



## IN-NAXXAR

### MINUTI - LAQGHA TAL-KUNSILL IT-TMIEN KUNSILL SEDUTA NRU.58 - IT-TNEJN 28 TA' AWWISSU 2023

Il-Kunsill iltqa' fl-uffiċċju amministrattiv tiegħu fiċ-Ċentru Ċiviku fi Vjal il-21 ta' Settembru fis-18.30.

Preżenti:	Anne Marie Muscat Fenech Adami Christopher Deguara Marlon Brincat Mary Anne Cuomo Joseph Spiteri Noel Gatt	Sindku Viċi Sindku Kunsillier Kunsillier Kunsillier Kunsillier
Uffiċjali preżenti:	Paul Gatt Yanika Borg	Segretarju Eżekuttiv Assistent Uffiċjal Prinċipal
Assenti b'apoloġija:	Ivan Gaffiero Stephen Abela	Kunsillier Kunsillier

Is-Segretarju Eżekuttiv (SE) informa li l-laqqgħa qed tiġi trasmessa live fuq il-paġna ta' Facebook.

#### 1. QARI TAL-ITTRI TA' APOLOĠIJI;

- 1.1. Is-SE informa li l-Kunsillier Abela infurmah li jinsab ma' jiflaħx. Il-Kunsillier Gaffiero baqa' bl-email oriġinali li kien avża biha lill-Kunsill.

#### 2. KUNSIDERAZZJONI U APPROVAZZJONI TAL-MINUTI;

- 2.1. Il-Kunsill approva l-minuti tal-laqqgħa nr. 57 *nem con*. Ipproponi s-Sindku u ssekonda l-Viċi Sindku.
- 2.2. Arising minn punt 3.1.6 il-Kunsillier Brincat staqsa jekk intalbitx il-laqqgħa mal-Wasteserv. Is-Sindku nfurmat li ntalbet il-laqqgħa u ingħatat appuntament għat 13 ta' Settembru. Minħabba li hija se tkun indisiposta, hija talbet li tingħata appuntament ieħor. Hija nfurmat li hekk kif ikollha l-appuntament se tkun qed tinfurma lill-Kunsill.

#### 3. KOMUNIKAZZJONIJIET MIS-SINDKU;

- 3.1. Is-Sindku ressqet il-komunikazzjoni hekk kif ġej;
  - 3.1.1. Hija infurmat lill-Kunsill li nhar il-31 ta' Lulju saret laqqgħa mal-Ministru Owen Bonnici u l-Assocazzjoni tal-Caravans/Campers.
  - 3.1.2. Is-Sindku fakkret li hekk kif kien approvat fil-laqqgħa preċedenti, kienu ġew mistiedna Sindki barranin fl-okkażjoni tal-Festa. Hija rringrazzjat lill-Ministeru tat-Turiżmu u lill-Ministru Clayton Bartolo għall-għajjnuna biex tkun faċilitata ż-żjara. Is-Sindku infurmat li se jattendu s-Sindku u l-Viċi

Sindku minn Strumyani, l-Bulgarija, is-Sindku ta' Scicli fi Sqallija u s-Sindku ta' Deryneia, Cipru. Mill-Bulgarija ġejjin għal 4 t'iljieli, minħabba limitazzjoni fit-titjiriet. L-oħrajn minflok ġejjin għal tlett iljieli, ġejjin għal tnejn. Hija kkonfermat li se jinżamm il-baġit maqbul. Hija infurmat li kienet hejjiet programm għal din iż-żjara u talbet lill-Kunsillieri jinfurmawha min se jattendi għal-laqqgħat skedati.

3.1.3. Is-Sindku infurmat li nhar it-22 ta' Awwissu kienet saret il-laqqgħa tar-Regjun Tramuntana.

3.1.4. Hija nfurmat li nhar il-25 ta' Awwissu hija ltaqqgħat ma' Patri Mark Ciantar li huwa l-gwardjan il-ġdid tal-Knisja Santa Marija tal-Anġli, Baħar iċ-Ċagħaq.

3.1.5. Is-Sindku fakkret li l-għada ta' din il-laqqgħa kien se jiġi inawgurat ġnien Santa Marija tal-Anġli f'Baħar iċ-Ċagħaq mill-Minsitru Zrinzo Azzopardi.

#### 4. DEVOLUZZJONI TAT-TORRI TAL-KAPTAN

4.1. Is-Sindku talbet li titkellem dwar suġġett li mhuwiex fuq l-aġenda iżda li huwa ta' urġenza u importanza. Hija infurmat kif minn kemm ilha taġixxi ta' President tar-Regjun Tramuntana, hija saret taf li kien hemm interess mir-Regjun Tramuntana biex it-Torri tal-Kaptan jgħaddi għand l-istess Regjun. Hija saħqet li dan is-suġġett qatt ma' kien diskuss waqt il-laqqgħat tar-Regjun u għalhekk ma kienx hemm mezz kif hija ssir taf b'dan il-ħsieb qabel.

4.2. Hija fakkret li ftit wara l-ġiet nieqsa l-persuna li kienet tgħix f'ieħ il-Kunsill kien wera x-xewqa li dan it-Torri jgħaddi għandu. Is-Sindku pproponiet li fuq deċizzjoni tal-Kunsill, il-Kunsill Lokali jibda' l-proċess biex mill-aktar fis issir id-devoluzzjoni tat-Torri tal-Kaptan.

4.3. Hija ppropriet ukoll li l-Kunsill jirreżisti kull attentat biex dan it-Torri jittieħed mir-Regjun. L-użu tiegħu f'idejn il-kunsill, ikun turistiku, kulturali u għall-għaqdiet lokali.

4.4. Din il-proposta tas-Sindku ġiet issekondata mill-Kunsillieri kollha u għalhekk għaddiet unanimament.

#### 5. TWEĠIBIET GĦALL-MISTOQSIJET TAL-KUNSILLIERI;

5.1. Is-Sindku infurmat lill-Kunsill li l-Kunsillier Spiteri, kien staqsa dawn il-mistoqsijiet: Meta sa jibda x-xogħol fuq ir-rinovament tal-bandli fi Ġnien Toni Vella? Kemm hu pjanat li jdum dan ix-xogħol? U meta se jkun lesti għall-użu tat-tfal tagħna?

5.2. Is-Sindku wieġbet li wara li fl-aħħar jiem ingħalaq il-proċess kollu tal-offerti, inkluż il-perjodu tal-appell, illum stess il-kuntrattur li rebaħ il-kuntratt kien notifikat u mitlub biex jipprova d-dokumentazzjoni kollha meħtieġa. Wara, dan jingħata l-ordni biex jibda x-xogħol u jkollu 12-il ġimgħa żmien biex ilesti x-xogħol kollu.

5.3. Hawnhekk il-Kunsillier Brincat issuġerixxa li xi hadd mill-Kunsilliera għandu jservi bħala *project's manager* fuq dan il-proġett. Dan sabiex ikun assigurat l-aħjar xogħol possibli mingħar ma jitpoġġa piż addizzjonali fuq l-ammistrazzjoni.

5.4. Il-Kunsillier Cuomo pproponiet li jkun il-Kunsillier Brincat li jservi bħala *project's manager* fuq dan il-proġett. Il-Kunsill qabel.

**6. KUNSIDERAZZJONI U APPROVAZZJONI TA' RAPPORTI FINANZJARJI:**

- 6.1. Is-SE ippreżenta r-rapporti finanzjarji.
  - 5.1.1. Lista ta' pagamenti (immarkata Seduta tal-Laqqgħa nr 8/58) anness f'appendiċi A.
  - 5.1.2. Lista ta' dħul tax-xahar ta' Ġunju anness f'appendiċi B.
  - 5.1.3. Lista ta' ordnijiet għax-xahar ta' Ġunju anness f'appendiċi Ċ.
  - 5.1.4. Lista ta' infiq mill-petty cash għax-xahar ta' Ġunju anness f'appendiċi D.
- 6.2. Il-Kunsill approva r-rapporti (nem con) fuq proposta tas-Sindku, ssekondata mill-Kunsillier Brincat.

**7. NUQQAS TA' ATTENDENZA MINN KUNSILLIER;**

- 7.1. Is-Sindku infurmat lill-Kunsill li l-Viċi Sindku kif ukoll il-Kunsillier Ivan Gaffiero kienu naqsu milli jattendu għal aktar minn terz tal-laqqgħa imsejha fl-aħħar sitt xhur. Infurmat li s-SE għandu l-obbligu li 1) jinfurmaha b'dan meta tiġri u 2) li jinforma lill-Ministru. Però qabel ma jinforma lill-Ministru il-Kunsill għandu jgħaddi r-rakkomandazzjoni dwar jekk jiddikjarax il-post vakant jew le.
- 7.2. Il-Kunsill qabel li n-nuqqas fiż-żewġ każijiet huma ġustifikati u għalhekk, meta s-SE jibgħat jinforma lill-Ministru għandu jitolbu biex ma jiddikjarax il-post tagħhom vakant.

**8. RIĠENERAZZJONI TAL-PJAZZA – RAPPORT MIS-SOTTOKUMITAT DWAR IL-KONSULTAZZJONI PUBBLIKA;**

- 8.1. Is-SE resaq ir-rapport tas-sottokumitat.
- 8.2. Il-Kunsill qabel li għandha toħroġ sejha għall-offerti biex tinstab kumpanija li toffri s-servizzi meħtieġa li jinkludu sħarriġ u konsultazzjoni dwar ir-riġenerazzjoni tal-Pjazza.
- 8.3. Il-Kunsillier Brincat ippropona li għandu s-sejha tinkludi s-servizzi kollha u li jekk permessibli jkun indikat li l-valur ma jkunx inqas minn €13,000 u mhux aktar minn €15,000. Dan sabiex kulhadd ikollu idea tal-livell ta' servizz u mhux jidhlu offerti li jkunu ta' livell inferjuri.
- 8.4. Din il-proposta ġiet sekondata mis-Sindku. Il-Kunsill qabel.

