

COUNTY GOVERNMENT OF TAITA TAVETA



COUNTY ASSEMBLY OF TAITA TAVETA

THIRD ASSEMBLY – FOURTH SESSION

ORDER PAPER

TUESDAY, OCTOBER 7TH 2025, AT 2:30 P.M

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions;
5. Papers;
6. Notices of Motion;
7. Questions & Statements; *(As listed in the appendix)*

8. MOTION: INTERGOVERNMENTAL AGREEMENT ON THE TRANSFER OF THE BURSARY FUNCTION TO THE COUNTY GOVERNMENT OF TAITA TAVETA FROM THE NATIONAL GOVERNMENT (Hon. Joseph Mabishi, MCA Chawia Ward, Chairperson, Delegated County Legislation Committee)

THAT, AWARE the Office of the Controller of Budget has enforced strict adherence to Article 187 of the Constitution of Kenya regarding transfer of functions to either side of the Government as between the National and the County Governments;

FURTHER AWARE that prior to this action by the Office of the Controller of Budget more than 2,000 needy students across Taita Taveta County benefitted from the County Budget funding to ensure that they pursue their education without interruption and unnecessary anxiety;

NOTING THAT the County of Taita Taveta has not been able to offer bursaries to needy students in Secondary Schools and Universities, this situation is now threatening the future of our children considering that they are sent home to collect school fees every other day;

Denotes Orders of the Day

CONCERNED that if the challenges are not addressed our children stand to suffer irreparable loss which they are not likely to recover which situation will see our county lag behind in terms of education and professional qualification and human resource;

RECOGNIZING some advantages might come with entering into a transfer agreement since resources are supposed to follow the function which might enable the County to administer bursaries and scholarships more efficiently and on a wider scale;

NOW THEREFORE, this County Assembly resolves that the County Government enters into agreement between it and the National Government on the transfer of the bursary function for Secondary and Tertiary institutions falling under the mandate of the National Government before the first County supplementary budget of this financial year.

9. MOTION: ADOPTION AND APPROVAL OF THE REPORT OF THE COMMITTEE ON IMPLEMENTATION ON THE MAPPING AND ELIMINATION OF ASBESTOS ROOFING WITHIN TAITA TAVETA COUNTY

(Hon. Newton Kifuso MCA Wumingu Kishushe Ward, Chairperson, Implementation Committee)

THAT, this Third County Assembly adopts and approves the report of Sectoral Committee on Implementation on the mapping and elimination of asbestos roofing within Taita Taveta County laid on the table of this House on **30th September, 2025, Afternoon Sitting No. 081** and its recommendations thereof.

(Resumption of Debate)

APPENDICES

QUESTIONS

- 1. QUESTION: THE STATUS OF FUEL UTILIZATION AND ROADS MAINTENANCE IN ALL THE WARDS IN THE COUNTY** (Hon. Anthony Kinyili, MCA, Chairperson, Public Works, Transport, Housing and Infrastructure Development Committee)

Mr. Speaker, Sir, In line with the parliamentary best practices, precedents and conventions, and pursuant to the provisions of the Taita Taveta County Assembly Standing Order No. 51 relating to the Sitting's ORDER NO. 7 (QUESTIONS & STATEMENTS), a Member of the House can raise a question requiring availability of information, clarification or appearance on any substantive issue, circumstances, situations and matters appertaining to the attention of County Governments, the National Government, or any Public entity where such mandates related to the management of service and leadership to the citizens and institutions, as per the Constitution of Kenya, 2010, and our current laws are concerned.

In view of the foregoing, I rise to raise the following questions regarding the status of fuel utilization and roads maintenance in all the wards in the county:

1. Could the Department provide a detailed report on the fuel allocated and utilized for road maintenance, grading, and machinery operations across all the 20 wards in the county for the current and previous financial years?
2. What criteria and guidelines are used to determine the amount of fuel allocated to each ward, and how is accountability ensured to prevent misuse or misallocation?
3. Can the Department provide a list of all vehicles, graders, and other equipment maintained by the County Government, their current operational status, and the corresponding fuel consumption records for each?
4. What monitoring mechanisms are in place to track fuel issuance, storage, and utilization within the Department to ensure transparency and efficiency in service delivery?
5. Has the County conducted any audit or inspection of fuel utilization for road maintenance works in the wards, and if so, what were the findings and recommendations?

