

The Role of Local Councils in Sustainable Waste Management

Addressing the necessary upgrading in the current waste collection system

1.0 Introduction

Local Councils in the Maltese Islands are empowered by law to have responsibility for the "collection and removal of all refuse from any public or private place" and for "good waste management" initiatives. Financing is provided by central government on the basis of a formula which states that 28.95% of the funds allocated shall be for waste management apportioned on the total number of households in each locality.

It is recommended that the formula allocating funds be revised and reapportioned using different yardsticks which reflect better the exigencies of the localities. Funds for waste management are to be made available through the local councils who should expect a service to a predefined standard across Malta. The councils are also responsible for dustbins and other receptacles for the temporary storage of waste. Seasonality occupation of households, collection of waste from offices and industry are also to be factored in.

Malta's Waste Management Plan 2014-2020 identified a number of reforms that needed to be carried out in the waste collection system and which hence directly affect local councils themselves. In synthesis the following actions were contained in the Plan:

- Upscaling to Euro 4/5 vehicles, increased frequency of fraction collections, increase in the length of contract and the regularising workers' conditions;
- Local Councils are being encouraged to issue joint tenders for the collection of waste in order to take advantage of widened geographical coverages thereby enhancing issues related to economies of scale (a regionalised approach);
- Conducting a time and motion study to determine the realistic cost of waste collection including the realistic financial cost on which allocation will be based and on which tenders will be adjudicated;
- The development of a mechanism for the introduction of fees from commercial establishments such that Local Councils can obtain revenue for the collection of such waste;
- Piloting some initiatives in a selected geographical area.

However, although encouragement is laudable to secure buy-in of the envisioned improvements, encouraging local councils alone may not suffice to overhaul the system as key players may remain uncommitted, and, as a result, economies of scale and improvements to be reached may be jeopardised. Thus, it is being proposed that the Regions are to be formally tasked to take over this initiative and the formula re-apportioned accordingly by way of Government policy. The policy is to be fully comprehensive and staggered in such a way as to mitigate disruption. Fees for commercial establishments and waste collection following feasts and other public occasions are also to be catered for as part of the staged process. Collection and opening times of the waste plants may need to be revised to cover the new time frames to mitigate inconvenience and waiting times. Potential anomalies and loopholes between residential and commercial collection also need to be addressed.

The Roadmap put forward by the EU Commission for Malta to reach its targets calls for an announcement of the intention to move towards a regionalised approach to waste collection during the current year for the system to be in place by 2018.

It is recommended that corrective action should be taken in the current year. Considering the number of waste collection contracts which may be currently expired, the 2018 time line may be too far away and it is being recommended that a phased approach be adopted so that all waste collection is transferred to the regions by the beginning of 2018. To be successful, immediate action needs to be taken on all those contracts which have expired, and where contracts are in place with local councils then these are to be informed and encouraged to embark on the initiative. Provisions are to be made in the Regional contracts to assume the responsibility for all the localities in their regions at pre-established pricing for specific commencement dates of each locality to a predefined common completion date. This would ascertain that once the current contracts of the local councils expire, the service provisions are automatically catered for in the regional contracts for the outstanding contracting periods to bring all the local councils finally at par.

Alternatively, should this not be achievable, there should be a building at a regional level for the eventual compulsory assumption of all duties on at a regional level by 2018. This alternative approach may necessitate maintaining the status quo at a local council level at this stage by extending the local councils contracts till 2018 on an annual or biannual basis so as not to disrupt the existing balance.

The Ministry for the Environment, Sustainable Development and Climate Change is represented by the Directorate for the Environment and Climate Change, Wasteserv and ERA whilst the Ministry for Justice, Culture and Local Government are represented by the Ministry itself, the Department for Local Government and the Local Councils' Association. Together, the two Ministries are designing a schedule of activities that will lead towards this goal.

Synergies between these two ministries and Local Councils' Association and other ministries, like the Ministry for Tourism (on beach cleaning, permits), the Ministry for Education and Employment (on educational campaign in liaison with the MESDC) and the Ministry for Gozo (on Eco Gozo and similar provisions as conducted in Malta) are crucial to ensure a holistic approach. Treatment and waste collection time schedules are to be revised. Beach cleaning and tourist areas are also to form part of the overall revised schemes.

The liaison and buy-in of the support of the Local Councils Association, Executive Secretaries Association and the relevant social partners (GRTU, Chamber, MHRA) are also considered to be very important to ascertain that the residential and commercial interests of the community are being taken into account.

