



## **Joint Select Committee on Land and Physical Infrastructure**

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### **Summary of Proceedings**

#### **Public Hearing Summary**

*Monday April 23, 2018 at 10:18 a.m.*

#### **Topic:**

An inquiry into the establishment of systems for the maintenance of drainage and roadways.

#### **Objectives of the Inquiry:**

- 1. To examine the current systems in place for the maintenance of drainage and roadways;**
- 2. To examine the programmes and initiatives geared towards the maintenance of drainage and roadways in order to determine whether they are adequate and effective; and**
- 3. To determine the challenges associated with the maintenance of drainage and roadways.**

**Venue:** The J. Hamilton Maurice Room, Mezzanine Floor, Office of the Parliament, Tower D, The Port of Spain International Waterfront Centre, 1A Wrightson Road, Port-of-Spain.

#### **Committee Members:**

The following Committee Members were present:

- Mr. Stephen Creese – Chairman;
- Mr. Rushton Paray, MP – Vice Chairman;
- Mr. Nigel De Freitas – Member; and
- Dr. Lovell Francis.

#### **WITNESSES WHO APPEARED:**

##### **➤ Officials from the Ministry of Rural Development and Local Government (MORDLG):**

- Ms. Desdra Bascombe- Permanent Secretary;
- Ms. Gaynell Andrews-Vargas – Senior Planning Officer;
- Mr. Jameel Chadee-Ameeral – C.E.O, San Juan/Laventille Regional Corporation; and

- Ms. Hinni Maraj – Civil Engineer II.

## **Key Issues Discussed:**

### **Opening Statements**

- i) Drainage and Roadways are essentially critical areas of the development of Trinidad and Tobago;
- ii) The MoRDLG has observed the impact of climate change and other natural hazards on the population due to the lack of maintenance on drainage systems; and
- iii) The MoRDLG has a few challenges but is collaborating with other agencies that are also responsible for the maintenance of drainage and roadways in Trinidad and Tobago with a view to improving both; and
- iv) The MoRDLG recognises that the Local Government deals with basic needs inclusive of drainage and is about service to the people.

### **The reason why the following five (5) Corporations did not submit information requested**

- v) The following five (5) Corporations did not submit information requested by the Committee due to time and resource constraints:
  - Arima Borough Corporation,
  - Couva-Tabaquite-Talparo Regional Corporation;
  - Penal-Debe Regional Corporation;
  - Princes Town Regional Corporation; and
  - Sangre Grande Regional Corporation; and
- vi) The MoRDLG will establish a deadline with the five corporations identified for submitting the information to the Committee.

### **The need for the MoRDLG to have an encompassing policy and strategy direction**

- vii) There are fourteen (14) different strategies in terms of how Local Government services are delivered in Trinidad and Tobago;
- viii) The need for the MoRDLG to have a policy and strategy direction across the board that each municipality should follow and from which performance can be tested and measured;

- ix) The topography of the various Corporations' impact on the MoRDLG's ability to have an overarching policy to guide the fourteen (14) Corporations; and
- x) The lack of an overarching structure to allow the municipalities to deliver on their core responsibilities was evident by their responses to the Committee.

#### **Lack of resources**

- xi) The Corporations do not have the requisite manpower and equipment to perform their drainage duties;
- xii) The Corporations tries their best given the resources allocated to them; and
- xiii) The Corporations require additional funding, manpower and resources.

#### **Empowering Corporations for Local Government Reform**

- xiv) The MoRDLG is seeking to empower its Corporations to prepare for Local Government Reform where they will function independently.

#### **The type of oversight provided to the Corporation by the MORDLG**

- xv) The MoRDLG provides oversight of the Corporations through the assessment of project sites by the Ministry's Planning and Project Officers prior to making recommendations to the Budget Division for funding.

