallo ningekuomba hata kama tutaipitisha hii upate fursa mwafaka uende ukamuone Naibu Gavana ukae nae umueleze kwa kirefu na nina hakika jambo hili atakusaidia vilivyo. Mimi nimemuona akija kwangu na akitatua nyumba kadhaa zilizokuwa na shida kama hizi akiwa peke yake na aashikilia lile jambo na mpaka saa hizi naweza toa ushahidi kuwa Naibu Gavana anafanya kazi na hii kazi ataiweza maana hivi vikao tutakaa Wizara zote zitakaa lakini shida kubwa itatokea ni nani ata *face* yale majumba majumba ni nani ata *face* ile mijengo ni nani atasukuma mpaka lile jambo lifanyike na hapo ndio uzembeaji mkubwa unatokea katika Kaunti hii yetu.

Kwa sababu hata wafanyikazi ambao tuko nao wengine atatumwa kwenda kufanya ile kazi na atakwenda pale na atapewa cha mlango wa nyuma atadanganya tu kazi imefanywa. Lakini nakuhakikishia Naibu Gavana anaposhikilia jambo lake hua haliachi mpaka ahakikishe lile jambo limefaulu na hapo nakupa uaminifu wangu ikiwa mimi ni mmoja nitakusaidia nikiwa niko katika Kamati kadhaa hapa zilizotajwa. Niko kwa Kamati ya Usafiri, Mazingara kama Mwanachama, kwa hivyo mimi pia ni mmoja ambae nitahusika kikamilifu kuweza kukusaidia hata ukitaka tuende pamoja kwa Naibu Gavana niweze kuleta uzito kwa sababu naelewa wakati hizi *drainage* wakati hazifanyi kazi ama zimechanganyika mambo hua kunakua na mkurupuko mkubwa sana, ile eneo ambayo wewe uko hata kama magorofa yanajengwa kuna sehemu kubwa sana ambayo ni ya *slums* ambayo ndo iko chini kwa hivyo huu mkurupuko ukitoka kule juu unakuta hawa wanyonge ambao wako huku chini wote.

Kwa hivyo shida iko pale ni shida kubwa, Mheshimiwa Spika ni kitu ambacho hata mimi mwenyewe nakijua na ninakielewa na kinahitaji kushughulikiwa kwa haraka, kwa sababu kitambo tuweke hizi Kamati ulivyosema na ukiangalia leo ndio tunavunja mchana wa Bunge tutakua kwenye mapumziko kwa wiki tatu. Mheshimiwa Spika wiki tatu kutakua kunapita maafa makubwa sana na kikao cha Kamati kitambo tukutane zote tatu na waweze kutoa suluhisho na waweze kwenda *site visit* mjue huo ni mda utakua bado unaendelea na watu wanazidi kuumia. Kwa hivyo ninaomba tu Mheshimiwa Samir Bhaloo uchukue fursa yako uende ukaonane na Naibu Gavana hata kama vikao vitakaliwa badae lakini uwe una *step ahead* ya kujua unasaidika vipi nani wapi *hotspot* ambapo unataka pashughulikiwe kwa haraka. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir)**:** Thank you so much Honourable Priscilla Mumba Chief Whip Majority party. Honourable Samir Bhaloo, please respond, please reply to the Motion.

Hon. Bhaloo: Ahsanteni sana Waheshimiwa natumai mimi nimeanza tayari niko kwa Kamati ya Utekelezaji. Mimi kwa ile *building* ambayo naishi tayari nimefunga ile *illegal connection* leo hii pale nje kwangu kuna mafuriko nimeanza mimi na naomba tuungane mkono tupitishe huu msaada. Ahsanteni.

The Temporary Speaker (Hon. Abdirahaman Abdikadir)**:** Thank you so much Honourable Samir Bhaloo and Honourable Members for your insightful contributions and according to the Constitution of Kenya Article 43(1) (b) *that every person has the right to accessible and adequate housing and to reasonable standards of sanitation*.

Then (d) of the same *to clean and safe water in adequate quantities* and then Schedule 4 of the Constitution outlines the functions of the County governments where number 11 *the County Public Works and Services including storm water management systems in build up areas water and sanitation services.* And again, according to our Standing Orders number 182(1) on joint sittings of Committees of the County Assembly considering similar matters may with approval by Speaker hold joint Sittings. The Chairperson of a joint Sitting Committee shall be based on the ranking order set out under Paragraph 2 of Standing Order, three proceedings on assemble of a new County Assembly and again it talks about a quorum and everything. Now considering that the matter that is before us the sensitivity and the interest that concerns not only Tudor Ward but the entire Mombasa County, I give the following directions that all the mentioned Committees to hold a joint sitting within the next seven days whether on recess or not to have a joint sitting to converse around this matter and file …

[Interruption]

Honourable Nusura Mwinyi, I am giving directions! Honourable Nusura Mwinyi, please consult in low tones and present that Report to this House in its earliest opportunity time within the first week of resumptions of our sittings, it is so ordered! Now, I know put the question that the Motion by Honourable Samir Bhaloo on, measures to mitigate against illegal connections of sewer lines and environmental pollution in Tudor Ward and other vulnerable areas within Mombasa County be adopted by this Honourable House in the same terms as moved.

[Question put and agreed upon]

The Motion by Honourable Samir Bhaloo Measures to mitigate against illegal connections of sewer lines and environmental pollution in Tudor Ward and other vulnerable areas within Mombasa County is adopted by this House. Yes, Clerk next order please.

BILL

THE MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY (AMENDMENT) BILL, 2024

FIRST READING

Yes, Clerk read the Bill for the first time?

[The Bill was read for the first time]

Honourable Members, the Bill stands committed to the Committee on Transport and Infrastructure for consideration. Yes, Clerk next order please?

PAPER

THE MOMBASA COUNTY PROGRAM BASED BUDGET ESTIMATE FISCAL YEAR, 2024/2025

Yes, Honourable Maimuna Salim, Deputy Leader of Majority Party please lay the Paper.

The Deputy Leader of Majority (Hon. Maimuna Salim)**:** I want to lay the Paper Mombasa County Program Based Budget Estimates fiscal year 2024/2025, may I lay the Paper Mr. Speaker Sir.

[Paper laid]

The Temporary Speaker (Abdirahman Abdikadir)**:** Honourable Members, the Paper on Mombasa County Program Base Budget Estimates fiscal year 2024/2025 stands committed to the Committee of Finance Budget and Appropriations for considerations. Yes, Clerk next order please.

ADJOURNMENT

Honourable Members, this House stands adjourned until Wednesday 8th May, 2024 at 2:30p.m.

The House rose at 12:21p.m.