**9. IL-PROĊESS TAL-IŻVILUPP TAL-LATRINA PUBBLIKA;**

- 9.1. Is-SE ressaq animazzjoni mhejjija mill-perit ta' kif inhu l-pjan li tiġi riġenerata l-latrina pubblika li tinsab biswit Ġnien Toni Vella.
- 9.2. Il-Kunsillier Brincat informa li kienu saru laqqgħat mal-Perit biex ikun pjanat l-aħjar proġett possibli li jaqdi l-ħtiġijiet kollha possibli.
- 9.3. Il-Kunsillier Spiteri issuġġerixxa li tkun inkluzja ġiebja taħt. Il-Kunsillier Brincat informa li kien assumu li dan ikun inkluzi iżda kien punt tajjeb li jaċċerta li tkun fil-fatt inkluzja.
- 9.4. Wara diskussjoni, l-Kunsill qabel li għandu jibda l-proċess biex japplika mal-Awtorità tal-Ippjanar u jkompli t-thejjija għal dan il-proġett.

**10. SEJHIET GĦALL-OFFERTI;**

- 10.1. Is-SE informa lill-Kunsill b'dawn is-sejhiet;

- 10.1.1. Sejha għall-ġbir ta' *bulky refuse*. Dan wara li s-sejha preċedenti giet kancellata wara appell minhabba dewmien fl-evalwazzjoni.
- 10.1.2. Sejha għal fanali dekorattivi. Din is-sejha qed terġa tinħareġ minhabba li kien hemm żball fl-ammont ta' fanali mitluba.
- 10.1.3. Sejha għall-kuntarttur tat-tiswija tal-bankini – Din is-sejha qeghad fi stadju ta' preparazzjoni.
- 10.1.4. Sejha għall-konsultazzjoni tar-rigenerazzjoni tal-Pjazza – Din is-sejha tinsab fi stadju ta' preparazzjoni.
- 10.1.5. Sejha għal xogħol ta' traqqiegħ tat-toroq - Din is-sejha qeghad fi stadju ta' preparazzjoni. Il-Kunsill talab li f'dan il-każ għandha tintalab rata ta' xogħol b'emergenza. Il-Kunsillier Deguara se jkun qed jgħin f'din is-sejha.
- 10.1.6. Sejha għal dawl dekorattiv tal-Milied - Din is-sejha tinsab fi stadju ta' preparazzjoni. Il-Kunsillier Spiteri se jkun qed jgħin f'din is-sejha.

**11. TMIEM TAL-LAQGĦA U DATA TAS-SEDUTA LI JMISS.**

- 11.1. Il-Laqgħa ntemmet fit-19:45.
- 11.2. Il-Kunsill qabel li l-laqgħa li jmiss issir nhar it-Tnejn 25 ta' Settembru fis-6.30pm.

**ANNE MARIE MUSCAT FENECH ADAMI**  
**SINDKU**

**PAUL GATT DIP.MGMT (HENLEY)**  
**SEGRETARJU EŻEKUTTIV**



## KUNSILL LOKALI IN-NAXXAR

18 ta' Awwissu, 2023

### IT-TMIEN LEGIŻLATURA

AGENDA Numru 8/58

Laqgħa tal-Kunsill Lokali Naxxar

Lis-Sindku, Viċi Sindku, Kunsillieri,

Qiegħed tiġi mitlub/a tattendi għal-laqgħa tal-Kunsill Lokali fis-Sala tal-Laqqgħat tal-Kunsill Lokali nhar it-Tnejn 28 ta' Awwissu 2023 fil-6:30 ta' filgħaxija.

Tista' tgħażel li tingħaqad b'mod virtwali permezz ta' sistema virtwali iżda jista' jkun hemm limitazzjonijiet biex issegwi preżentazzjonijiet li jista' jkun hemm waqt il-laqgħa. Jista' wkoll ikun hemm u xi diffikultajiet biex il-pubbliku li jkun qiegħed isegwi live, isegwikom waqt l-interventi. Il-laqgħa se tkun imxandra *live* fuq il-paġna ta' Facebook tal-Kunsill u se tkun qed tiġi rrekordjata biex tiġi mxandra b'mod *on demand*.

(IFFIRMATA)

Paul Gatt

Segretarju

Eżekuttiv

*Aqleb wara*

## AGENDA

### LAQGHA TAL-KUNSILL Numru 8/58

- 1 Qari tal-ittri ta' apologiji;
- 2 Kunsiderazzjoni u Approvazzjoni tal-Minuti;
- 3 Komunikazzjonijiet mis-Sindku;
- 4 Twegibiet għall-Mistoqsijiet tal-Kunsillieri;
- 5 Kunsiderazzjoni u Approvazzjoni ta' rapporti finanzjarji:
  - a. Skeda tal-pagamenti;
  - b. Skeda ta' dħul;
  - c. Skeda ta' ordnijiet;
  - d. Infiq mill-Petty Cash;
- 6 Nuqqas ta' attendenza minn Kunsillieri;
- 7 Rigenerazzjoni tal-Pjazza – Rapport mis-sottokomitat dwar il-konsultazzjoni pubblika;
- 8 Il-proċess tal-iżvilupp tal-latrina pubblika;
- 9 Sejħiet għall-offerti;
- 10 Tmiem tal-laqgħa u data tas-seduta li jmiss.



### Kunsill Lokali In-Naxxar

#### Income List for the month of July 2023

Code	Description	Amount
	Other Government Income	
0001	Annual allocation from Government	
0015	Other Government Income	
0020	Commercial/directional signs	
0021	Community services inc. Courses, Aerobics, outings etc	€175.00
0023	Cultural Activities	
0024	Football ground hire	
0025	Skip Permit	€173.52
0026	Crane Permit	€3,057.32
0027	Kiosk Permit	
0028	Outside Activity permit	€18.64
0030	Deposit of Material, scaffolding etc	
0031	Hire of Council Hall	
0032	Permits for placing tables and chairs	
0033	#N/A	
0036	Contraventions	€699.00
0067	#N/A	
0110	#N/A	
0121	Advertising	
0125	Trenching permits	€9.32
0200	Debtors	
4006	Contractors guarantees	
4007	Refunds to Council by individuals (such as for Gita, staff dinner etc)	
	<b>TOTAL</b>	<b>€4,132.80</b>

<b>Receipts</b>	From	49032
	To	49556

List prepared by Charmaine Calleja

03 August 2023



Kunsill Lokali In-Naxxar

Purchase Order list for the month of July 2023

03/08/2023

Date	P.O. No.	Supplier	Items	Cost €
04/07/2023	144/23	Archway Ironmongery	Ironmongery supplies	€ 180.63
05/07/2023	145/23	Silvio's Chairs	tables and chairs for piazza event on 8/7/2023	€ 0.00
05/07/2023	146/23	Paramount Garage	July day centre outing	€ 129.80
05/07/2023	147/23	Splendid	bin, kettle, clock and glasses for Mithna	€ 74.65
07/07/2023	148/23	Anton Zarb	iron pole for Triq San Gorg	€ 554.60
07/07/2023	149/23	Benjamin Cilia	skip for clean up Triq John Adye	€ 177.00
12/07/2023	150/23	Island Services	Prepaid offer for 245 bottles	€ 882.00
17/07/2023	150/23	Ben Malta Ltd	6 plastic bollards	€ 225.00
18/07/2023	151/23	Sports Experience	Mementos DEVICE Project	€ 0.00
21/07/2023	152/23	RGS Supplies Ltd.	A4 photocopy papers for office	€ 531.00
21/07/2023	153/23	Bits & Bytes	50 ID Card portrait double side rigid frosted clear pocket	€ 100.30
27/07/2023	154/23	Malta Lanyards	100 Full Print Custom 20mm Lanyards	€ 165.20
31/07/2023	155/23	TSS Sound Rentals	Sound/light/stage for event on 12/8/2023 piazza naxxar	€ 1,350.00





