
Department for Local Government

ANNUAL REPORT 2003

MISSION STATEMENT

The Department for Local Government is responsible to ensure that all Local Councils have the legislative authority to respond to local needs in accordance with the functions and responsibilities delegated to them in terms of the Local Councils Act.

In order to carry out its mission, the Director (Local Government) is empowered, in terms of Article 81 of the Local Councils Act to:-

- (a) facilitate the effective and efficient functioning of Local Councils in full respect of the autonomy granted to Local Councils by this Act;
- (b) assist the Minister in carrying out the functions assigned to him by this Act and for such purpose to issue forms, procedures, guidelines, directions or other instruments as may be necessary; and
- (c) perform such other function, not being incompatible with the autonomy granted to Local Councils by this Act, as the Minister may from time to time direct.

RESPONSIBILITIES

The Department for Local Government regulates the operation of Local Councils and also exercises a supportive and supervisory role.

In conducting this role, the Department is guided by the following legislation:

- (i) Local Councils Act (Cap. 363)
- (ii) Subsidiary legislation issued in terms of the Local Councils Act,
- (iii) Procedures enacted in terms of the Local Councils Act,
- (iv) Other legislation which directly or indirectly refers to Local Councils,
- (v) The European Charter of Local Self-Government of the Council of Europe which Malta ratified on 6 September 1993.

Delegation of Functions to Local Councils

(i) Local Enforcement

During the year under review, the localities of Floriana and Xghajra joined the other Local Councils that had accepted the local enforcement delegation. Other innovative measures to better the enforcement system was the installation of CCTV in certain localities.

Another local enforcement activity delegated to the Local Councils during 2003 was towing and clamping.

The objective of restoring more equitability among the Local Councils from the funds generated by the local enforcement system, has compelled the Department to encourage the Local Councils to introduce in 2001 a pooling system. This enabled Local Councils to manage their resources in a more efficient way, concurrently minimising the probabilities of the small localities from experiencing a deficit in their finances. The Local Councils that have opted to participate in this pooling have increased from 23 in 2002 to 35 during the year under review.

Apart from the enforcement of traffic regulations there has been a move towards environmental enforcement. Action was also taken with the Malta Environment and Planning Authority (MEPA) to enable Local Wardens to report breaches of building permits including those in rural areas. In this regard, preparations for the introduction of the Green Warden have already been underway during 2003.

(ii) Devolution of Government Property

The devolution of Government property to Local Councils continued during 2003. During this year, the administration of 13 Government property was devolved on 12 Local Councils, namely: Rabat (Gozo) – devolution of war shelter and public garden together with sport facilities; Ghasri – devolution of two sites; Zurrieq – devolution of “Dar Mattia Preti”; Paola – devolution of Paul Boffa Garden; Mdina – devolution of “Gnien is-Sindku”; Birgu – devolution of war shelter; Lija – devolution of “il-Mithna Tal-Mirakli”; Kercem – devolution of public land; Isla – devolution of premises at 4 September Square; Dingli – devolution of water reservoir; Bormla – devolution of a site near the fortifications; San Lawrenz – devolution of land in Nicholas Monsarrat Street.

(iii) Management of Local Libraries

During the year under review, the delegation of the management of local libraries continued through the devolution to four Local Councils, namely: Sannat, San Lawrenz, San Gwann and Rabat (Malta)

(iv) Devolution of Street Lighting

During 2003, the devolution of street lighting to Local Councils continued. During this year, this devolution was effected to a further 39 Local Councils.

(v) Electronic policy for Local Councils

Payment of contravention fines was also facilitated by the introduction of the “LES On-line Payment”.

(vi) Delegation of Road construction function

During 2003, Local Councils were given the delegation to effect road construction works on behalf of the Malta Transport Authority. To this effect, the Councils that elected to enter into the agreement were granted the amount of Lm75,000 to be disbursed over a period of 3 years.

(vii) Further initiatives

The *Sebbah Pajjizek* Competition for the year 2002-2003 came to an end with the Prize-giving ceremony being held on the 25 July 2003. The Minister for Justice and Home Affairs awarded cash prizes to various Councils for placing in top places in different categories. Categories varied from Public Gardens to beaches and promenades. The competition seeks to reward participants within a particular area for their effort to maintain general tidiness in the various categories involved or to improve and enhance localities by way of embellishments. The success of the campaign was ensured with the assistance of several business entities that contributed with their sponsorships.

The technical staff of the Department (the Field Services Unit) continued to inspect all localities on their contract performances in order to compile regular four-monthly reports on the efficiency and effectiveness of Local Councils.

Through the sponsorship of the British High Commission, two (2) Local Councils Executive Secretaries were given training in the U.K. During February, the Executive Secretary of Kirkop Local Council visited Cornwall County Council while the Executive Secretary of Dingli went to Neath Port Talbot and Torfean in Wales.