#### **The MORDLG plan to build the capacity of the Corporations**

- xvi) In terms of equipment, the Ministry encourages all Corporations to request the required resources through the Draft Estimates which is due on April 30<sup>th</sup>, 2018;
- xvii) The Ministry is using in the interim the resources it has and a whole corporation approach where resources of non-affected Corporations are shared with affected Corporations;
- xviii) As it relates to staffing, the Ministry currently has a Draft Cabinet Note before the PMCD, Ministry of Public Administration and Communication proposing two hundred and thirty(230) technical positions to staff the Corporations;
- xix) A separate Draft Cabinet Note was submitted by the Ministry for Audit Assistants;
- xx) The Ministry's likelihood of obtaining the requested staff;

- xxi) The Ministry plans to hire the most critical staff first on a needs basis given the economic situation;
- xxii) The dearth of qualified persons in the system;
- xxiii) The reason why the positions have not been filled originates from the Service Commission lack of resources to fill established vacancies;
- xxiv) The delivery time for the soon to be advertised positions;
- xxv) The MORDLG is seeking to use returning scholars through the position of Associate Professionals as an interim measure to fill vacancies given that some positions require persons to have tertiary level qualification (degrees);
- xxvi) The strategies employed by the Corporations to fill vacancies are twofold, placing daily rated staff in acting monthly paid positions and hiring of short term employees for six (6) months;
- xxvii) The creative ways employed by the Corporations to keep short term employees employed;
- xxviii) The level of success of the strategies employed by the Corporations to fill vacancies;
- xxix) The daily rated employees are used to supplement the duties of monthly paid staff and are afforded some additional compensation such as overtime;
- xxx) The arrangement with daily rated staff performing the duties of monthly paid staff is not working and should not be continued; and
- xxxi) The Corporations relies heavily on its monthly paid staff, Road Officers II and Works Supervisors I for the technical capacity.

**The training systems put in place by the Corporations to elevate daily paid employees**

- xxxii) The training systems put in place by the Corporations to elevate daily paid employees involves in-house measures to transfer knowledge from officers with the technical capacity;
- xxxiii) Training is dependent on the individuals themselves;
- xxxiv) The type of training offered to daily rated persons by Corporations is insufficient to develop them technically to perform the tasks required;
- xxxv) There are a number of training available in Trinidad and Tobago for example, through the Technical Institutes, University of Trinidad and Tobago (UTT), private institutions

that provides City and Guilds Training and National Energy Corporation to add value to daily rated employees;

- xxxvi) Daily rated employees are exposed to such training but is dependent on the individuals themselves to capitalise on such training;
- xxxvii) The serious gap in the technical areas between the craftsman and the engineer; and
- xxxviii) The need to capitalise on the opportunities available to fill that gap to perform the technical functions.

**Works being undertaken by workers in the Corporation who lack the expertise to perform those works**

- xxxix) The implication of critical works being undertaken by workers in the Corporation who lack the expertise to perform those works; and
- xl) The PS, MoRDLG is aware that critical works are being undertaken by workers in the Corporation who lack the expertise to plan and implement works.

**The MoRDLG strategies to assist Corporation in need of equipment**

- xli) The Ministry's strategy to assist Corporations in need of equipment, since 2015, include the use of left over monies from the Disaster Management Vote to purchase equipment; and
- xlii) The MoRDLG does not retain any equipment.

**The MoRDLG satisfaction over the level of oversight that goes into planning projects that are executed by the Regional Corporations**

- xliii) The Ministry has received a number of complaints as a result of incomplete drainage works;
- xliv) The Ministry has created and the filled positions of Engineering and Survey Officer for each Corporation as part of its strategy to empower the Corporations;
- xlvi) The Ministry expects that the Engineers and Survey Officers and other technical officers will oversee such projects while the Planning and Project Department will examine PSIP projects;
- xlvi) Projects that fall under \$300,000 fall outside the purview of the MoRDLG;

- xlvi) Complaints by members of the public, including complains of projects below \$300,000 are sent to the Minister of Rural Development and Local, the relevant Chairman and the Permanent Secretary. The PS liaises with the CEO and releases Engineering and Planning Officers to investigate the complaint; and
- xlvi) Ultimate responsibly for works lies with the MoRDLG head office and partial accountability is the CEO and his Officers.

**The MoRDLG budgetary allocation specifically to deal with roads, drainage, landslips and building bridges**

- xlvi) The budgetary allocation to deal with roads, drainage, landslips and building bridges under the MoRDLG portfolio is \$13mn;
- l) The implication that the MoWT has the smaller responsibility and the MoRDLG has two to three times the amount of responsibility and receives a small allocation;
- li) The headways made by the MoRDLG to get a larger share of allocation pie involves a request of \$200mn for roads and drainage in the upcoming Draft Estimates; and
- lii) The allocation for drainage and watercourses under Local Government was \$3mn out of the \$13Mn.