## Skeda tal-Hlasijiet - Rapport ta' Xiri u Pagamenti

Data: Mil-20 ta' Lulju 2023 sal-21 ta' Awissu 2023

	Fornitur	Ammont tal-Invoice	Ammont li ser Jithallas	Metodu*		Deskrizzjoni	Data tal-Invoice	Nru. tal-Invoice	Nru. Tal-PR	Nru. Tal-PO	Nru. tan-Nominal Account
1	A6iT	€59.00	€59.00	D	PF	Domain naxxar.com [29Sept 23 till 28Sept 24]	01/07/2023	5021	n/a	n/a	3110
2	Accounting & Man. Team	€173.93	€173.93	T	PF	Project Manager for an EU ERDF Co-financed Project for CultureMill Restoration June 23	30/06/2023	23/112	n/a	n/a	7601
3	Adi associates	€118.00	€118.00	T	PF	Review of planning applications - July 2023	31/07/2023	4032	n/a	n/a	3190
4	Adobe Acrobat	€599.88	€599.88	NA	PF	To re-imburse ES for Creative Cloud application for LC office usage 22/7/23 to 21/7/2024	22/07/2023	2508848008	n/a	n/a	2630
5	Advisory 21	€413.00	€413.00	T	PF	DPO Services for July 23	30/07/2023	2018-4462	n/a	n/a	3190
6	Airport Impressions	€2,500.00	€2,500.00	K	PF	Performance for event on 12/8/2023	18/08/2023	1			3360
7	Antes Insurance brokers	€2,352.77	€2,352.77	NA	PF	Buildings' insurance 5/8/2023 to 4/8/2024	13/07/2023	tkt 61688	n/a	n/a	3030
8	Apcopy	€20.53	€20.53	NA	PF	BOV transactions for July 2023	10/08/2023	18990	n/a	n/a	3035
9	Archway Ironmongery	€187.83	€187.83	K	PF	Ironmongery supplies as needed	23/06/2023	41183	144/23	144/23	2310
10	Arms	€144.33	€144.33	NA	PF	Bill for water & elec for Old Mill (6.5-9.7.23)	04/08/2023	36683618	n/a	n/a	2130
11	Arms	€896.80	€896.80	NA	PF	Bill for water & elec for LC office (10.6-11.7.23)	26/07/2023	36636880	n/a	n/a	2170
12	Bank of Valletta	€30.00	€30.00	NA	PF	Grey deposit bags	07/08/2023		n/a	n/a	2670
13	Ben Malta Ltd	€225.00	€225.00	K	PF	6 plastic lane dividers	28/07/2023	280723001	150/23	150/23	2370
14	Ben Purple	€250.00	€250.00	K	PF	Performance for event on 12/8/2023	12/08/2023	NXR003			3360
15	Bitmac	€96.29	€96.29	K	PF	Instant road repair	20/07/2023	121092	67/23	67/23	2310
16	Bits & Bytes	€100.30	€100.30	K	PF	Double sided rigid frosted clear pockets	21/07/2023	2016967	153/23	153/23	2620
17	Bolt	€15.60	€15.60	NA	PF	Trip re meeting w/Min O Bonnici on his request	31/07/2023	34256588-MT1123-408	n/a	n/a	2720
18	Bolt	€40.70	€40.70	NA	PF	Trip re arrival from Athens on Council business	25/07/2023	45143998-MT1123-259	n/a	n/a	2720
19	Briiz	€1,472.35	€1,472.35	T	PF	Cleaning of public convenience July 2023	31/07/2023	65015	n/a	n/a	3053
20	Benjamin Cilia	€2,184.36	€2,184.36	T	PF	Handyman service for June 2023	04/07/2023		n/a	n/a	3125
21	Comtec Services Ltd	€60.00	€60.00	K	PF	Roach eradicator for Mithna tal-Għaqba	04/08/2023	20352	161/23	161/23	2370
22	Datatrak IT	€15.23	€15.23	NA	PF	2 pre-regional tickets paid in July 2023	31/07/2023	1014883	n/a	n/a	3610
23	Dimbros	€2,245.30	€2,245.30	T	PF	Bulky refuse service for July 2023	31/07/2023	543	n/a	n/a	3042
24	Dolceria Appetitosa	€1,029.60	€1,029.60	K	PF	Catering - inauguration of windmill	27/04/2023	6951	89/23	89/23	3370
25	Epic	€42.94	€42.94	NA	PF	Bill for 99370990 for July 2023	01/08/2023	11859087082023	n/a	n/a	2160
26	Epic	€67.49	€67.49	NA	PF	Bill for 79404014 for July 2023	01/08/2023	11859486082023	n/a	n/a	2160

## Approvati fis-Seduta Nru:

D - Direct Order, DA - Direct Order Approvat, T - Tender, K - Kwotazzjonijiet

PP - Part Payment, PF - Paid in Full.

Ifirmat

Anne Marie Muscat  
Fenech Adami  
Sindku

Ifirmat

Paul Gatt  
Segretarju Eżekuttiv

Ifirmat

Proponent

Ifirmat

Sekondant



## Skeda tal-Hlasijiet - Rapport ta' Xiri u Pagamenti

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	Fornitur	Ammont tal-Invoice	Ammont li ser Jithallas	Metodu*	Deskrizzjoni	Data tal-Invoice	Nru. tal-Invoice	Nru. Tal-PR	Nru. Tal-PO	Nru. tan-Nominal Account	
27	Claudia Faniello	€200.00	€200.00	K	PF	Singer for event on 8/7/2023	01/08/2023	12	136/23	136/23	3360
28	Fabrizio Faniello	€200.00	€200.00	K	PF	Singer for event on 8/7/2023	07/08/2023	10823085019	137/23	137/23	3360
29	Galea Cleaning Solutions	€1,062.00	€1,062.00	T	PF	Street sweeping for July 2023 - extra -	31/07/2023	293	n/a	n/a	3051
30	Galea Cleaning Solutions	€11,215.79	€11,215.79	T	PF	Street sweeping for July 2023	31/07/2023	292	n/a	n/a	3051
31	Galea Curmi Eng Cons Ltd	€141.60	€141.60	T	PF	Consultancy-CCTV supply box at Triq id-Dwieli	31/07/2023	14737	n/a	n/a	3065
32	GO plc	€16.50	€16.50	NA	PF	Rental for 21416363 for Aug 2023	02/08/2023	86829186	n/a	n/a	2160
33	GO plc	€24.38	€24.38	NA	PF	Rental for 21417224 for Aug 2023	02/08/2023	86828809	n/a	n/a	2160
34	GO plc	€18.90	€18.90	NA	PF	Rental for 21416341 for Aug 2023	02/08/2023	86829180	n/a	n/a	2160
35	Guarantee	€230.00	€230.00	NA	PF	Refund for works in Triq Hal Dghejf	11/08/2023	27792	n/a	n/a	4006
36	Image Systems	€128.03	€128.03	NA	PF	Usage and rent billing for xerox for Jul 2023	31/07/2023	533937	n/a	n/a	2610
37	Inland Revenue Dept	€5,196.52	€5,196.52	NA	PF	FSS & NI July 2023	28/07/2023		n/a	n/a	1500
38	Island Services Ltd	€37.20	€37.20	NA	PF	Deposit on 4 empty refill bottles	04/08/2023	1079052	n/a	n/a	2140
39	Lift Services Ltd	€125.00	€125.00	NA	PF	Lift inspection on 6/7/2023	06/07/2023	420710	n/a	n/a	3130
40	Mario Mallia	€27.44	€27.44	K	PF	Street name	18/08/2023	2714	131/23	131/23	2313
41	Mario Mallia	€109.76	€109.76	K	PF	Various signs	18/08/2023	2713	162/23	162/23	2313
42	Mario Mallia	€84.17	€84.17	K	PF	1 thinner	01/08/2023	2704	132/23	132/23	2312
43	Melita plc	€195.08	€195.08	NA	PF	Internet service for LC properties Jul & Aug 23	01/08/2023	115421809	n/a	n/a	2160
44	Micamed	€602.98	€602.98	NA	PF	T005 Sqaq Cejlu maintenance	20/07/2023	11413	n/a	n/a	3065
45	Micamed	€573.48	€573.48	NA	PF	W153 Triq il-Mosta	20/07/2023	11410	n/a	n/a	3065
46	Micamed	€587.05	€587.05	NA	PF	T001 isolator needed Triq Francis Attard	20/07/2023	11405	n/a	n/a	3065
47	Micamed	€555.19	€555.19	NA	PF	T010 Triq M. Murray	20/07/2023	11406	n/a	n/a	3065
48	Micamed	€525.69	€525.69	NA	PF	T002 Triq Francis Attard	20/07/2023	11421	n/a	n/a	3065
49	Micamed	€602.98	€602.98	NA	PF	W370 Triq I-Emigranti	28/07/2023	11433	n/a	n/a	3065
50	Micamed	€440.14	€440.14	NA	PF	Z027 Pjazza Toni Bajada	31/07/2023	11192	n/a	n/a	3065
51	Micamed	€1,106.84	€1,106.84	NA	PF	Z026 Pjazza Toni Bajada	31/07/2023	11191	n/a	n/a	3065
52	Micamed	€725.70	€725.70	NA	PF	W514 Triq Qalet Marku	02/08/2023	11458	n/a	n/a	3065
53	Micamed	€516.25	€516.25	NA	PF	L173 / T002 Triq Birguma	08/08/2023	11486	n/a	n/a	3065
54	Micamed	€23.60	€23.60	NA	PF	L263 Triq A Darcel	08/08/2023	11485	n/a	n/a	3065

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PP - Part Payment, PF - Paid in Full.