2.0 Programme of Action

The following actions are being outlined as those requiring completion in order to arrive, by 2018, towards a regionalised system of collection of municipal solid waste.

Action 1 – Developing standards for waste collection

Waste management in Malta has evolved over the recent past. We have witnessed a new MBT plant at Malta North, a transfer station in Gozo, a pilot project on the separation of organic waste prior to launching on a national scale as well as an increased emphasis on producer responsibility. This means that waste collection and hence Local Council and waste operator performance needs to be measured according to a standard. To this effect, a first action will be the development of a Standard for Municipal Waste Collection by Local Councils covering the following aspects:

- Collection days for the separate waste fractions with a view to have a uniform collection typology that will also facilitate the operations of the treatment facilities.
- Definitive minimum collection frequencies which are expected of Local Councils.
- Reporting methodologies for recording the amount of waste collected after each collection and the amount deposited at waste management facilities.
- Procedures for the payment of the respective gate fees at each facility.
- Sanctions for non-compliance.

This standard would set a yardstick against performance expectations which, probably, for the first time, would permit scientific measurements of performance.

Action 2 – Developing a standard for waste collection vehicles

Without doubt waste collection in Malta has evolved and will continue to evolve. With the help of Local Councils, Malta already has a kerbside collection system for mixed and dry recyclables. Some Local Councils also organise a collection system for glass whereas others also organise occasional collections of fabric and clothes. The separate collection of organic waste has been introduced in 9 Local Councils in Malta and it was also piloted in Gozo as a region since 2016, before being extended nationally.

Waste collection vehicles must also move in line with these developments. Cognisant of the fact that, traditionally, Malta usually had 6 collections per week, vehicle technology is of paramount importance if the collection standard is to be upheld without unnecessary expenses. Moreover, Malta befits collection vehicles which inspire generators of waste to behave responsibly and instil respect within those collecting waste. Localities in Malta can also have particular requirements such as narrow streets as opposed to more modern access lanes. Hence the type of vehicles will also need to reflect this flexibility. Co-collection, tracking systems, onboard weighing mechanisms and other possible technologies will be looked into in order to assess their applicability in a local scenario.

To this effect a standard for waste collection vehicles that will be allowed to operate in Malta will be prepared offering the minimum standards expected from service providers. This standard will also take into account the Green Public Procurement criteria established

for waste collection services, which have to be adhered to. This will permit a level playing field to be established amongst waste operators. Mobilisation of the waste collection vehicles is to be co-coordinated at the local, regional and national level to mitigate traffic congestion during rush hours, taking particular street or locality exigencies into account.

Action 3 – Waste reporting obligations for Local Councils

Malta has a number of targets that it has to achieve by 2020 in respect of waste management. Targets require the availability of precise data which needs to reflect the efforts and success that is being achieved in respect of waste management. To this effect, the regulatory obligations for reporting will be developed as an additional guide to shore up the better understanding of the obligations expected. Moreover, this Action should also look at electronic means of linking vehicles, local councils and regulatory authorities such that a smooth flow of data is secured.

These standards are to be tailored for in the contracts drawn up by the regions through the new arrangements, rather than through the local councils. Local councils are to expect the standard of delivery from the regions, as a result of the reapportionment of the fee redistribution which will be paid to the regions. The local councils may be required to monitor and impose penalties to cover emergency and contingency collection by third parties should the expected standards not be met.

Action 4 – Market Research or Time and motion study at a Local and Regional Levels

MESDC and MJCL may wish to consider the commissioning of a time and motion study, which may be region-based, in order provide an updated realistic 'cost for collection'. This cost would be shared with all Local Councils who will be asked to cooperate in this time and motion study with a view to use this as one of the benchmarks for the award of waste collection contracts. However, whilst conducting a time and motion study has some merit to analyse the time allocation in the current scenario; it may not fulfil the intended purposes since there is currently no standard provision between the various localities and it is not possible to check any variances compared to collection at a regional level with higher specifications. Thus, it may be necessary to conduct the time and motion study at a later stage to examine the efficiency to the established targets defined in the tender documents, as part of the monitoring exercise of the DLG.

The anticipated benefits to be had from the time and motion study are thus to be weighed against the possibility of obtaining quotes as part of a proper Market Research analysis from a number of key players in the market on:

- (a) The cost implications of the proposed improvements at a local level
- (b) The anticipated costs of procuring the services at a regional level.