MONITORING OF LOCAL COUNCILS' FUNCTIONS AND OPERATIONS

The Monitoring Unit continued in the process of monitoring Local Councils from various aspects such as illegal payments and excessive expenditure by scrutinising the minutes of Local Councils' meetings. Special emphasis was also made on the financial commitments of the Local Councils particularly those Councils that registered financial deficits throughout the current financial year.

This Unit was instrumental for the continuous follow-up action that the Department had to take with the aim that Local Councils adhered to the Financial Regulations and Procedures according to the Local Councils Act. In its operations, the Unit was also guided by internal policies and the recommendations made by the Local Government Auditors.

Although the Monitoring Unit of the Department was still being operated by one senior official, to a certain extent it managed to control excessive and illegal expenditure by Local Councils. The fact that for the Local Councils financial year 2002-2003, only six Councils ended with a deficit in their working capital is a credit to the efforts of this unit. This number is the lowest since 1997.

MAJOR ACTIVITIES

During 2003, the Department was also involved in the following major activities:

March - Oath of Office ceremony to the newly-elected Local Councillors.

October - Meeting with UK Minister for Local Government.

October - National Conference to commemorate 10 years of Local Government.

November - Discussion in House of Representatives between Members of Parliament and Local Councillors to commemorate 10 years of Local Government.

December - Meeting with N.Ireland Permanent Secretary for Youth and Culture in preparation for the visit to the UK by 2 Council Executive Secretaries in early 2004.

Official travel by Department's officials was as follows:

(i) Drafting of legal instruments for Regional Self Government, Office of the Deputy Prime Minister, London - January 2003.

(ii) Steering Committee of Local and Regional Democracies (CDLR), Strasbourg - May 2003.

(iii) Steering Committee of Local and Regional Democracies (CDLR), Strasbourg - November 2003.

AMENDMENTS TO LOCAL GOVERNMENT LEGISLATION

During 2003, the Department was responsible for the publication of the following Local Government legislation:

L.N. 20 of 2003 Local Councils (Delegation of Street Lighting Installations (Amendment) Order, 2003

L.N. 43 of 2003 Local Councils (Delegation of Street Lighting Installations (Amendment) (No 2) Order, 2003

L.N. 105 of 2003 Local Councils (Delegation of Street Lighting Installations (Amendment) (No 3) Order, 2003

L.N. 113 of 2003 Local Councils (Delegation of Street Lighting Installations (Amendment) (No 4) Order, 2003

L.N. 117 of 2003 Local Councils (Amendment of Tenth Schedule) Regulations, 2003

L.N. 197 of 2003 Local Councils Delegation of Function to Local Councils (Road Construction) Order, 2003

L.N. 210 of 2003 Local Councils (Delegation of Enforcement) (Amendment) Order, 2003

L.N. 250 of 2003 Local Councils (Association) (Amendment) Regulations, 2003

L.N. 319 of 2003 Local Councils (Procedures) (Amendment) Regulations, 2003

L.N. 320 of 2003 Local Councils Financial (Amendment) Regulations, 2003

L.N. 337 of 2003 Commissioner for Justice Act (Schedule) (Amendment) Regulations, 2003

G.N. 1146 Commissioner for Justice Act designated Local Tribunals places

L.N. 402 of 2003 Local Wardens (Amendment) Regulations, 2003

L.N. 403 of 2003 Delegation of Function to Local Councils (Amendment) Road Construction, Order 2003

L.C.B.L 13/1/2003 of 2003 *Bye-Laws* for Organization of Courses (Balzan Local Council)

L.C.B.L 18/2/2003 of 2003 *Bye-Laws* for Advertisements on Street Furniture (Floriana Local Council)

L.C.B.L 18/3/2003 of 2003 *Bye-Laws* for Organization of Courses (Floriana Local Council)

L.C.B.L 40/4/2003 of 2003 *Bye-Laws* for Advertisements on Street Furniture (Mqabba Local Council)

L.C.B.L 64/5/2003 of 2003 *Bye-Laws* for Organization of Courses (Xewkija Local Council)

L.C.B.L 39/6/2003 of 2003 *Bye-Laws* for Organization of Courses (Mosta Local Council)

L.C.B.L 17/7/2003 of 2003 *Bye-Laws* for Organization of Courses (Fgura Local Council)

L.C.B.L 39/8/2003 of 2003 *Bye-Laws* for Publications (Mosta Local Council)

L.C.B.L 59/9/2003 of 2003 *Bye-Laws* for Advertisements on Street Furniture (Sliema Local Council)

L.C.B.L 60/10/2003 of 2003 *Bye-Laws* for Advertisements on Street Furniture (Swieqi Local Council)

Natalino Attard

Director, Local Government

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