

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Tuesday, 7th August, 2018

*The House met at the County Assembly Chamber,
Malindi Town, at 2.30 p.m.*

[The Temporary Speaker (Hon. (Ms.) Maneno) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

VISITING STUDENTS FROM KITSOWENI PRIMARY SCHOOL

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Members, I would like to acknowledge the presence of pupils in the public gallery this afternoon from Kitsoweni Primary School. These pupils are here for a study visit to appreciate the legislative procedures, practices, traditions and parliamentary proceedings.

I request that each pupil stand up when called upon so that they may be acknowledged in the Parliamentary tradition:-

1. Evans Mzungu
2. Rajab Ngombo
3. Dickson Chilango
4. Eric Hassan
5. Duncan Safari
6. Tedyson Nyalle
7. Mekame Kawala
8. James Chonga
9. Regina Kittu
10. Elvina Gogo
11. Sarah Kalama
12. Caren Yawa
13. Linnette Nyamawi
14. Faith Runya
15. Stella Kai
16. Gladys Lewa
17. Rehema Amani
18. Norman Machache
19. Baraka Hariri
20. Elija Kandoro

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21. Emma Kittu
22. Anete Deche
23. Pamela makupe
24. Eunice Lewa
25. Dorothy Jitwa
26. Grace Chigiri
27. Asmin Dzombo

They are accompanied by their teachers;

1. Mr. Ngala Ndumbu
2. Mr. Besnon Mwamegi
3. Mr. Anthony Mwaka
4. Mrs. Didza Deche
5. Moris Dzombo
6. Bonface Karima
7. Anthony Mbwana

On behalf of the County Assembly of Kilifi and on my behalf, I welcome them to the Assembly and wish them well. Thank you. I welcome hon. Mbura to acknowledge their presence.

Hon. Mbura: Thank you Madam Speaker, for this opportunity to give welcoming remarks to my students from Kitsoweni Primary School. I also wish to inform the teachers and students from Kitsoweni Primary School that the hon. Member on the Floor is Ronald Kazungu Mbura representing Chasimba Ward in this Assembly. After I give this small introduction or speech, I also wish to ask you Madam Speaker to also give a chance to my nominated Member who also comes from Chasimba Ward hon. (Ms.) Winfred representing women in this County Assembly.

This House today feels honoured to receive students from Kitsoweni Primary School; one of the best schools in terms of performance in Chasimba Ward. It is the only primary school that has been able to visit this County Assembly since I took over the political leadership of Chasimba Ward. I again wish to inform the Assembly that these students are here to learn on how we conduct the Business of this Assembly...

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Mbura, are you reading a speech or you are...?

Hon. Mbura: No, I am not reading.

The Temporary Speaker (Hon. (Ms.) Maneno): Okay, proceed.

Hon. Mbura: I also wish to inform the students that this House plays three roles. One of the roles is legislative; that is making of laws; the other ones are representation and oversight. I will talk on the legislative part of it. Madam Speaker, this House has achieved a number of milestones. One of the milestones is the formation of the County Scholarship Policy which is active as at now.

This County Scholarship Policy is geared at assisting the very needy and best students. I wish to mention in this House that Kitsoweni Primary School has been one of the best schools and has been one of the schools that have sent students to National Schools; they have benefitted from this fund. More than 60 students from Chasimba Ward have benefitted from this scholarship; Kitsoweni Primary School students being some of them. On the same, Kitsoweni

Primary School is still on the urge to learn and excel so that they can continue to benefit from this scholarship fund.

I want to tell the House that these students after here will be different in terms of thinking and exposure. This will also be a chance for the rest of the students of Kitsoweni Primary School to learn and get to know what is happening here. I know they are very eager to know exactly what is happening in this House. So, I want to tell the students to be free and interact with the staff of the Assembly to learn, see and hear everything that is happening within the Assembly.

With those few remarks, I wish to welcome the students in this Assembly today and finally thanking the management of the Kilifi County Assembly for the support in terms of transport facilitation for my students.