This market research would enable a comparison to be drawn between:

- (a) The current collection costs to those of the proposed set of standards, including the upgraded improvements, such as revised collection times, and vehicle upgrades at an individual local level

- (b) The comparative costs obtained in (a) to the collection costs that will result from the regionalised modus operandi in order to determine whether any cost savings will result from wider economies of scale, and, if so, to quantify these in respect of locality-based collection. A model showing locality by locality based assessment of collection costs as compared to regionalised based costing should ideally be developed.

The analysis needs to take into account the current fragmentation, different standards between localities, varying times of collection, varying costs per household, improved standards, and seasonality, etc. It may also be pertinent to commission the assessment of other intangible improvements, such as the quality of the air and reduce traffic jams.

Action 5

Obligation to separate waste at source

Irrespective of the educational campaigns which were held, we are still facing the problem that households are not abiding with the regulations to separate the waste. Considering that if households separate the waste as should be there will be no need to collect the mixed waste bag more than once a week. Hence it is of utmost importance that this should be enforced by law.

Commercial outlets such as; shops and supermarkets amongst others must have the facility on premises to facilitate the separation of waste and this would also help the waste collector to collect the waste without mixing it.

After implementing such regulations it is then the Government responsibility to enforce such law with an efficient and effective enforcement system. Contraventions must be harsh in order to discourage abuse.

An efficient and effective way to report abuse

The current reporting system requires that if a citizen reports an abuse, he will be requested to testify in order to identify the wrongdoer and to provide details of the action performed. This is the current procedure in force even when photographic/ footages material will be presented to sustain the report.

There need to be a change in legislation so that sustainable evidence provided by the person who reports any wrong doing will be sufficient so that further action will be taken. This will encourage civil and responsible citizens to report any abuse without having to take the trouble to appear in court, sometimes to testify against his own neighbours.

Immediate paying (on the spot) of contraventions

We are facing situations where after prolong procedures a contravention will be issued, however the offender will either change the home address or else in case of a foreigner he will already left the country. This situation is giving a leeway for foreigners to abuse.

By introducing a system where contraventions need to be paid immediately on the spot where the wrongdoer was caught doing the illegality. This system should be enforced without giving the chance for the wrongdoer to try to escape liability by claiming that he does not have any cash in hand.

This system is implemented in other countries, hence it should not be a problem to be implemented and enforced in our country as well.

Access for Local Councils to Condominium Administration

Another issue contributing to the waste management problem is that many localities are facing an infusion of short term residents. This is due to the renting of many short-let apartments within the locality. It is very difficult and sometimes impossible for Local Councils to determine who was residing at that particular day and time and who is administering the condominium.

Often, apartment owners will clear the apartments at the end of the week, usually during the weekend so that new tenants will enter in clean premises. The problem is that garbage removed from the apartments will be dumped outside. Apart from creating an illegality it is also an inconvenience for others.

Hence, it is being proposed that a representative from the Condominium Administration will be responsible to register with the respective Local Council the apartments of which the administration is responsible for. Therefore, if need be the Local Council will be in a position to identify the person responsible from the apartments. The legislation must enforce that the Condominium Administrator must have an updated registry with details of the owner of the apartment and of each and every tenant. This will shift the obligation on the owner to advise and keep the Administrator updated every time there is a change of tenants.

The main aim of such legislation is to keep the respective parties responsible thus, closing of loopholes of the current situation.

Legislation on Apartments' owners

We are facing a situation where owners barely give an importance of who the tenants are. This is making it rather impossible for Local Councils to enforce regulations.

It being proposed that a legislation will be in force so that the owners will be liable for the tenants' actions in this regards. The owner will be also liable to pay any unpaid contraventions on behalf of his tenants. A similar system is in place when someone lease a car, any contraventions will be issued in name of the car owner.

By collecting the proposed information as described above, the Local Council will be in a position to have an updated registry with all the Condominium Administrators, apartments' owners and tenants. The benefits of such registry is not only in relation to tackle the waste management problem but also to be shared with other Government entities in order to define any breach of conditions such as; the number of tenants residing in one apartment. One could also use this data to verify with the Malta Tourism Authority if the apartment is registered with the Authority.

Registration of foreigners who are residing in the locality

It is also being proposed that if a foreigner is visiting the country and he will be employed for a stipulated number of weeks, he will be responsible to register himself with the respective Local Council where he is going to reside. The Local Council will then collect details of where and with whom the person is lodging.

In many localities such as Swieqi, there are Serbian and Bulgarian communities which have been residing in the locality for months and in some cases years. Unfortunately, such residents are not cooperating with the Local Council and to make things worse the Local Council does not hold any details pertaining the mentioned residents. This is a deterrent for Local Councils when they need to report illegalities to other Authorities.

