

COUNTY GOVERNMENT OF TAITA TAVETA



COUNTY ASSEMBLY OF TAITA TAVETA

SECOND ASSEMBLY - FOURTH SESSION

**COMMITTEE ON TRADE, INDUSTRY & COOPERATIVES
DEVELOPMENT**

**REPORT
ON
SCRUTINY ON THE ALLOCATION OF MOI AND DAWSON
MWANYUMBA STADIA STALLS**

Laid on 8/10/2020
At 2.49 PM By
Hon. DANIEL
NGURU
(Signature)

OCTOBER, 2020

Committee on Trade, Industry & Cooperative development

PREFACE

Mr. Speaker Sir, the Committee on Trade, ICT, Industry and Cooperative development is one of the sectoral committees constituted on 11th December, 2018, pursuant to the provisions of the Taita Taveta County Assembly Standing Order No. 193. Pursuant to Standing Order No. 182 (6) the Committee hereby presents its report on the scrutiny of awarding of stalls at Moi and Dawson Mwanyumba Stadia

Committee Membership

Mr. Speaker Sir, the Committee on Trade, ICT, Industry & Cooperative development of the County Assembly of Taita Taveta as currently constituted, comprises of the following Members;

1. Hon. Daniel Nguzo, **MCA**, Chairperson
2. Hon. Anthony Warighe, **MCA**, Vice Chairperson
3. Hon. Ronald Sagurani, **MCA**, Member
4. Hon. Godwin Kilele, **MCA**, Member
5. Hon. Lilian Kidali, **MCA**, Member
6. Hon. Constance Mwandawiro, **MCA**, Member
7. Hon. Jones Solomon, **MCA**, Member
8. Hon. Martha Kenio, **MCA**, Member
9. Hon. Anselm Mwadime, **MCA**, Member
10. Hon. Bertina Mwaiseghe, **MCA**, Member
11. Hon. Frank Mmare, **MCA**, Member

Committee Mandate

Pursuant to the provisions of Standing Order No. 193 (5) The Committee on Trade, ICT, Industry & Co-operatives development is mandated to;

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- (c) Study and review all County legislation referred to it;

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- (d) Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- (f) Vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187 (*Committee on Appointments*); and
- (g) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

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ACKNOWLEDGEMENTS

Mr. Speaker Sir, on behalf of the committee, I take this opportunity to sincerely thank the members of Committee, the office of the Speaker and Clerk for their valuable contributions and facilitation during the deliberations that culminated to this report.

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1.0 CHAPTER ONE: INTRODUCTION

Mr. Speaker Sir, the exercise of allocation of stalls at Moi Stadium Voi and Wundanyi Stadium has raised eyebrows and concerns with most traders and members of the public complaining of favouritism, unfairness and illegal multi-practices of the whole exercise since its commencement.

Mr. Speaker Sir, it is sad to note that there are some traders whom have owned stalls in various County markets for over 15 years since the period of the defunct County Governments, which raises major concerns of whether the County Government does collect revenue in these stalls since most of the contracts between the traders and the defunct Municipal Councils expired.

Mr. Speaker Sir, it is important to note that, these stalls are revenue raising streams for the County, thus there's need to have sanity and fairness during allocation exercises and ensure capable traders are awarded these stalls spaces to avoid scenarios as witnessed in the Voi Highway market where some traders who were allocated stalls spaces failed to complete the construction works within the completion date of 29th February, 2020.

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2.0 CHAPTER TWO: COMMITTEE'S METHODOLOGY/APPROACH

2.1 Committee Proceedings

The Committee held over **5 sittings** to review and determine the admissibility of the matter.

2.2 Committee Meeting with CECM

The Committee had a consultative meeting with the CECM for Trade, Tourism, Industry & Cooperative Development and her team on 5th October, 2020 at Zoghor Hotel to shed more light on the matter.

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3.0 CHAPTER THREE: COMMITTEE FINDINGS

The CECM for Trade, Tourism, Industry & Cooperative development denied the department being involved in whole process of awarding of the stalls at Moi and Dawson Mwanyumba stadia. The said stalls are under Youths and Sports department and not under Trade and that the department was only tasked to advertise. The department is not in possession of the file concerning these stalls and efforts to get the file have not been fruitful.

The process used in the space allocation was flawed as there were many irregularities, illegal money transactions, favouritism where County staffs and National Government officials awarded themselves stalls.

The traders and interested members of the public were asked to deposit the stalls fees directly to the constructors account instead of depositing the money to the County Revenue Fund (CRF) account.

The plans for the two stadiums was never approved by the County Assembly before the commencement of the construction works and also there was no plan from public works departments to have all the stalls constructed in uniformity.

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4:0 COMMITTEE CONCLUSION AND RECOMMENDATIONS

4:1 COMMITTEE CONCLUSION

The Committee made the following conclusion;

The whole process of awarding the stalls at Moi and Dawson Mwanyumba stadia was done illegally and the due legal process was not followed. Stalls were being awarded unfairly whereby County staffs and Government officials awarded themselves the stalls and the County Assembly Committee on Trade, Tourism, Industry & Cooperatives Development was not involved in the whole process.

4:2 COMMITTEE RECOMMENDATION

The Committee recommends that the Second County Assembly resolves as follows;

The whole process should be halted immediately and traders and members of the public who paid for the stalls should be refunded. The County Assembly is willing to allocate enough funds for the construction of the stalls around the above-mentioned stadia in the supplementary budget. This will enable the County collect more monthly rents and increment of business permits and hence boost the revenue collection target increment and thus increase our national equitable share from the National Treasury.

Mr. Speaker Sir, on behalf of the Committee on Trade, ICT, Industry & Cooperative development, it is my honor and pleasure to table this report.

CONFIRMED.....

DATE.....

HON. DANIEL OMAR NGUZO

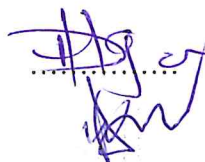
**CHAIRPERSON, COMMITTEE ON TRADE, INDUSTRY & COOPERATIVE
DEVELOPMENT**

Committee on Trade, Industry & Cooperative development

Name of Member

Signature

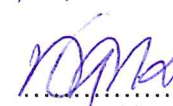
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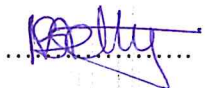
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