STATEMENTS

**1. STATEMENT: THE ENGAGEMENT STATUS OF COUNTY DRIVERS
(Hon. Joseph Mabishi, MCA Chawia Ward, Chairperson, Delegated
County Legislation Committee)**

Mr. Speaker, Sir, in line with the parliamentary best practices, precedents and conventions, and pursuant to the provisions of the Taita Taveta County Assembly Standing Order No. 61(1) relating to the Sitting's ORDER NO. 7 (STATEMENTS), a Member of the House can seek a statement requiring availability of information, clarification or appearance on any substantive issue, circumstances, situations and matters appertaining to the attention of County Governments, the National Government, or any Public Entity where such mandates related to the management of service and leadership to the citizens and institutions, as per the Constitution of Kenya, 2010, and our current laws are concerned;

In view of the foregoing, I rise to seek a Statement regarding the engagement status of County drivers;

Mr. Speaker, Sir, on Tuesday, 3rd October, 2023, Morning Sitting No. 059, I sought a statement regarding the fate of drivers in the County and in response, the Chairperson of the Health and Sanitation Services informed the House that the County Executive Committee Member for Health Services had made a request for renewal/extension of the contracts for drivers and paramedics in the Department of Health Services to the County Public Service Board to avoid disruption of Services in the Department following a resolution made by the Departmental Human Resources Advisory Committee (DHRAC) on 21st August, 2023;

Mr. Speaker, Sir, while the contracts of the drivers were renewed for a further 5 years early this year, there is a growing concern as to why the drivers are engaged on contract basis while they offer crucial services that are required on a daily basis in the operations of the County Executive Department including ambulance drivers;

Mr. Speaker, Sir, it is in this regard that I request the Chairperson of the Committee on Administration, Security, Devolution, Public Participation, Community Services and Drugs Control through the County Public Service Board to give a Statement on the floor of the House on the engagement status of all County Drivers, the measures that the County Government has put in place to ensure their job security and whether there are plans to budget and engage the drivers on permanent and pensionable terms.

**2. RESPONSE TO STATEMENT SOUGHT BY HON. PATRICIA
MWASHIGHADI ON THE STATUS OF FUEL UTILIZATION AND ROAD
MAINTENANCE IN MWATATE WARD**

*(Hon. Anthony Kinyili, MCA, Chairperson, Public Works, Transport, Housing
and Infrastructure Development Committee)*

**3. PROGRESS REPORT ON STATEMENT SOUGHT BY HON. AMOS
MAKALO ON STATUS ON COMPENSATION OF HUMAN-WILDLIFE
CONFLICT BENEFICIARIES/VICTIMS**

*(Hon. Peter Shambi, Nominated MCA, Chairperson, Human-Wildlife Conflict
Resolution and Social Welfare Committee)*

NOTICE PAPER I

Tentative Business for Wednesday, October 8, 2025

(Published pursuant to Standing Order 36 (1))

It is notified that the County Assembly Business Committee has approved the following **tentative** business to appear in the Order Paper for **Wednesday, October 8, 2025 Morning Sitting**

QUESTIONS

(Admission of CECM for Lands, Physical Planning & Urban Development)

1. QUESTION: ISSUANCE OF BUSINESS PERMITS TO MINING OPERATORS IN THE COUNTY (Hon. Newton Kifuso, MCA, Wumingu/Kishushe Ward, Chairperson, Committee on Implementation)

1. What is the total number of business permits that have been issued to mining entities (both large-scale and small-scale miners) in Taita Taveta County over the last two financial years?
2. How many business permits have been specifically issued to miners operating in Kishushe during the same period?
3. What criteria and procedures does the County Government use in issuing or denying business permits to miners, and are these criteria aligned with applicable county laws?
4. What are the reasons for the delays or failure in issuing business permits to some miners in Kishushe, despite their repeated applications?
5. What immediate and long-term interventions is the County Government undertaking to address the plight of miners whose mineral stock remains idle and un-transportable due to lack of valid business permits?
6. Why is there disparity between the companies that have been issued with permits and those that are actually operating on the ground?

2. QUESTION: OWNERSHIP STATUS OF LAND UNDER CONSTRUCTION FOR AN ICT HUB IN MWATATE WARD ALLEGEDLY BELONGING TO ACK ST. JAMES CHURCH (Hon. Joseph Mwalegha, MCA, Mwatate Ward)

1. What is the current legal status and ownership details of the aforementioned parcel of land located in Mwatate?

3. QUESTION: OWNERSHIP STATUS OF PLOTS LOCATED IN THE PELELEZA AREA OF MWATATE (Hon. Joseph Kennedy, MCA Mwatate Ward, Chairperson, Mining and Natural Resources Committee)

1. Who are the officially recognized owners of the plots in Peleleza as per the County Government records and the state department of Lands?
2. When were these ownership records last updated?
3. Is there a verified list of individuals or entities currently paying rates for the Peleleza plots?
4. How does this list compare to the actual residents and occupants on the ground?
5. Has the County Government or any other relevant authority undertaken any land adjudication, regularization, or titling exercise in Peleleza?
6. If so, what were the outcomes and how were beneficiaries determined?
7. What measures are in place to protect long-term residents from potential displacement in the interim?