Ifirmat

Anne Marie Muscat  
Fenech Adami  
Sindku

Ifirmat

Paul Gatt  
Segretarju Eżekuttiv

Ifirmat

Proponent

Ifirmat

Sekondant



## Skeda tal-Hlasijiet - Rapport ta' Xiri u Pagamenti

Data: Mil-20 ta' Lulju 2023 sal-21 ta' Awissu 2023

	Fornitur	Ammont tal-Invoice	Ammont li ser Jithallas	Metodu*	Deskrizzjoni	Data tal-Invoice	Nru. tal-Invoice	Nru. Tal-PR	Nru. Tal-PO	Nru. tan-Nominal Account	
55	Micamed	€555.19	€555.19	NA	PF	W114 Triq l-Imnara	08/08/2023	11493	n/a	n/a	3065
56	Micamed	€13.60	€13.60	NA	PF	C019 Triq il-Kbira	04/08/2023	8912	n/a	n/a	3065
57	Micamed	€90.30	€90.30	NA	PF	W287 Triq is-Sghajtar	04/08/2023	8904	n/a	n/a	3065
58	Micamed	€109.74	€109.74	NA	PF	W275 Triq il-Qoton	04/08/2023	9585	n/a	n/a	3065
59	Micamed	€206.50	€206.50	NA	PF	W433 Triq il-Forga	04/08/2023	8914	n/a	n/a	3065
60	Micamed	€112.10	€112.10	NA	PF	Isolator Triq tal-Qadi	04/08/2023	9925	n/a	n/a	3065
61	Micamed	€555.19	€555.19	NA	PF	L425 Triq it-Tuffieħ	09/08/2023	11489	n/a	n/a	3065
62	Saviour Mifsud	€88.50	€88.50	K	pf	2 mobile toilets for event on 12/8/2023	16/08/2023	3	159/23	159/23	3360
63	Saviour Mifsud	€123.90	€123.90	K	PF	3 mobile toilets for event on 8/8/2023	09/08/2023	nr 2	157/23	157/23	3360
64	Katia Milazzo	€250.00	€250.00	K	PF	Fitness classes Apr-July 2023	08/08/2023	8	076/23	076/23	3381
65	Ministry for EU affairs	€791.92	€791.92	NA	PF	Covering 20% re inv 2185-Culture Mill	17/08/2023		n/a	n/a	7601
66	Victor Mula	€2,184.36	€2,184.36	T	PF	Handyman service for June 2023	30/06/2023		n/a	n/a	3125
67	Victor Mula	€2,133.56	€2,133.56	T	PF	Handyman service for July 2023	31/07/2023		n/a	n/a	3125
68	Orlandcabs	€23.60	€23.60	NA	PF	Airport transfer on 23/4/2023 for Mr D. Cerilli	10/05/2023	6220	n/a	n/a	3330
69	Paramount coaches	€313.88	€313.88	K	PF	Transport for elderly for June 2023	30/06/2023	10011697	019 & 106/23		2720
70	Paramount coaches	€106.20	€106.20	K	PF	Transport for elderly outing for May 2023	30/06/2023	10011770	105/23	105/23	2720
71	Piscopo Gardens	€76.70	€76.70	T	PF	Maintenance of plants for July 2023	31/07/2023	7214	n/a	n/a	3060
72	PSS-DNA Surveys	€1,534.00	€1,534.00	D	PF	Survey in Bahar ic-Cagħaq re Project Green	04/07/2023	PSS878	n/a	n/a	3190
73	Radix	€2,802.50	€2,802.50	NA	PF	Cert nr 6 for variation works completed at Tal-Għaqba windmill-NLC/01/2020	02/05/2023	011/23	n/a	n/a	7601
74	Red Electrick	€1,416.00	€1,416.00	K	PF	Acoustic gig on 8/8/2023-event in piazza	02/08/2023	RE19258	158/23	158/23	3360
75	Regjun Tramuntana	€10,336.67	€10,336.67	NA	PF	Mixed waste collection and tipping fees -Jun 23	04/08/2023	360	n/a	n/a	3041
76	RGS supplies	€531.00	€531.00	K	PF	A4 photocopy papers for LC office	21/07/2023	304616	152/23	152/23	2210
77	Scotts	€88.50	€88.50	K	PF	Toiletries for public convenience at Triq tal-Labour	09/08/2023	2756	164/23	164/23	3053
78	Simply Clean	€776.02	€776.02	T	PF	LC cleaning services for July 23	02/08/2023	111	n/a	n/a	3055
79	Mark Taliana Gardening	€7,825.76	€7,825.76	T	PF	Gardening Services for July 2023	31/07/2023	1380	n/a	n/a	3061
80	Transport Malta RWP	€10.00	€10.00	NA	PF	Payment for RWP3-6414/23	04/08/2023		n/a	n/a	2311

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Iffirmat

Anne Marie Muscat  
Fenech Adami  
Sindku

Iffirmat

Paul Gatt  
Segretarju Eżekuttiv

Iffirmat

Proponent

Iffirmat

Sekondant



Skeda tal-Flasijiet - Rapport ta' Xiri u Pagamenti  
Data: Mil-20 ta' Lulju 2023 sal-21 ta' Awissu 2023

Nru.	Fornitur	Ammont tal-Invoice	Ammont li ser Jithallas	Metodu*		Deskrizzjoni	Data tal-Invoice	Nru. tal-Invoice	Nru. Tal-PR	Nru. Tal-PO	Nru. tan-Nominal Account
				K	PF						
81	Wristbands Europe	€165.20	€165.20	K	PF	100 Full Print Custom 20mm Lanyards	27/07/2023	10187	154/23	154/23	2670
		<b>€73,834.39</b>	<b>€73,834.39</b>								

Approvati fis-Seduta Nru:

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Iffirmat

Proponent

Iffirmat

Sekondant



## Laqgħa tal-Kumitat tal-Finanzi

**Data:** 14 ta' Settembru 2023  
**Ħin:** 11.00am - 12.15pm  
**Preżenti:** Is-Sindku, l-Kunsillier Joe Spiteri, is-Segretajru Eżekuttiv u Yanika Borg, Uffiċjal tal-Kunsill.  
**Post:** Kunsill Lokali in-Naxxar

---

### 1. **Air conditioner ġdid fl-uffiċċju tas-SE;**

1.1 Is SE informa lill-Kumitat li hemm bżonn li jinbidel l-Air Conditioner tal-uffiċċju tiegħu minħabba li qed jagħmel ħafna storbju meta jkun qed jaħdem, xi ħaġa li kkonfermatha wkoll is-Sindku. Fakkar li dan huwa wkoll mudell antik.

1.2 Il-Kumitat qabel li jinxtara ieħor.

### 2. **Compliance Audit;**

2.1 Minħabba li d-dokumenti involuti ma kienux għand il-Kumitat. il-Kumitat qabel li se jkun jara dawn id-dokumenti wara l-laqgħa.

2.2 Dan qed jitressaq għand il-kumitat għal fini ta' informazzjoni. Is-SE spjega li kif kien indika fil-laqgħat preċedenti, inkluż tal-Kunsill dan kien audit rigoruż ħafna u li kkonferma ħafna ħin tal-amministrazzjoni kollha. Informa li kellu indikazzjonijiet li d-Dipartiment ma sab l-ebda problemi li li huma b'xi mod kbar. Fir-risposta enfasizza l-bżonn li jkunu allokati aktar rizersi biex jippermettu li l-Kunsill ikun aktar konformi mal-ħafna regolamenti dejjem jizdiedu.

2.3 Kopja annessa ma' dawn il-minuti.

### 3. **Ħlas ta' danni 011/23 ri-evalwazzjoni;**

3.1 Il-Kumitat iddiskuta dan il-każ.

3.2 Wara diskussjoni u ri-evalwazzjoni tal-każ, il-Kumitat qabel li dan il-każ jista' jkun ġustifikat minħabba li għalkemm hemm bozza fil-viċin, instab li din hija mgħottija b'siġra u għalhekk għalhekk diffiċli li dak li jkun jara sew. Għalhekk ippropona li l-Kunsill iħallas għal dawn id danni.

**4. Hlas ta' danni 008/23 ri-evalwazzjoni;**

4.1 Il-Kumitat iddiskuta dan il-każ.

4.2 Wara diskussjoni u ri-evalwazzjoni tal-każ, il-Kumitat qies li, għalkemm fil-ħin tal-allegat inċident kien matul il-jum, dak inhar għamlet record ta' xita u li allura it-toqob kollha jkunu mimlijin bl-ilma. Ikkonsidra wkoll li kien vera li żviluppat ħofra fejn indikat. Għalhekk il-Kumitat qabel li din it-talba hija ġustifikata u għalhekk ippropona li l-Kunsill iħallas għal dawn id danni.

**5. Hlas ta' danni 012/23 - ri-evalwazzjoni;**

5.1 Il-Kumitat iddiskuta dan il-każ.

5.2 Wara diskussjoni u ri-evalwazzjoni l-Kumitat qies li għalkemm ma kellux il-provi kollha f'idej li jindikaw li l-ħsara saret fil-ħofra indikata, il-fatt li huwa rrikorra għand il-kumpanija tal-assikurazzjoni, li kienet qed tkopri għal din il-ħsara irrispettivament minn fejn seta' ġarrab il-ħsara, u li allura kienet giet ġustifikata min-naħa tal-istess assikurazzjoni, il-Kumitat qabel li ma kellux ikollu dubju mill-verita ta' dan il-każ u għalhekk ippropona li l-Kunsill iħallas għal dawn id danni.

**6. Kwotazzjoni għal xogħol fuq bollard tal-qawwi - Spejjeż ta' Eur 620 +vat;**

6.1 Is-SE informa lill-Kumitat li hemm bollard mas-Salib li jinsab fi Triq San Pawl (faċċata tal-kappella ta' San Pawl) li nkisret u hemm bżonn tkun mibdula.

6.2 Huwa nforma li l-ispejjeż għal dan huma ta' Eur 620 eskluż il-vat. Ix-xogħol isir minn Aguis Stone Works li huma wieħed mill-uniċi li jagħmlu tali xogħlijiet.

6.3 Il-Kumitat qabel li għandu jsir dan ix-xogħol.

**7. Open day;**

7.1 Is-SE fakkar li kien hemm il-ħsieb li bħala parti miċ-ċelebrazzjonijiet tat-30 sena mill-Kunsilli Lokali, issir open day fil-Kunsilli kollha. Huwa informa li jidher li hemm problema biex din issir fuq bażi nazzjonali.

