

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 11th July, 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

PAPER

THE KILIFI COUNTY INTEGRATED DEVELOPMENT PLAN (CIDP) 2018-2022

Hon. Mwayaa: Thank you Madam Speaker. I stand in for the Leader of Majority. Today being Wednesday, 11th July, 2018, pursuant to the provisions of Standing Order No. 206 (a), I wish to lay on the Table of this House the Kilifi County Integrated Development Plan (CIDP) 2018-2022. Thank you.

(Hon. Mwayaa laid the document on the Table)

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Members, the CIDP has been tabled before the House pursuant to the Standing Order 206 (a) (3), it stands committed to all the Sectoral Committees and each Committee has 21 days to submit their views to the Budget and Appropriations Committee. Next order? Hon. (Ms.) Saumu (Sidi).

STATEMENTS

ORDER OF BUSINESS FOR THE WEEK COMMENCING 16TH JULY, 2018

Hon. (Ms.) Sidi: Thank you Madam Speaker. Pursuant to Standing Order 41 (2) (a), I will now read the programme of the week commencing Monday, 16th July, 2018;

Monday, 16th July, 2018 from 2:30 p.m.; the Business of the day will be; (a) Statements. First Statement sought by hon. Thomas Mumba Chengo from the County Executive Committee Member in charge of the Department of Lands, Energy, Housing and Urban Development. Second, is a Statement sought by hon. Nixon Mramba from the Chairperson Kilifi County Public Service Board. Third, is a Statement sought by hon. Nixon Mramba from the County Executive

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Committee Member in charge of the Department of Devolution Public Service and Disaster Management.

Tuesday, 17th July, 2018 from 9:30 a.m., the Business of the day will be; (a) Statements, Statement sought by hon. Benson Kazungu Chengo from the County Executive Committee Member in Charge of The Department of Roads, Transport and Public Works. Second, is a Statement sought by hon. Benson Kazungu Chengo from The County Executive Committee Member in Charge of the Department of Trade, Tourism and Cooperative Development. Third, is a Statement sought by hon. Benson Kazungu Chengo from the County Executive Committee Member in Charge of the Department of Water, Environment, Natural Resources and Solid Waste Management.

Tuesday, 17th July 2018, 2:30 p.m., the Business will be; Statements, Statement sought by hon. Benson Kazungu Chengo from the County Executive Committee Member in Charge of the Department of Health Services. Third, is a Statement sought by hon. Samuel Ndagó Gambo from the County Executive Committee Member in Charge of the Department of Water, Environment Natural Resources and Solid Waste Management.

Wednesday, 18th July, 2018 from 2:30 p.m., the Business of the day will be; (a) Statements; Statement sought by hon. Samuel Ndagó Gambo from the County Executive Committee Member in charge of the Department of Roads, Transport and Public Works.

Next, is a Statement sought by hon. Emmanuel Changawa from the County Executive Committee Member in charge of the Department of Water, Environment, Natural Resources and Solid Waste Management. Next, is a Statement sought by hon. Stanley Kenga Karisa from the County Executive Committee Member in charge of the Department of Health Services and the last one is a Response to a Statement sought by hon. Peter Ziro from the County Executive Committee Member in charge of the Department of Education and ICT. That is the Business for the week. Thank you Madam Speaker.

IMPASSIBLE KIBAONI-FUNDISA- ADU ROAD

The Temporary Speaker (Hon. (Ms.) Maneno): Yes, hon. Stanley Kenga.

Hon. Kenga: Thank you very much Madam Speaker. I have a Statement that is directed to the County Executive Committee Member in charge of the Department of Roads, Transport and Public Works. This is through the Chairperson Committee on Roads, Transport and Public Works. It is on the impassable Kibaoni-Fundisa -Adu Road. That;

Whether the County Executive Committee Member is aware that the Kibaoni-Fundisa, Adu road is a county road? Whether, the CECM is aware that the maintenance works done during the early days of June, 2018 were sub-standard and as a result rendered the road impassable thus forcing the public service vehicles that were available to withdraw their services on the road. Whether the CECM is aware that when the maintenance works were on-going, there was no communication done to the Ward Administration Office, the Sub-County Administration Office and the area MCA's office and whether the CECM in-charge is further aware that no proper supervision on the maintenance works was done, and if yes, what is the Department doing to address these challenges faced by the members of public and make the road passable? Thank you very much.

The Temporary Speaker (Hon. Ms. Maneno): Is the hon. Chairperson for Roads, Transport and Public Works present? Take up on that Statement and come up with a Response

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within twenty one days. Is hon. Hassan Said Mohammed Chairperson Water, Environment, Natural Resources and Solid Waste Management around?

Hon. Maitha: Madam Speaker, I will hold a brief for the Chairman Water, Environment, Natural Resources and Solid Waste Management who is not present today.

WATER SHORTAGE IN TEZO WARD

The Temporary Speaker (Hon. Ms. Maneno): You can proceed.