4. QUESTION: LEASEHOLD STATUS AND RENEWAL PROCESS OF MWASUI RANCH (PLOT NO. 12923/2 TAITA, TITLE NO. CR. 80679) (Hon. Joseph Mabishi, MCA, Chawia Ward, Chairperson, Delegated County Legislation Committee)

1. Was the lease awarded or renewed through a transparent and consultative process involving the relevant county and national government stakeholders?
2. To which local community does the land belong? Was it engaged or consulted during the issuance or renewal of this lease? If so, kindly provide the evidence of such public participation.
3. Who are the beneficial owners and/or directors of **Mwasui Estate Limited**, and what is their current relationship with the local community and the county government?
4. Has the community benefitted in any way through corporate social responsibility projects initiated by the management of this strategic parcel of land?
5. Who receives the annual lease rent of **KES 123,600/=**, and how is this revenue accounted for and utilized, particularly in benefit to the residents of Taita Taveta?

5. QUESTION: STATUS OF MBULIA COMMUNITY LAND AND COMMUNITY LAND MANAGEMENT COMMITTEE (CLMC) (Hon. Jones Solomon, MCA-Ngolia Ward, Majority Whip)

1. When were the officials of the Mbulia CLMC elected, and are their terms in line with the provisions of the Community Land Act, 2016?
2. What is the total acreage of community land belonging to the Mbulia community, and how much land was sold to Devki Steel Mills?
3. At what price per acre was the land sold to Devki Steel Mills, and what was the total amount received from the transaction?

4. From the amount received from Devki Steel Mills, how much has so far been spent? On which specific activities or projects?
5. What is the current balance of the money received from Devki, and in which bank is the Mbulia Ranch Community's account being operated?
6. There are reports of ongoing land subdivisions on Mbulia community land, was there prior consultation and due consent from the community members? If so, provide minutes or evidence of such consent.
7. What are the terms of reference or mandate of the CLMC currently in office, and are they still legally valid considering their election took place in 2022?
8. Why has the CLMC not convened any Annual General Meeting since 2022, and when is the next AGM scheduled to be held to allow for transparency and accountability?
9. What grievance redress mechanisms are in place to resolve disputes or concerns raised by the community members?

6. QUESTION: OWNERSHIP STATUS OF BACHUMA MULTIPLICATION CENTER LAND (Hon. Peter Shambi, Nominated MCA, Chairperson, Human-Wildlife Conflict Resolution and Social Welfare Committee)

1. Who is the legally recognized owner of the land currently occupied by the Bachuma Multiplication Center?
2. Is the land registered, and if so, under what title deed number, size in hectares/acres, and name of title holder?
3. What is the nature and basis of the dispute between the two governments regarding the center?
4. Have there been any official correspondences, court cases, or mediation attempts initiated between the County Government and the Ministry of Agriculture over the ownership and control of the center?
5. What position does the County Government of Taita Taveta, particularly the Department of Agriculture and Livestock and Department of Lands, Physical Planning and Urban Development, hold in regard to the ownership and intended use of the land?
6. Have there been any development projects or donor-funded programs linked to the center that have stalled due to the ownership wrangles?
7. What steps is the County Government taking to secure legal ownership or user rights over the land for the benefit of Taita Taveta residents?

7. QUESTION: STATUS OF COMMUNITY DEVELOPMENT AGREEMENT COMMITTEES (Hon. Amos Makalo – MCA, Kasigau Ward, Chairperson Public Accounts and Investment Committee)

1. Do all mining companies in Taita Taveta County have community development agreement committees (CDACs)? If yes provide a list of the companies and the amount each CDAC has received.
2. Have the mining companies in Taita Taveta County honoured all the provisions of Section 47 such as: offering employments opportunities to local community members and facilitating and carrying out social responsible investment for the local communities?

3. Does the County have an updated list of all minerals mined, processed and sold from the County in quantity and values by the mining companies to effectively implement the various community development agreements?
4. What efforts has the department undertaken to ensure that all mining companies comply with all the necessary provisions and regulations or make recommendations to the ministry for cancelation of the licenses for companies that have failed to comply?

8. QUESTION: STATUS OF JUA KALI PLOT IN VOI NEAR KENYA POWER OFFICES (Hon. Anisa Mwakio – Nominated MCA, Chairperson Lands, Physical Planning and Urban Development Committee)

1. What is the current status of the Jua Kali plot following the department and the committee's resolution for beaconing during the field visit conducted?
2. Has the Department implemented the beaconing exercise as earlier agreed, and if so, when was it completed?
3. If the beaconing has not been carried out, what challenges or constraints have hindered its implementation?
4. What measures are in place to ensure the security and preservation of the Jua Kali plot as a public utility?
5. Are there any reports of encroachment, illegal allocations, or disputes relating to the Jua Kali plot, and how has the Department addressed them?

9. STATEMENT: OWNERSHIP STATUS OF LAND PARCELS ALONG THE MOMBASA-NAIROBI HIGHWAY BETWEEN MAUNGU PIPELINE VILLAGE AND MIASENYI – (Hon. Stephen Nzai- MCA Marungu Ward, Chairperson, Agriculture, Livestock and Fisheries Committee)

1. What is the current status of the revocation of title deeds that were allegedly issued for parcels of land illegally allocated outside the Maungu–Buguta Settlement Scheme perimeter along the Mombasa-Nairobi highway between Maungu Pipeline village and Miasenyi following a resolution that was made?