7.2 Is-SE spjega li jekk din ma ssirx fuq bażi nazzjonali, il-Kunsill jista' jikkonsidra li jagħmel xi attivita' biex jikkommemora t-30 sena mill-ewwel Kunsill tan-Naxxar li beda jiffunzjoni mill-1 ta' Frar 1994 (l-elezzjoni saret f'Jannar 1994).

7.3 Is-SE issuġerixxa f'din l-open day ikun hawn żewġ preżentaturi, issir wirja bix-xogħlijiet tal-Kunsill,, filmat dwar ix-xogħol u proċessi tal-Kunsill u diskussjoni mas-Sindku u l-Kunsillieri, fost attivitajiet oħra.

7.4 Il-Kumitat qabel li jsir hekk kif propost mis-SE.

**8. Servizz ta' videographer;**

8.1 Is-SE informa lill-Kumitat li f'attivitajiet tal-Kunsilli ikun hemm bżonn ta' videographer preżenti. Huwa ssuġerixxa li toħroġ sejha għal tender/ kwotazzjoni biex l-istess videographer ikun preżenti f'kull attività.

8.2 Il-Kumitat qabel.

**9. Servizz ta' tindif tal-miżna;**

9.1 Is-SE informa li hemm bżonn toħroġ talba għal kwotazzjoni sabiex it-tindif fil-miżna jibda jsir regolarment (kull ħmistax-il ġurnata). Dan fid-dawl li l-Miżna se tibda tinfetaħ għal pubbliku b'mod regolari.

9.2 Il-Kumitat qabel li għandha toħroġ kwotazzjoni għal dan is-servizz.

**10. Kwotazzjoni għas-servizz ta' manutenzjoni ta' pjanti fil-bini tal-Kunsill;**

10.1 Is-SE informa li ntalbu kwotazzjonijiet għal dan is-servizz. Waslu lura żewġ kwotazzjonijiet. Dan minkejja li s-sejha intbqhatet lill-ħames operaturi.

10.2 Il-Kumitat qabel li għandna mmexxu ma' l-irħas offerent, cioè Piscopo Gardens li infatti ilhom jagħmlu dan ix-xogħol.

**11. CCTV's fejn il-bring-in-sites;**

11.1 Is-SE spjega li CCTVs saru mil-Greenpak iżda l-Kunsill irid iħallas tal-arblu u tal-konnesjoni tagħhom.

11.2 Il-Kumitat qabel, iżda esprima l-importanza li l-arbli jsiru f'post tajjeb li ma jtellifx mit-tbattli tal-istess BIS u ma jinbidilix il-post attwali tal-BIS.

**12. Kuntratt NLC/02/2023: Tibdil fil-bandli għal Ġnien Toni Vella biex minn struttura b'żewġ bandli, titbiddel għal waħda b'erba' bandli - Varjanza fil-prezz ta' € 1330 excl. VAT (minn € 1170 issa tiswa € 2500)**

12.1 Is-SE informa li wara kummenti tal-pubbliku, saret il-konsiderazzjoni biex il-bandli jiżdiedu minn tnejn għal erbgħa. Il-varjanza fil-prezz hija ta' €1330 excl. VAT.

12.2 Il-Kumitat qabel li din tinbidel hekk kif propost..

**13. Tenders**

13.1 Is-SE informa lill-Kumitat li, nħargu t-tenders għal-ġbir tal-Bulky refuse u għax-xrir ta' fanali dekorattivi għal Triq Catro etc. Dawn jagħlqu fis-6 ta' Ottubru.

**14. Taħriġ minn waħda mill-impjegati**

14.1 Is-SE informa li waħda mill-impjegati tal-kunsill kienet se tagħmel course ta' diploma ma' akkademja privata f'MQF livell 5 f'suġett relatat max-xogħol fil-Kunsilli Lokali.

14.2 Fid-dawl li 70% tal-ispiza tat-taħriġ jiġi mgħotija lura permezz tal-iskema get qualified, Il-Kunsill kien qed jintalab li jħallas għat 30% l-oħra. Dawn it-30% jammontaw għal €945.

14.3 Il-Kumitat irikonoxxa li tali taħriġ huwa ta' benefiċċju għall-Kunsill u qabel ma' dan il-ħlas.

---

Paul Gatt

Segretarju Eżekuttiv

# **Naxxar Local Council**

## **Management Letter**

*Compliance Audit  
Financial Year 2022*

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## List of Abbreviations

The following is a list of abbreviations used throughout the Report.

ES	Executive Secretary
LGD	Local Government Division
NAO	National Audit Office
PPR	Public Procurement Regulations

## **A. Introduction**

### **1. Background**

Malta's system of Local Government was founded in 1993 and eventually entrenched in the Constitution of Malta (1964), through a constitutional amendment, in 2001; *“the State shall adopt a system of Local Government whereby the territory of Malta shall be divided into such number of localities as may by law be from time to time determined, each locality to be administered by a Local Council elected by the residents of the locality and established and operating in term of such law as may from time to time be in force”*<sup>1</sup>. The current composition of the Local Government Sector entails a total of 68 Local Councils, 6 Regional Councils and the Local Councils Association. The overall control, co-ordination, supervision and monitoring of the functions of Local Government, falls within the remit of the Local Government Division (LGD).

The locality of Naxxar has a population of about 16,900 residents<sup>2</sup>. The aim of Naxxar Local Council is indeed to improve the quality of life for its residents by providing various citizen-focused services at optimum levels. The Council is governed by nine democratically elected appointees. On the other hand, executive management falls within the responsibility of the Executive Secretary (ES), assisted by a team of people, entailing four Executive Officers, two Assistant Principals and a Clerk.

The Council's operating surplus for the year ended 31 December 2022 totalled €44,712, comprising income of €1,363,502 less expenditure of €1,318,790. Main revenue of €1,152,668 was received from Central Government as financial allocation, in terms of Article 55 of the Local Government Act. €745,554 (57%) of the expenditure incurred pertained to operations and maintenance expenses, €717,568 of which was expensed in respect of contractual services. These included, amongst others, refuse collection, waste disposal, road and street cleaning, as well as cleaning and maintenance of parks and gardens.

### **2. Audit Scope and Objectives**

The main scope of the audit was to ascertain whether the operations of Naxxar Local Council during the year under review, i.e., 2022, were carried out in line with applicable laws and regulations, primarily the requirements of the Local Government Act, as well as with any other applicable procedures, circulars, directives and guidelines as issued by LGD from time to time.

The audit also sought to establish whether Government resources were used prudently and in a judicious manner.

### **3. Audit Methodology**

The audit was conducted in accordance with generally accepted auditing standards. Audit procedures were planned and performed to obtain reasonable assurance as to whether the internal control structure at Naxxar Local Council was adequate. To this effect, the National Audit Office (NAO) held meetings with the ES. Thorough scrutiny of the Council's minutes, as well as schedules of payment for the year under review, was also carried out to identify key events and procurement. Documents required for audit testing were then requested and analysed accordingly, with major areas of concern identified being highlighted further down in this report.

---

<sup>1</sup> Constitution of Malta (1964), Article 115A.

<sup>2</sup> As per Census of Population and Housing 2021 Report issued by the National Statistics Office on 16 February 2023.

#### **4. Relevant Regulations, Procedures and Circulars**

- Local Government Act – Cap 363 of the Laws of Malta
- Subsidiary Legislation 363.01 - Local Councils (Financial) Regulations
- Local Councils Financial Procedures, 1996
- Procurement Guidelines 2017

## B. Areas of Concern

### 1. Weak Compliance Environment

#### Observation

From audit verifications performed it transpired that while Naxxar Local Council continuously strives at achieving its mission towards its citizens, i.e., that of offering and increasing its services to optimum levels, this is not always done compliantly, at times leading to a weak control environment in various areas.

The following are examples of instances identified, each of which will be reported upon further down in the report, under the pertinent observations.

- Procurement not carried out in line with the standing regulations.
- Expenditure not supported by the necessary documentation, including purchase orders and fiscal receipts.
- Formal approval for the working of overtime not traced, besides that overtime was not always recorded on the attendance sheets.
- Instances of non-adherence to the requirements concerning Council meetings and the uploading of documents on the Council's website.

#### Recommendation

The Council is recommended to review its current administrative practices, including its internal control environment and identify means through which these could be improved, thereby resulting in strengthened operations, performed compliantly in line with pertinent rules and regulations.

#### *Procurement*

### 2. Non-Adherence to Procurement Regulations

#### Observations

Verifications carried out on the procurement undertaken by the Council during 2022 revealed various instances of departures from standing regulations and the Procurement Guidelines as issued by LGD in 2017. The shortcomings identified, together with pertinent examples, are reported hereunder.

#### *i. Direct Orders*

Table 1 outlines the procurement procedures expected to be adopted, according to the related thresholds, as provided in the cited guidelines.

Table 1: Procurement Thresholds and Procedures

Thresholds excluding VAT	Applicable Procurement Procedure
€50 - €500	Can be procured through a direct order approved by the ES
€501 - €5,000	At least three signed quotations are to be sought
€5,001 - €9,999	Public call for quotes through the epps
€10,000 and over	Public call for tenders through the epps

However, in certain instances, the Council did not adhere to the required procedures, of obtaining three signed quotes before procuring direct from the open market when the applicable threshold was exceeded. **Appendix 1** relates.