(Applause)

If it were not for the Assembly, my students would not have come. So, I am very grateful for that and let the Almighty God bless the management. Thank you so much, Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. (Ms.) Winfred.

Hon. (Ms.) Winfred: Thank you Madam Speaker. May I take this opportunity to welcome Kitsoweni Primary School. I am hon. (Ms.) Winfred Mwangome from Kilifi County, Chonyi Division, Chasimba Ward. I am happy to receive you all; teachers and students. Welcome and may God bless you. Thank you.

PAPER

FOURTH QUARTERLY REPORT FOR THE DEPARTMENT OF HEALTH SERVICES FY 2017/2018

The Leader of Minority (Hon. Mwayaa): Thank you, Madam Speaker. On behalf of the Leader of Majority, I will read the statement. Today being Thursday, 7th August, 2018, I wish to lay on the Table of this House the Fourth Quarterly Report for the Department of Health Services. Thank you, Madam Speaker.

(Hon. Mwayaa laid the document on the Table)

The Temporary Speaker (Hon. (Ms.) Maneno): The Fourth Quarterly Report for the Department of Health Services has been tabled by the Leader of Minority and I hereby commit the Report to the Committee on Health Services which should be dealt with pursuant to Standing Order No. 187 (1) (a)... What is not happening? Hon. Chiriba?

Hon. Chiriba: Thank you Madam Speaker. I rise on a Point...

The Temporary Speaker (Hon. (Ms.) Maneno): Point of Order or Information?

Hon. Chiriba: Information.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Mwayaa, do you wish to be informed?

Hon. Mwayaa: Madam Speaker, no! I do not want to be informed.

The Temporary Speaker (Hon. (Ms.) Maneno): Take your sit hon. Chiriba.

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STATEMENT

STATUS OF SOLID WASTE MANAGEMENT IN SHIMO LA TEWA WARD

The Temporary Speaker (Hon. (Ms.) Maneno): Is hon. Samuel Ndago Gambo present? Okay, hon. Hassan.

Hon. Hassan: Thank you Madam Speaker for giving me this responsibility to respond to the Statement sought by hon. Ndago of Shimo La Tewa Ward from the County Executive Committee Member (CEC) of my docket as follows...

The Temporary Speaker (Hon. (Ms.) Maneno): Which is your docket?

Hon. Hassan: I am sorry Madam Speaker.

(Laughter)

...Water, Environment, Natural Resources and Solid Waste Management.

The Temporary Speaker (Hon. (Ms.) Maneno): Okay, proceed.

Hon. Hassan: That, the Community Based Groups working with the Department take their waste to ...I do not see properly. Is it Msikitini...? Hon. Ndago...

Hon. Ndago: Kizingitini.

Hon. Hassan: ...Kizingitini and Lambada areas for collection by the county trucks. Kitaruni area is therefore neither a dumpsite nor a collection point for the Department. However, the Department collects the waste in that area to ensure overall cleanliness of Mtwapa town.

That indeed the Department acquired land at Kizingitini area which was earmarked for development of a solid waste management facility. Precisely, the proposed facility can be used to convert waste into energy.

That the Department is in negotiation with the potential investors who shall come up with appropriate technology and set up the plant in the said piece of land. The negotiations are at an advanced stage.

That at the moment, the land cannot be used as a dumpsite as it currently does not meet the statutory requirement and the community around the area is against open dumping on the said parcel of land. That is all Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Yes hon. Ndago, are you okay with that Response.

Hon. Ndago: No, I am not okay with the Response. If you allow me I can just give him some information.

The Temporary Speaker (Hon. (Ms.) Maneno): Yes proceed with the information.

Hon. Ndago: Thank you Madam Speaker. First, I would like to thank the hon. Member who was on the Floor for responding on the waste management especially from Shimo la Tewa Ward and I want to be very sincere that the Report the Committee has brought is not satisfying me as the area Member for Shimo la Tewa Ward.

One, the Member has just said that the County Government is responsible for collection points if I am not wrong. Kitaruni is just next to my office. If he says that area is not being used as a collection point, then I think he is misleading this House because every day in the morning I have to go to my office before I come to the Assembly and I normally see where the garbage is. The land does not belong to the County Government and I am very aware that when normal citizens see a county tractor parked somewhere, they normally throw garbage.