Hon. Maitha: Statement sought by hon. Thomas Mumba; whether the County Executive Committee (CEC) Member is aware that Bahari, Magorani, Ngala, Zowerani and Soyosoyo villages in Tezo Ward had not been supplied with fresh piped water for over two years now and that the only supply rarely in form of water boozers from Mombasa Cement as a Corporate Social Responsibility (CSR) which is often not sufficient. If yes, what action and plans has the CEC taken towards solving this problem? Allow me to read the Response Madam Speaker.

Response to County Assembly on the shortage of water in Tezo Location. I would wish to respond to Statement dated 20th February, 2018 as follows;

The Department is aware of the status of water reticulation in the area and wishes to state as follows; Bahari village including Bahari Primary School is served by a two-inch pipeline reduced to one and half at the end of which, taking from the main road, Malindi-Mombasa highway, a distance of 3.5 kilometers water flows half way the line but does not reach the end because of the inadequate pressure due to high consumption midway .

The whole line needs upgrading from the off-take to the end hence in the financial year 2018/2019 an allocation of Kshs14 million has been considered to the water companies which are to take care of some upgrade works.

Magorani and Ngala villages will benefit from the ongoing Tezo-Ngala phase two water projects. In Zowerani village, water does not reach the village because of low pressure. The off-take pressure will be boosted once the 16 inch pipeline from Kakuyuni is completed; the village will be well covered then. In Soyosoyo Village, the pipeline has no enough pressure to supply the village because of inadequate flow from the off-take. However, the same line will also benefit from the upgrade works meant to be undertaken by the water company in the next financial year.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Mumba, are you okay with the Response?

Hon. Mumba: Thank you Madam Speaker. In Tezo Ward, there is no village called Magarini. I know of Magorani; may be the Response was directed to Magarini. I am not sure about that. I wish to state that water is a very important commodity in today's world and as I stated in my Statement that it has been two years since we have been experiencing this problem. Sad enough, there are people down at the shores of Indian Ocean who are enjoying good supplies of water. Can the CEC Member confirm that these are second class citizens who are subjected to this problem, whereby the rest who are first class citizens who are enjoying water on a daily basis to just come and give a Response not stating when and how these people can be assisted now as all these programmes are yet to be undertaken?

I expected that maybe we could have an intervention whereby these people can be assisted in a situation whereby when water boozers could be supplied to that region so that those people can enjoy water. The cries of the people of Tezo are told to wait until the programmes are

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upgraded or they have taken effect to solve the problem. So, are we solving the problem now or we are postponing a problem so that the people that I represent continue to suffer looking for water from long distances?

This is very sad if we have a CEC in charge of water who can't take immediate intervention to make sure that the people that we serve enjoy the services with immediate effect. We are hereby promised that after the implementation of the budget that's when the problem will be solved. The 16 inch water pipe that we are talking about was just introduced the other day; so is the CEC telling us that we are to wait for the programme by the World Bank to come for us to start enjoying water services?

He is enjoying the comfort of that chair in that office while the people of Tezo are suffering and we can see neighbours enjoying water because they are Europeans. There is no way those people can run shortage of water never at one time but we as neighbours are enduring this problem. This is very sad Madam Speaker. We expect the CEC to take charge and an immediate intervention to make sure that the people of Tezo enjoy fresh water as any other citizen. So Madam Speaker, I wish to take it back to you that we need a proper intervention from the CEC Member in charge of Water.

The Temporary Speaker (Hon. (Ms.) Maneno): I commit back the Response to the Committee on Water, Environment, Forest, Natural Resources and Solid Waste Management to come up with a detailed Response. Hon. Maitha.

STATUS OF BWAGAMOYO ASBESTOS DISPOSAL PLANT

Hon. Maitha: Thank you Madam Speaker. Before I read the other Response, I would like to say that the concern by hon. Mumba has been received and it will be taken care of. Madam Speaker. Allow me to read the Statement sought by hon. Ms. Carol;

Whether the CECM in charge of Water, Environment, Forest, Natural Resources and Solid Waste Management is aware that there is an asbestos disposal plant at Bwagamoyo Village in Mwawesa Ward, Rabai Sub-County. Whether the CECM in charge is aware that the implementation of the project has exposed the residents to a health hazard since asbestos exposure in form of pungent emission can lead to fibrotic lung diseases (asbestosis) and changes in the lining of the chest cavity (pleura). If yes, what measure has the CECM in charge taken to address the concern?

The Response from the CECM; I would wish to respond to the Statement dated 2nd May, 2018 as follows; The Department is aware of the proposed asbestos disposal plant that is located in Mwawesa Ward, Rabai Sub-County and owned by Marine Waste Collection Dealers Limited. The proposed project has a valid license issued by NEMA reference number NEMA/WM/LDS/617 valid from 10th January, 2017 to 30th September, 2018. The Department through the Rabai Sub-County Environmental Officer received the concerns of the community and responded by issuing a communication via a letter referenced to CG/KLF/COW/STAKEHOLDER/VOL.I/54 on 23rd April, 2018, herewith attached, advising the proponent to stop the project until all concerns of the community are fully addressed. The communication above was also copied to the NEMA office, Kilifi and the Deputy County Commissioner's office, Rabai. The Department in consultation with the Legal Department is planning to petition the license through the National Environment Tribunal. Kind regards, Hon. Kiringi Mwachitu. Thank you, Madam Speaker.