## **ii. Fragmented Procurement**

From scrutiny of the 2022 schedules of payment, it was noted that, procurement of goods and services in relation to the setting up of Christmas decorations was effected from a number of service providers, bypassing the issue of a public call for quotations. An aggregate amount to the tune of €5,870 (excl. VAT) was paid to five suppliers for the setting up and dismantling of decorations, including cherry-picker services, and for the renting of poles.

According to the Council, the respective suppliers *“have been taking care of the Christmas lights (belonging to Council) for a number of years... ..they are the only persons capable of setting up the custom-made lights and dismantling after the festivities, including its proper storage.”* It was further commented that *“Since there are a lot of unknowns prior to procuring this service, along with flexibility on the times and dates to set up the Christmas lighting, it is deemed very difficult to obtain quotations”.*

## **Recommendations**

The Council is to ensure adherence to the Procurement Guidelines 2017 as issued by LGD, hence obtaining at least three signed quotations for purchases exceeding €500 up to €5,000 and issue a public call for quotes, through the epps, for purchases between €5,000 and €9,999. Direct procurement should only be resorted to in exceptional circumstances, after having obtained the necessary approvals; a written consent from the Director (LGD) in the case of procurement between €5,001 and €9,999 and approval from the Minister, through the Director (LGD), for purchases in excess of €10,000.

Continuous review of activities is also recommended, thereby determining procurement needs at an early stage to have sufficient time to follow the appropriate procurement procedures. Moreover, the Council should avoid intentional fragmentation of purchases to by-pass procurement regulations.

## **3. Procurement not covered by Formal Agreements or Renewal thereto**

### **Observations**

Procurement of services was not always covered by a formal agreement entered into with the respective service provider. The following were noted:

- a. Maintenance carried out on playground equipment and soft flooring at Ġnien Ħamrija since August 2020 was not duly formalised through a proper maintenance agreement, outlining the respective terms and conditions of service. Side letters<sup>3</sup>, requiring quarterly inspections of all equipment and detailing the mark-up applicable in the case of replacement of parts and the cost for extra labour, were instead drawn up. However, besides that these were only signed by the ES, they also lacked pertinent details of the service provider, the level of inspection and maintenance expected to be carried out, a service schedule, payment terms, any guarantees

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<sup>3</sup> According to the ES, two side letters are prepared on a yearly basis. However, those provided were dated 24 August 2020, for one year, and 8 November 2022 respectively, also for a period of one year-. No documentation was provided to cover the period between 24 August 2021 and 7 November 2022.

applicable, as well as information regarding legal disputes. The related cost amounted to €1,800 per annum.

- b. On a yearly basis, the Council is paying an amount of €4,680 (excl. VAT) for the service of a warden for sports facilities. The pertinent agreement lacks necessary details, including the amount payable, the date when this was entered into, the period covered, as well as signatures of the parties to the agreement. As per documentation provided, quotations in respect of such service were obtained in 2019. Moreover, according to the agreement, the service is expected to be rendered daily between 07:00 and 23:00 hours, with the officer reporting on a daily basis at the Council's premises to provide a summary of the services rendered during the previous day. However, given the annual amount payable, the level of service was questionable<sup>4</sup>. Hence, clarification to this effect was obtained from the Council and it was confirmed that the service is merely limited to the opening and closing of the pitch, as well as to its daily cleaning. Thus, the terms of services as included in the agreement were not clearly worded.
- c. The contract for street sweeping services, entered into on 1 December 2018, was valid for a period of one year, renewable yearly for a maximum period of four years. However, despite that such service was still being procured during 2022, no evidence of formal yearly renewal agreements or notifications of renewal were provided. Moreover, the contract was extended up to 7 May 2023 by means of an addendum letter dated 7 November 2022.

## **Recommendation**

Services provided are to be duly formalised by means of an agreement entered into between both parties, and clearly outlining each party's rights, duties and obligations. The agreements are also to stipulate pertinent information, including the period covered by the agreement and amount payable. Renewed agreements are also to be duly formalised. This will enhance internal controls and audit trail while also prevents potential disputes.

## **4. Contracted Period and/or Amount exceeded**

### **Observations**

Review of the contract agreements falling within the audit sample revealed instances whereby the contracted amount and/or contracted period were exceeded without any justification whatsoever. The instances highlighted below relate.

#### ***i. Supply and Installation of Outdoor Gym Safety Flooring***

The consideration payable by the Council in respect of the supply and installation of outdoor gym safety flooring at Triq l-Ghakkies Naxxar amounted to €31,316 (excl. VAT). However, to this effect, the Council was invoiced the amount of €36,119 (excl. VAT), thus a variation of over 15%. Justification to cover the variance, as well as the necessary approval to this effect from the Minister through Director (LGD), in line with the Procurement Guidelines, was not evidenced. Moreover, notification of the pertinent variation was not published on the Council's website, in line with Article 111(2) of the Procurement Guidelines 2017<sup>5</sup>.

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<sup>4</sup> The same supplier also provides other services to the Council, namely those relating to the setting up and dismantling of Christmas decorations, as reported under observation 1c.

<sup>5</sup> In the case of variations exceeding the original contract value by more than 5%.

**ii. Collection of Mixed Household Waste**

- a. According to the Bill of Quantity pertaining to the tender for the Collection of Mixed Household Waste in an Environmentally Friendly Manner, the global price over a four-year period was €543,520 (excl. VAT), thus €135,880 per annum. However, from audit verifications on 2022 it was noted that, during the said year, the Council incurred a sum of €239,679 (excl. VAT) for the collection of waste.

According to the Council, the variance was triggered by the nationwide revision in the collection schedule whereby the days during which the black bag is collected were reduced. It was claimed that the amount of waste on Thursdays was *“too high and therefore the contractor had to carry out an additional round.... Therefore instead of 4 collections per week, the Council was paying for 5 collections.”*. However, the respective contract was not modified accordingly.

- b. Modification to the original contract price also required the approval from the Director, Department of Contracts in view of the variation involved. The Council contended that it *“did not feel the need to do so due to the fact that tender was actually based on rates per collection...”*. However, this is not in line with Article 247 of the Procurement Guidelines, 2017<sup>6</sup>.

**iii. Professional Services of an Architect**

The agreement for the provision of professional services of an Architect to Naxxar Local Council was entered into on 25 July 2018, for a period of 4 years, i.e., up to 24 July 2022. While the contracted amount for the four-year period was of €37,160 (excl. VAT), the Council paid a total of €91,441 (excl. VAT) in this regard, i.e., more than double the amount of original contracted value. However, no evidence of a valid justification, as well as Minister’s approval, through Director (LGD), in line with the Local Councils’ Procurement Guidelines was provided in this respect. Moreover, the Council did not publish such information on its website, as required by the pertinent regulations.

**Recommendation**

Variations from contracted amounts will only result in cash constraints for other services. Accordingly, the Council is encouraged to appropriately plan its procurement, thereby controlling expenditure and limiting variations from contracted amounts to the bare minimum. In case variations amount to over 5% of the original contract price, the Council is to ensure that approval from the Minister through Director (LGD) is sought by means of a written request, stating the amount and the circumstances involved. It is also the responsibility of the ES to upload on its website, a List of Awarded Contracts and Variations, in line with Articles 111(1) and 111 (2) of the Procurement Guidelines 2017.

In the case of delays, where these are within the supplier’s control, the Council is encouraged to exercise its rights emanating from the respective contracts and apply penalties. On the other hand, when delays are beyond the supplier’s control, the Council is to ensure that it sets the appropriate timeframes for the delivery of the service.

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<sup>6</sup> Modifications to contracts, the original value of which exceeds the threshold of €140,000, shall be approved by the Director (Department of Contracts), in line with Article 247 of the Procurement Guidelines 2017 and Public Procurement Regulations.

## 5. Requests for Additional Compensation entertained without the required Approval

### Observation

As disclosed in the Council's Finance Committee meeting minutes held on 14 September 2022, the contractor pertaining to the tender for Civil Works at the Proposed Outdoor Gym requested compensation from the Council in view of a rise in prices, in line with Legal Notice 203/2022.

According to the foregoing legislation, in such case, the Council had to refer this request to the Director, Department of Contracts for the necessary approval. However, the Council *"did not believe any authorisations from the Department of Contracts was required"*. Moreover, it was noted that compensation was only formally requested by the contractor and vetted by the architect on 4 May 2023, i.e., following NAO's request for the pertinent documentation<sup>7</sup>. Moreover, both documents, including that titled as vetted by the architect, were unsigned and did not clearly indicate the details of the contract to which they relate.

### Recommendation

Requests for additional compensation are to be duly substantiated by the supplier. Furthermore, these are to be invariably approved in line with pertinent legislation.

## 6. Amounts charged for Services rendered not substantiated

### Observation

Invoices provided in support of amounts charged for certain services were not always substantiated with adequate documentation. As a result, accuracy of amounts billed could not be ascertained. The following relate.

- a. The setting up and dismantling of Christmas decorations was charged on a per hour basis. However, the amounts invoiced were not substantiated, thus could not be validated. The Council claimed that *"Controls will cost much more than the actual cost involved. In such instances one needs to depend on trust and these persons have the full trust of all the Council members."*
- b. As stipulated in Article 4.2.5 of the terms of reference to the respective tender, street sweeping services were to be carried out six days per week, Monday to Saturday. The frequency of sweeping and weeding was to be done in accordance with the lists of streets attached to the agreement. However, the Council has no proper system in place to ascertain that services were provided in line with the requirements of the contract. Action is only taken in cases of negative feedback received from its residents.