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The County Government is not directing the people of Kilifi where to throw their garbage. They just use the areas where normal *mwananchi* has been throwing garbage. We are aware that the County Government has land in Shimo la Tewa.

Two, the hon. Member is telling the House that the County bought land at Kizingitini. It is true but there are some mistakes that were done before the land was bought. The first mistake is that there was no public participation before they bought that land. Second, they did not do any Environmental Impact Assessment (EIA) as per the law. They just went and bought the land from the owner and the community was not involved. That is why the community is resisting the use of that land as a dumping site by the County Government.

Again, there was a Memorandum that was brought to the Committee and the Memorandum was also copied to his Excellency, the Governor of Kilifi, and there were some...

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Ndago, do you have the copy of the Memorandum?

Hon. Ndago: I have it in my phone Madam Speaker, and I have already requested the Principal Clerk Assistant to print it for us so that we can get a copy or the Committee can get the copy.

To support my statement, hon. Victor Mwanganda can confirm to the House that we were served with a Memorandum. The memorandum was served to the Committee and the Department. In that Memorandum, Madam Speaker, the Chief Officer Mr. Andrew Mwakoti and Mr. Mwasimba who was the Director of Environment were responsible for that. There are minutes which can confirm that the County Government of Kilifi through the Department had a meeting in Kizingitini area and there were agreements where the County Government was supposed to have a public participation forum to inform the community that they bought land and we want to use it as a dumping site and because that was not done, then the community is resisting.

Up to date, as I am speaking, Mtwapa Town does not have a dumping site. The land that was bought was just a secret between the Government officials and the community was not informed. I will request my colleague, the Member who was just on the Floor to go back and seek the right information because the information that he is giving me to take back to my people is not sufficient.

One, if he is saying that the dumping site at Kitaruni area is not there, then he is lying to the hon. Members because most of the time I go to my office, the dump site is just next to my office. When I sit in my office, just through my window I can see the garbage.

Two, the EIA is very important and before you do the environmental assessment Madam Speaker, you have to inform the public so that the public can cooperate with the Government and make sure that the services that are coming to the common *mwananchi* every one is aware of; which the Constitution is very clear on.

We believe information is power. Everyone needs to be informed so that we can know what kind of project the Government wants to bring to the community so that we as the community can participate. I am aware that many Chief Officers do not involve the area MCAs or the representatives of the people. They just go and seek information from the community or sometimes they do not go, they just write Reports and bring them to the Assembly. So Madam Speaker, I am not satisfied with the Report. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno): Yes hon. Chiriba.

Hon. Chiriba: Thank you Madam Speaker. I rise in support to hon. Ndago in expressing his dissatisfaction in the explanation from the CEC Member. It seems to be very shallow as far as

hon. Ndago's prayer is concerned. You will agree with me that Mtwapa Town is a fast growing town; a town that is attracting tourists who in turn can be potential investors in that town.

From the Report which we are receiving from the CEC Member, I think the issues to be addressed is; we are getting towards looking into making Mtwapa a very conducive town that may create a good environment, the issue of us seeing garbage being dumped along the Mombasa-Malindi highway, even somebody passing by is wondering what kind of a mess is happening because if we look at that garbage along the road, it is not a town but a waste of some kind. We real want to rectify as a County so that we maintain the spirit of tourist attraction and investors.

It is cleared that there are earmarked areas for dumping garbage. Why don't we make sure these areas are put into use? Land was bought; now we are getting some complaints that there is some resistance because important issues were not considered like bringing the public on board so that they can also have their input towards making this noble idea. You know the issues of dumping areas are crucial because we cannot just go ahead and dump waste anywhere which will turn to be harmful to the lives of our people.

It is my prayer that Mtwapa needs great honour. I have been to Mtwapa. I know what is coming up in Mtwapa; so even this entire House needs to stand in support so that we can make sure Mtwapa is clean. I know even some hon. Members here are trying to invest in Mtwapa. It will not be honourable to you as a hon. Member to live just next to a dumping site. So, let me say the problem of the hon. Member of Shimo la Tewa is not only his problem; it is for all of us.