Same as above, such procedures are implemented in other countries hence, there is no sufficient reasoning why this will not be implemented in ours as well.

Spot Checks on Waste Collectors

Unfortunately, we are having complaints from responsible citizens who are kindly abiding by the rules and regulations thus, they are separating their waste but the waste collector is mixing the waste while he is collecting it. This discourages the citizen to act responsibly.

Therefore, we are proposing that there will be frequent inspections on waste collection vehicles to eliminate this perception which is on the verge of becoming a reality.

Waste collection room in blocks of apartments (minimum of 4 apartments)

It is evident that in most cases the building structure of blocks of apartments are not taking into consideration a space where residents can leave their waste bags until they are collected.

In other countries, apartments are furnished with shoots which are directly connected to a room which is usually located in the basement of the building so that waste bag will be deposited there. The waste collector will have access to this room where from there he can collect all the waste bags. This will decrease the amount of waste bags lying around obstructing the pavements.

Realistically, this might be a problem to implement in all building developments across Malta. However, it can be much easier to enforce that every complex should cater for a space to allocate a skip so that apartments' residents will put their waste bags in it. This should be enforced by harsh penalties.

New legislation on the Public domain

There needs to be a change in the current legislation. Unfortunately, the parameters of private property defines that front gardens and block entrances of apartments are privately owned. Thus if a resident put his waste bags outside the house but not on the pavement, legally he cannot be fined.

This is creating not only an inconvenience for the other residents but also if the waste bag is a thorn, the waste will still end up scattered on the pavement and in the street.

Hence we are also proposing an amendment in the respective law.

Time Schedules of Waste Collection

We are still analysing the possibility of various time schedules which can be feasible to implement in order to help in reducing the deposition of waste bags outside the premises during different times of the day. Hopefully, this will result in a much convenient waste collection time for the residents while also helping to maintain a clean environment.

It will also be beneficial that possible the time schedule will also help with the traffic flow and avoid traffic congestions during the early rush hours.

Local Hubs/ Electronic Bring-in-sites

We are at a point where it might be feasible to consider local hubs where local residents deposit their waste. Rather than the implementation, there need to be ample of planning backed up with research and vast consultations. When taking into consideration all this, it will be feasible to run a pilot project. The residents will deposit the waste bags in these local hubs and the waste collector will collect all the waste from there.

This will also be beneficial to decrease the amount of traffic congestion and also decrease emissions released from the use of heavy vehicles. Moreover, the size of such vehicles will make it rather impossible to manoeuvre.

Another possibility would be that the waste collector use smaller vehicles to collect waste bags and he will then deposit them in these local hubs so that a larger vehicle will collect all the waste from this hub. Waste will then be transferred from the local hub to the respective waste treatment plant. This will also solve the problem where in most localities due to narrow streets the collectors' vehicle is damaging the pavement and often private residence.

This proposal needs to be thoroughly studied and a pilot project needs to be implemented in localities which are not highly populated and which have access to implement the proposed features.

It is also being proposed to implement electronic bring-in-sites. These will only be accessible by the residents of the respective locality. Electronically, the Local Council will be in a position to determine by who and when these are being used. The Local Council will also have a log of the weight of waste that it is being deposited. Such bring-in-sites must be equipped with CCTV and other surveillance features in order to limit the abuse.

Action 6 – Training

A whole day seminar will be organised for Mayors, Local Councillors, Executive Secretaries and Local Council staff as well as aspiring waste managers in order to provide training on the outcomes of Action 1-4 above. This will be followed by an exercise which should indicate the level of understanding by the participants in the form of a graded assessment.

This should be coupled with the engagement of internal and also external stakeholders.

3.0 Way Forward

On the basis of Action 1-5 above it is proposed that all parties endorse this action plan and that the necessary quotations are sought from the market in order to obtain an estimate of the cost involved as well as the timeframe for implementation. The possibility of EU funding through the PPCD is to be encouraged.

Once the cost of these actions are established, it is important that MESDC and MJCL present their financing proposals and a cabinet memo for the purpose of commencing the said actions.

Needless to say, time is of the essence and all stakeholders are encouraged to lend their full support.

It is also important to establish whether to involve the Association of Local Councils and the Association of Executive secretaries at this stage such that they may also take ownership of this initiative and encourage adoption by the individual Local Councils. It shall be an MJCL prerogative to guide as to whether such involvement should happen at the outset.