**The need for a formal arrangement to be established between the MoRDLG and MoWT**

- liii) The informal arrangement for collaborations between the MoWT and the Corporations involves assisting each other with projects;
- liv) The MoRDLG has a good relationship with the MoWT; and
- lv) The need for formal arrangement to be established to make it mandatory for senior technical officers to attend Regional Coordinating Meetings and make a proper contribution.

**The physical resources in terms of equipment and technology required to treat with drainage and roadways**

- lvi) The Corporations have submitted to the MORDLG upon their request, the current state of their fixed assets and heavy equipment;

- lvii) The cost of the repair bill and the acquisition of new equipment has not yet been determined;
- lviii) A large number of the Corporation's equipment is down for minor repairs; and
- lix) The need for the Ministry to be cognizant to the target to get to one hundred percent efficiency with the equipment needed.

**The absence of a common methodology to treat with drainage**

- lx) The rationale for some Corporations doing better than others in terms of work to be done;
- lxi) There is no common methodology to treat with drainage;
- lxii) The challenges with implementing grading as is done by the Point Fortin Borough Corporation across the board includes the engineering aspect;
- lxiii) The numerous challenges to access for maintenance silt traps includes a building over drains; and
- lxiv) The need for a well organised national approach to sensitize the public of the rainfall intensity and the measures to be taken to minimise the impact of flooding.

**Treating with Unauthorised Developments**

- lxv) The MoRDLG plan to deal with persons who build over watercourses which contributes to flooding must encompass a coordinated and well organised approach to the construction, maintenance, and upkeep of the drainage system nationally;
- lxvi) The need to re-establish talks concerning a Drainage Authority or to empower Municipal Corporations under Local Government reform to deal with all the drains not only municipal drains and possibly subsequent to national discussions all the roads;
- lxvii) The Local Authorities are empowered to some extent to deal with issue of unauthorised development and blocking of drains under Act 21 of 1990;
- lxviii) The decisions of the Council regarding unauthorised development do not come at a timely manner which causes a challenge legally to implement and enforce the provisions of the Act 21 of 1990;
- lxix) The role of the Building Inspector with regards to unauthorised developments;
- lxx) The procedure involved in dealing with unauthorised developments;
- lxxi) The longer time taken to deal with unauthorised developments through the courts;

- lxxii) The necessity for two municipal courts to deal with issues involving the blocking of drains and watercourses;
- lxxiii) The use of outsourced resources by the Tunapuna Piarco Corporation to demolish a structure because of their lack of capacity to do the same;
- lxxiv) Educational programs that inform where a person can build or not to build is a function of the Ministry of Planning, Town and Country Planning Division, the MORDLG does not have this responsibility;
- lxxv) It is the duty of the Local Authorities to ensure that a person satisfies the standards in terms of structural and public health standards;
- lxxvi) The issue of developments being at an advanced stage when approvals are forwarded to the Corporation;
- lxxvii) The need for a coordinated approach to treating with unauthorised developments;
- lxxviii) The need for approvals to be granted before construction can begin;
- lxxix) Local authorities, through the engineers are empowered to take action against any illegal blockages;
- lxxx) The advice to seek redress under the section of the MCA 1990 Act where the Corporation fails to act;
- lxxxii) The factors that triggers the Municipal Police to investigate and take action against illegal constructions under the law; and
- lxxxiii) The technical guidance and expertise provided to Councils to proceed with illegal constructions.

### **Daily Rated Employees**

- lxxxiii) The implication that daily rated employees ought to be given a fair opportunity to ascend to the higher rank as monthly paid officers under the Service Commissions;
- lxxxiv) Not all daily rated employees are craftsmen, in fact, some have full 'O' Level Certificates and can be easily trained and direct into other career paths;
- lxxxv) The need for opportunities to be provided for daily rated workers to be considered by the Service Commissions when vacancies are advertised; and

- lxxxvi) The responsibility of daily rated officers together with the employer to bring their competency profile in terms of academics and training up to an acceptable standard for the Service Commission.