So, I pray this House is in support of the same and that my able Chairperson... it is a good thing that I happen to be in that Committee; I am very much concerned. So, my hon. Chairperson for Water and Environment, I pray that you agree with hon. Ndago and that we can put to task the CEC Member to make sure that he gives us a very convincing Report that shall contain the prayer of this Statement as the hon. Member has put it. Thank you, Madam Speaker for this opportunity.

Temporary Speaker (Hon. Ms. Maneno): Thank you. Yes hon. Victor Gogo.

Hon. Gogo: Asante mheshimiwa Spika kwa hii nafasi umenipa nichangie kwenye hii Hoja ya mheshimiwa Ndago. Nina muunga mkono kwa yale ambayo ameyazungumza. Mwenyekiti wa hii Kamati wewe ni mtu mzima na una ujuzi mwingi wa kuhudumia wananchi wa Kilifi.

Nimekuwa nikisoma haya majibu ya Waziri. Kuna mahali amesema kwamba amenunua shamba Kizingitini. Mheshimiwa Spika, Kizingitini iko katika Wadi yangu ya Mtepeni na mbele ya waheshimiwa wote nasema kwamba mimi na wananchi wangu wa Mtepeni tumekataa hiyo nafasi imwagwe takataka kwa sababu hapo ambapo serikali yetu imenunua, kuna shule ya chekechea ambayo ilijegwa na pesa za mwananchi; pesa za ustawishaji wa maeneo Bunge. Iko tu kama mita 50 karibu na hiyo sehemu waliyotenga kumwaga takataka.

Pili, hiyo sehemu waliyonunua iko mlimani kwenye mteremko. Chini yake kuna mkono wa bahari na ukimwaga takataka hapo, mvua ikinyesha uchafu wote utaingia kwenye bahari na utaathiri viumbe vyetu katika bahari hiyo. Kwa hivyo, kile ningomba mheshimiwa Mwenyekiti, wewe na Kamati yako muweze kuzuru katika sehemu hiyo ili ulinganishe haya maswala ya Waziri na pale mahali vile palivyo ndipo utahurumia watoto wetu. Naamini utatuunga mkono sisi kwamba kuna jambo muhimu lifanywe; tutafute mahali ambapo tutatupa takataka zetu lakini si Kizingitini.

Mwisho mheshimiwa Spika, Mtwapa ndio lango letu la Kilifi na watu wote wanaoingia Kilifi kutoka upande huo wanaingilia Mtwapa. Ni aibu kubwa sana kuona takataka ziko

barabarani. Kile ningeomba sana kupitia kwa Mwenyekiti huyu ambaye najua anaweza kumsukuma waziri na timu yake watafute mahali pazuri ambapo watamwaga takataka mbali na Kizingitini. Mimi naomba maoni ya watu wa Mtepeni Mwenyekiti utayazingatia; utawahurumia watoto wetu ambao wanasomea pale. Pia, uwe mstari wa mbele kukemea na kukataa, kama haiwezekani, mimi kama MCA wa Mtepeni nasema nimekataa na watu wangu hawatakubali takataka ziwekwe hapo mahali. Kwa hayo machache namuunga mkono Mheshimiwa Sammy Ndago.

Temporary Speaker (Hon. (Ms) Maneno): Yes hon. Hassan do you wish to respond?

Hon. Hassan: Thank you Madam Speaker. I think it could be better if the Committee can be given time at least two to four days is enough for the Committee to do the oversight and come up with a genuine Report. Thank you, Madam Speaker.

Temporary Speaker (Hon. (Ms) Maneno): Thank you hon. Hassan. I therefore commit this Response back to you to come up with a detailed Report; visit the site and also you can be accompanied by the hon. Member for Shimo la Tewa Ward. I am giving you seven days to come up with that Report.

ADJOURNMENT

Hon. Members, there being no other business this House stands adjourned until tomorrow at 2.30 p.m.

The House rose at 3:05 p.m.