### Recommendation

Once a call for tender is issued to cover the setting up and dismantling of Christmas decorations and awarded accordingly, the applicable terms and conditions are to be formalised, ensuring that the chargeable amounts can be validated.

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<sup>7</sup> The amount of the variance, as claimed by the contractor, amounted to €11,521 and was reduced to €9,197 following vetting by the Council's Architect.

The Council is also expected to develop systems aimed at verifying the correctness of amounts invoiced and ensure that services are being delivered in line with the agreed terms. The employment of a contracts manager, as recommended further down under observation 12, could be of assistance in this regard, besides enhancing audit trail.

## **7. Procurement not covered by Fiscal Receipts**

### **Observation**

Purchases of goods and services selected for review were not always supported by a fiscal receipt. **Appendix 2** highlights the instances noted. Effort to request the missing fiscal receipts was only made following audit queries. Besides non-compliance with the pertinent legislation, other implications include the possibility of undeclared fiscal revenue by defaulters.

### **Recommendation**

The Council is expected to ensure that all suppliers who have received payments, in part or in full, for goods and services provided, adhere to the VAT Regulations and submit a fiscal receipt in line with the pertinent regulations. Defaulters are to be reported to the VAT Department. A proactive approach is also to be considered if non-compliance persists, by avoiding purchasing from the suppliers in question until the situation is rectified.

## **8. Incomplete Purchase Orders or not drawn up**

### **Observation**

Procurement of certain goods or services falling within the audit sample was either not supported by a purchase order or this was with no value. An instance was also noted where the purchase order was dated after the invoice date, implying that this has not been drawn up before the related purchase was effected. Instances identified are illustrated in **Appendix 3**.

### **Recommendation**

A purchase order confirms the Council's commitment to order goods or services from third parties, hence should evidence its approval for the respective purchases. Besides ascertaining that the necessary funds are available, it also serves as a document against which details as included on the goods/services received notes, as well as related invoices, are checked and matched, confirming that there are no discrepancies to what was actually ordered. Accordingly, the Council is to ensure that all purchases are supported by purchase orders, detailing all necessary information.

## **9. Gifts and Donations**

### **Observations**

Included in the schedules of payment were various amounts that could be considered as donations. These were mainly given to clubs in the locality. Instances of such occurrences, together with the Council's respective reply, are illustrated in **Appendix 4**.

In breach of standing regulations, a watch, amounting to €127.50, was also bought from the Council's funds to be given as a gift to an officer terminating employment with the Council.

### **Recommendation**

While in terms of the Local Government Act, the Council is obliged to safeguard the locality's traditions, in line with the requirements of Directive 5A issued by LGD, procurement of gifts shall only be limited to the awarding of small mementos, in cases where the Council is hosting delegations, dignitaries or other distinct personalities, in the course of fulfilling its social and cultural obligations.

Moreover, the Council is responsible for exercising caution when forking out funds, ascertaining that expenses strictly relate to fulfilling its functions, as stipulated in Article 33(1) of the Local Government Act. This was reiterated in Circular No. 38/2016 issued by LGD.

### **Human Resources**

#### **10. Overtime not substantiated by Formal Approvals**

##### **Observations**

Overtime data as provided for audit purposes illustrated that, during 2022, seven of the Council's employees performed an aggregate of 510 overtime hours, translating in a total amount payable of €6,746.40. The following matters transpired:

- a. NAO was informed that overtime *"hours are determined according to work involved and according to time constraints of the officers"* and that *"all overtime is approved by the ES beforehand"*. However, extra hours worked were not formally approved and with the appropriate justification<sup>8</sup>.
- b. The only record made available in support of overtime hours worked were the officers' attendance sheets. However, hours recorded therein were not always clearly displayed. Hence, correctness of overtime hours paid could not be verified.

##### **Recommendation**

The Council is to establish standard procedures vis-à-vis the recording and authorisation of overtime hours. In essence, hours worked are to be backed up by a formal document displaying valid justifications as to why overtime is required and also including other pertinent details, such as, the name of the officer performing overtime, date, time and location. Moreover, the ES is to ensure that all overtime is approved ahead of its commencement, and duly evidenced. Payment for overtime is not to be effected unless the necessary authorisations are in place.

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<sup>8</sup> According to the ES, overtime primarily entails, hours worked on Saturdays to open the Council's premises for the public, assistance by officers during the monthly council meetings and to close the daily records and deposit the money in bank.

## 11. Inappropriate Leave Records

### Observations

Employees' leave records covering the year under review, including opening leave balances, leave availed of and closing balances, were provided in spreadsheet format. Review of such records revealed the following:

- a. The "totals by employees' sheet", which included manual leave data compiled by the Council, depicted that all officers availed of their full leave entitlement during 2022. However, leave was not deducted in its entirety in the Council's payroll system. **Appendix 5** relates. The major discrepancy pertained to the leave concerning the ES who further claimed that "*due to exigencies of service, the ES very rarely, throughout the years, availed of all the leave entitlement, the rest of which are simply lost*".
- b. Attendance sheets as provided for audit purposes were also not deemed reliable as vacation leave availed was not always recorded thereon.

### Recommendation

Maintaining proper leave records is an essential aspect of effective human resource management. Thus, the Council is to ensure that these are maintained in an accurate, complete and up-to-date manner, enabling both internal reconciliation as well as external verification. This will also assist the Council in ascertaining compliance with the Local Councils (Human Resources) Regulations vis-à-vis the carry forward of leave balances, requiring any unutilised accumulated vacation leave to be invariably approved during a Council meeting and not exceeding 48 hours.

### Administrative Procedures

## 12. Contracts Manager not engaged

### Observation

Despite that the role of a contracts manager is vital in the administrative management of a Council, Naxxar Local Council has not yet appointed a contracts manager. Enquired on such matter, the Council informed that, "*unless adequate funding is provided by Central Government, no such contract will be issued.*" and that there is "*...no benefit from having a contracts manager as most of contractors' shortcomings are brought to our attention either by the public or from Councillors*".

### Recommendation

The Council is encouraged to abide with the requirements of Directive 02/2021 and either appoint a full-time contracts manager or subcontract the service through the issue of a call for tenders<sup>9</sup>. Such appointment will assist the Council in ensuring that all contracted work is performed in accordance with the terms and conditions stipulated in the contracts entered into with the Council's contractors, thereby enhancing the necessary controls.

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<sup>9</sup> The Directive also allows for the procurement of the service at a regional level, or else collectively, with other local councils through the issue of a joint call for tenders.

### **13. Use of Mobile Phone by the Executive Secretary**

#### **Observation**

From review of the Council's schedules of payment, it was noted that, in addition to bills paid for fixed telephone lines, the Council is also being billed, on a monthly basis, for two mobile phone lines; one linked directly to the Council's telephone system for use through normal telephone sets and the other line used solely by the ES.

As from 1 January 2020, new working conditions for Executive Secretaries within Local Government came into force<sup>10</sup> and ESs were granted an all-inclusive communication allowance of €815 per annum and in turn are "*obliged to utilise their own communication channels, such as their mobile, for the purposes of their duties outside the office*". Hence, the respective mobile bill payment of €49.08 per month from Council's funds is not regular.

In 2022, the amount incurred in respect of the mobile phone in question tallied to €49.08 per month.

#### **Recommendation**

The Council is to regularise its position with respect to the pertinent bills, thereby ensuring unnecessary expenditure is not paid out of public funds.

### **14. Christmas Lunch Expenditure in excess of set Threshold**

#### **Observation**

As laid down in Memo 8/2011 issued by the Department of Local Government, Local Councils are allowed a maximum threshold of €30 per person in respect of lunches organised during the Christmas period. However, the Local Council did not adhere to the said threshold.

#### **Recommendation**

The Council should ensure that any thresholds put forth by LGD for specific events are duly respected, thereby utilising public funds prudently. Any expenditure incurred over and above the set limits is to be personally borne by the attendees.

### **15. Budgeted Expenditure exceeded**

#### **Observation**

A comparison of the Council's expenditure incurred during 2022 with that forecasted, as disclosed in the Quarterly Financial Report (Quarter 4), revealed instances of budget overruns, at times by a high percentage. While deterring the scope of an annual budget, such scenario casts doubt on the thoroughness applied when compiling it. **Appendix 6** highlights the line items for which budgeted expenditure was excessively exceeded and the Council's explanation in this respect.

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<sup>10</sup> The new working conditions were signed on 18 February 2022; however, their financial aspect came into force as from 1<sup>st</sup> January 2020.

## **Recommendation**

The Council is to perceive the annual budget as a tool to control and curtail its expenditure. Hence budgets are to be compiled with due diligence and not simply prepared as a way of formality. Moreover, the Council is to compare budgeted and actual figures on a quarterly basis, thereby identifying those expenditure categories which require additional funding and taking corrective measures, namely through an adjustment of the budget. This will avoid budget overruns from materialising at the end of the reporting period.

## **16. Inconsistencies in the Schedule of Payments**

### **Observation**

Article P1.11 of the Local Councils (Financial) Procedures, 1996, requires the ES to prepare complete and accurate Schedules of Payments containing information in sequential order and presented for Council's approval. Guided by the latest template as issued with LGD Circular 06/2022, 'Skedi tal-Pagamenti għall-użu tal-Compliance Unit', the data disclosed in the schedules of payment is to include details as to the supplier, invoice amount, procurement method and a description of the respective purchase, amongst others.

However, the procurement method was not always accurately indicated therein. By way of example, payments issued following a public call for tenders were at times indicated as if quotes were sought. Examples of occurrences noted are illustrated in **Appendix 7**.