**The Corporations state of readiness for autonomy and devolution of power**

- lxxxvii) The Corporations are not in a state of readiness to deal with autonomy and devolution of power;
- lxxxviii) The Draft Policy on LG Reform was approved by Cabinet since September 2016 and has been shared with the stakeholders;
- lxxxix) The MoRDLG's Head Office has been seeking to implement systems such as policies on use of the Chairman's funds and unspent balances of the Corporation; and

**The effectiveness of the MoRDLG's Engineering Department in terms of establishing codes and designs**

- xc) The Engineering Department, MoRDLG does not have much input in the work of the Corporations unless there is a complaint or issue;
- xcii) The Engineering Department, MoRDLG uses existing codes and designs for roads and drains and modifies them as necessary and does own designs for small bridges and box culverts using American Association of State and Highway Transportation Officials (AASHTO) standards; and
- xciii) The MoRDLG provides technical advice and not oversight on all issues however, there are instances where the Engineering Department monitor and assesses projects.

**Technical assistance to assist Councils in decision making**

- xciiii) Prior to 2006, Councils lacked the technical expertise required to assist in making decisions;
- xcv) The option is available to Councils to get a second opinion by outsourcing technical expertise which is dependent on the availability of funds.

### **The Corporations' ability to borrow from banks**

- xcv) The Municipal Corporation Act of 1990 gives Corporations the ability to borrow as is evident by example of the Sangre Grande Regional Corporation which sought a loan for lands however, this requires guarantee from the Government.

### **Opportunities for Public Private Partnerships**

- xcvi) The need for the MoRDLG to get creative opportunities for partnerships with the private sector to fill the gap given that they can engage the community, own better equipment and have better project management skills.

### **Other issues**

- xcvii) The need for a well organised and structured integrated approach to the preservation and upkeep of the drainage and road networks; and
- xcviii) The background, history of the Chief Executive Officer, MoRDLG.

### **Chairman's Closing Remarks**

- xcix) There is a question as to funding to deal with the whole picture and the implementation of the Property Tax that may bring some relief;
- c) The need to examine the Property Tax which is currently before Parliament which automatically is to be assigned to particular Corporations to assist with the collection;
- ci) The issue of staffing in terms of whether the Corporations have the requisite staff to monitor all the projects;
- cii) The issue of getting Corporations to facilitate and enforce compliance;
- ciii) The role of Building Inspectors in terms of enforcement and early intervention so that minor issues do not develop into bigger problems;
- civ) The fact that all the former county councils have only one Building Inspector whereas the city corporations have a Building Inspectorate;
- cv) The anomaly with some corporations that are more densely populated than others such as San Juan Laventille and Tunapuna Piarco Corporation being served by one Building Inspector; and
- cvi) The issue of timely intervention in developments.

### **Recommendations by the CEO, MORDLG**

- cvii) The CEO recommended that the MoRDLG undertake a survey of catchment of the northern range;
- cviii) There is need for improvement in coordination and collaboration;
- cix) The CEO further recommended a system of information sharing, a drainage study on the east/west corridor, improvement at the level of the Regional Coordinated Committee, the need for a Civil Engineer II to attend the Committee meeting and a more coordinated approach to treat with minor issues and in the long term to collaborate to solve issues;
- cx) The absence of a national plan in terms of roads and drainage;
- cxii) The implication that the Public Health Inspectorate, Building Inspectorate, the Municipal Police are also part of the system that is not responding to drainage issues; and
- cxiii) The MoRDLG does not have any work plans in place to treat with flooding before the rainy season begins.

### **Other recommendations raised during the public hearing**

- cxiii) The recommendation that the long term measure for the Corporations should be to increase the number of Building Inspectors at the Corporations; and
- cxiv) The need for the MoRDLG to examine the reason why persons do not want to stay in the position as Building Inspector.

### **Requested information**

- The percentage of roads that fall under the MoRDLG.

### **View the Hearing:**

The hearing can be viewed on our YouTube page via the following link:

<https://youtu.be/ayA4iUmDiwk?t=140>

**Contact Information:**

You may contact the Committee's Secretary at [jsclpi@tparliament.org](mailto:jsclpi@tparliament.org) or 624-7275 Ext. 2828.

*Committees Unit*

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