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Hon. (Ms.) Carol: Thank you Madam Speaker. I would like to acknowledge and appreciate the Response from the CECM, Mr. Mwachitu. However I would like to know whether the Department in consultation with the Legal Department has already petitioned the licenses? The residents of Mwawesa would like to know whether the licenses have been revoked or what response has been gotten after the petition. Also, I would like through the Chairperson of the Committee for Water, Environment, Forestry, Natural Resources and Solid Waste Management to come and pay a visit at the site so that they can come and have a feel of exactly what is happening on site and to also address the concerns of Mwawesa people. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Maitha, do you have anything?

Hon. Maitha: Madam Speaker, the other Statement is sought by hon. Maitha so I wish to let another Member read the Response. About the concern for Mwawesa, we had the CEC today and we are planning as a Committee to visit the site.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. Hon. Shaban.

Hon. Shaban: Thank you Madam Speaker. I wish to respond to a Statement sought by hon. Maitha Masha.

The Temporary Speaker (Hon. (Ms.) Maneno): There is a Point of Order from hon. Kiraga. Take your seat.

Hon. Kiraga: Thank you Madam Speaker. I think hon. (Ms.) Carol has asked two issues to be clarified by the Chairperson and one has been clarified but the issues of the petition, can the Chairperson also clarify to this House whether that petition has already been done to the relevant authorities?

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Maitha, can you respond to that?

Hon. Maitha: Thank you Madam Speaker and the concerned hon. Member but I say I am late because he is late. It is clearly written here, the Department is in consultation with the Legal Department planning to petition so if you say the petition is already on, then we are not reading from this. The Department is in consultation..., can you read the last statement hon. Member?

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

Hon. (Ms.) Carol: Thank you hon. Maitha. In the last paragraph it is indicated clearly that the Department in consultation with the Legal Department is planning... This letter was written on 5th May, 2018. We are now on 11th July, 2018, so since they started the planning, what is the response? They have been planning; we just want to know and Mwawesa people want to know what the outcome or feedback is. What response have we received from the relevant authority? Thank you.

Hon. Maitha: Madam Speaker, it sounds funny because the Statement sought was answered about the dates then not unless the hon. Member comes up with another Statement but for this one I guess the Response is in order. We are not talking about the date but about the Response, and so even if it is May, what was your Statement?

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

Hon. Mumba: Madam Speaker, the Member on the Floor reading the Response from the CEC Member is failing to take the concerns of the hon. Member for Mwawesa and purporting to be in defense of the CEC Member in charge of Water. Can the Member or the Chairperson clarify whether the consultations were done because those are very valid concerns pertaining to that Statement and if not, then he should partake it and take it upon him to go and consult from

the CEC Member in charge of water rather than purporting to be in defense of the CEC Member. So, Madam Speaker, please let the Member clarify that.

The Temporary Speaker (Hon. (Ms.) Maneno): Okay thank you. Hon. Maitha, the day you will go for the site visit kindly ask if the license was revoked and report that to hon. (Ms.) Carol. Thank you. Proceed hon. Shaban.

STATUS OF MBONGA-MIGUMOMIRI WATER PROJECT

Hon. Shaban: Thank you, Madam Speaker. I wish to respond to a Statement sought by hon. Maitha Masha. The Mbonga-Migumomiri Water Project; Whether the County Executive Committee Member in charge of the Department of Water, Environment, Forestry, Natural Resources and Solid Waste Management is aware that the rehabilitation of Mbonga-Migumomiri Water Project which was approved in the financial year 2015/2016 Budget was completed but is not in use to date. If yes, what are the reasons for the water project not being in operation and what measures the CEC is planning to ensure that the project is operational?

Madam Speaker, I wish to respond as follows; I wish to respond to the Statement dated 17th April, 2018. The Department is aware of the status of the project and wishes to state as follows: -

Rehabilitation of the project was done so that it gets water from an existing sub-tank that later on water will be pumped to Tsanzuni and Migumomiri. However, the tank which had stayed for long became defective and could not hold water hence needed replacement.

Further, the pump was stolen; a matter which was reported to the police and investigation is ongoing, a case being handled by KIMAWASCO (Kilifi-Mariakani Water and Sewerage Company) which runs water provision in the area. The Department has so far budgeted on repairing the tank and procuring another pump for the project in the financial year 2018/2019. Once this Budget sees the light of day, then completion of the project will be on course and the residents of the area will be in a position to enjoy this valuable service. Kind regards, hon. Kiringi Mwachitu. Thank you Madam Speaker.

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

Hon. Maitha: Thank you Madam Speaker. I am not comfortable with the Response because the water pump was stolen this year while rehabilitation was done in 2016; so I need more clarity about the same. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Maitha, since you are among the Members of the Committee, you can follow up this matter at the Committee level. Thank you.

ADJOURNMENT

Hon. Members, there being no other Business, this House stands adjourned until Monday 2:30 p.m.

The House rose at 3:23 p.m.

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