### **Recommendation**

Attention is to be exercised when compiling schedule of payments to ensure that the correct information is given.

## **17. Statutory Documentation not uploaded on Council's Website in a timely manner or not uploaded at all**

### **Observations**

Review of documentation as uploaded on the Council's website revealed instances whereby statutory documentation was either not uploaded within the stipulated period or not uploaded at all. The following relate:

- a. In line with the requirements of Article 52(2)(b) of the Local Government Act, the ES shall draw up and sign the minutes of Council and committee meetings. Minutes are then to be presented for approval in the Council's following meeting, and once approved, these are to be endorsed by both the Mayor and the ES and uploaded on the Council's website within three working days.

However, the minutes of Naxxar Local Council were at times uploaded beyond the established timeframe. **Appendix 8** refers. Moreover, uploaded minutes were not marked as "iffirmati" but merely included the name of Mayor and ES in typed format.

- b. Non-compliance was also noted with respect to the uploading of other statutory documentation on the Council's website, including quarterly financial reports and the annual administrative. Instances identified are reported in **Appendix 9**.

### **Recommendation**

The Council is expected to upload its documents, in an unmodifiable format, within the stipulated timeframes, thereby enhancing transparency and accountability.

## **18. Absences from Council Meetings not always justified**

### **Observation**

Review of the Council's minutes revealed instances whereby Councillors' absences from Council meetings were not always supported by an apology letter, detailing a valid reason for the absence. **Appendix 10** highlights the instances identified.

### **Recommendation**

In line with LDG Circular 22/2019, as well as Article 18 of the Local Government Act, all absences from Council meetings are to be invariably supported by an apology letter, sent to the ES ahead of the meeting, and including a valid justification for the absence. The letter is then to be brought to the attention of the Council by the ES during the pertinent meeting to agree whether the reason provided was valid or otherwise.

## **Appendices**

**Appendix 1: Procurement effected through a Direct Order**

Supplier	Details of Goods/Services procured	Amount excl. VAT (€)	Number of quotations sought	Council's comments
JVP Group	Footpath in Triq is-Simblija	1,170.00	1	We tried to seek quotations but no contractor seemed to be interested except for JVP Group. Since the works were long overdue the Council could not wait further and thus it is quite normal in similar circumstances to first try to contact contractors telephonically and if they are interested, they will be asked to send a quotation.
ESS Ltd	Electrical Supplies	647.24	0	Council ordered from the supplier (ESS) directly.
Ben's Hire Service	Cherry Picker Service for Christmas decorations	2,125.20	0	Since there are a lot of unknowns prior to procuring this service, along with flexibility on the times and dates to set up the Christmas lighting, it was deemed very difficult to obtain quotations, even considering the tight schedule. It was therefore considered to be the Council's benefit to procure the service from this person. When one considers the costs involved to procure the service for lighting up a number of streets, should one contract out the whole job through a call for tenders, the cost would a lot higher.
George Brincat	Pilates Classes	600.00	0	Providers are difficult to find and once one is found to be good and reliable, service is procured.
Katia Milazzo	Aerobics classes	750.00	1	n/a
Piscopo Gardens	Maintenance of shrubs at Council premises	780.00	0	Although the intention was to seek quotations, after taking into consideration the amount involved and the fact that plants required constant care, and they were already being well taken care of by the supplier involved, it was decided to award a direct order.
Mario Mallia	Roads Signs	4,567.04	n/a <sup>11</sup>	Payments were made for two different type of supplies, namely Road marking paint and road signs. As a matter of fact we had issued two separate calls and Mario Mallia was the cheapest bidder for both
	Road Markings paint	2,002.69	0	

<sup>11</sup> Documentation provided in support of the procurement of road signs shows that the Council sought quotations from three suppliers. However, quotes provided were only in spreadsheet format with the name of the supplier written on top in pen. Hence it could not be deduced whether such quotations were legitimate. Moreover, according to email correspondence provided, the cheapest bidder was another supplier (B. Grima & Sons) and not Mario Mallia.

**Appendix 2: Payments not substantiated by a Fiscal Receipt**

<b>Supplier</b>	<b>Details of Goods/Services procured</b>	<b>Invoice Number</b>	<b>Amount incl. VAT (€)</b>
Jennings Falzon	Nativity crib	1	500.00
Alka Ceramics	Street Signs	743	106.20
George Brincat	Yoga instructor twice a week for 10 weeks	1	600.00
Victor Mula	Toilet door for public convenience in Ġnien Toni Vella	1	835.20
	Bolts and red deal for benches	215	177.40
	Office desktops	285	538.08
SRF	Collection of mixed waste April 2022	689	9,621.09
	Collection of skips April 2022	691	2,026.23
	Collection of mixed waste April 2022	688	1,988.79
	Collection of organic waste April 2022	690	9,666.98
Edward Mifsud	Christmas Songs for Christmas Activity 2022	1	165.00
MRO Manoel Pirotta	Kunċent vokali u strumentali fl-attività ta Jum in-Naxxar	1	600.00
The Sound Connection	Outside stage for Christmas event	IN01451	400.00
Vascas	Watch for Roderick's farewell	7172	127.50

**Appendix 3: Issues with respect to Purchase Orders**

<b>Supplier</b>	<b>Details of Goods/Services procured</b>	<b>Amount incl. VAT (€)</b>	<b>Issue with respect to Purchase Order</b>
JVP Group	Footpath in Triq is-Simblija	1,380.60	Purchase order is dated (25/04/2022) after the date of the invoice (18/04/2022)
Benjamin Cilia	Soft Drinks for Jum in-Naxxar event 2022	76.59	Purchase order not drawn up
Benjamin Cilia	Cherry-picker service for Christmas decorations	2,507.73	Purchase order issued at Nil Value (€0)
PVB water supplies	Emptying of well at Pjazza Celsi and on 2 occasions, emptying of well at Pjazza Vittorja	1,180.00	Purchase order only covered the emptying of well at Pjazza Celsi for €200 (excl. VAT). The remaining services were not included. Moreover, the purchase order was dated 3 December 2019, while the invoice was issued on 16 January 2022.
Silvan Azzopardi	Service for the dismantling Christmas decorations and lighting	608.00	Purchase order issued at Nil Value (€0)
Jurgen Attard	Żarmar tad-dawl tal-Milied	586.50	Purchase order issued at Nil Value (€0)
The Sound Connection	Outside stage for Christmas event	400.00	Purchase order not drawn up
Vascas	Watch for Roderick's farewell	127.50	Purchase order not drawn up

**Appendix 4: Payments effected in respect of Events Organised by Third Parties or Advertisements**

Description of payment	Council comments
An activity was organised by the Peace Band Club on the Lady of Sorrows Day. The Council paid the sum of €200.	This was a concert. The Council's involvement was basically to get visibility through published material and help in the promotion of the event through social media. With a sponsorship, the organisation is benefitting from visibility (logos etc) and thus showing its community the importance of supporting cultural events.
An amount of €150 paid to Banda Vittorja.	This was a concert by Peace Band Club and the amount of Eur150 was for advertising during concert and printed material.
Advert of €200 for Naxxar Lions football Club.	Definitely not a donation.
Two payments of €200 and €160 each described as “advert for calendar for year 2022” and “Feast Book Advert 2022” respectively to Banda Vitorja.	These are not donations but adverts for Local Council.
Għaqda Mużikali Marija Bambina was paid the amounts of €130 and €200 for a “Feast Book Advert 2022” and “Advertisement space in calendar 2023” respectively.	
Naxxar Parish Church was paid the amount of €130 for “Feast Book Advert 2022”	
€200 paid to Peace Band Club for Band Concert in Naxxar Parish Church on Good Friday 2022	This was not a donation. It is a form of support to boost culture and voluntary organisations but at the same time Council will benefit from visibility.

**Appendix 5: Discrepancies between Leave Records**

<b>Officer</b>	<b>Leave hours availed as per Council's manual data</b>	<b>Leave hours availed as per Council's payroll system</b>	<b>Discrepancy in hours</b>
Charmaine Calleja	224	224	0
Gloria Debono	224	223.50	0.50
Yanika Borg	224	216.50	7.50
Keith Buhagiar	224	224	0
Noel Fitzpatrick	224	189.50	34.50
Paul Gatt	224	67	157
Roderick Debono	224	76.50	31

**Appendix 6: Actual Expenditure exceeding that Budgeted**

<b>Expenditure Item</b>	<b>Budgeted Expenditure</b>	<b>Actual Expenditure</b>	<b>Difference €</b>	<b>Difference %</b>	<b>Council's comments</b>
Professional Services	95,903	148,717	52,814	55%	It is difficult if not impossible to estimate the fees to Architects since this all depends on the projects approved and carried out by the Council which lately have been quite a lot.
Cleaning of Council Premises	6,000	8,990	2,990	50%	The original contract amounted to €8,434 but this depends on the amount of hours during the year as well as covering any statutory increases to cleaning contracts every year. There is no explanation as to why the budget provided for just €6,000 instead of at least €8,500. It must have been an error whilst drafting the budget.
Transport	2,700	4,000	1,300	48%	The difference may be due to certain locations (distances) for outings for the elderly.
Overtime	5,000	6,439	1,439	29%	We always aim to limit as much as possible; however, one would need to adapt to circumstances and requirements.
Street Lighting	24,000	29,311	5,311	22%	The figure of €24,000 was for maintenance only and when we were preparing the budget on an Income and Expenditure basis, we included another amount for new street lights. It is impossible to estimate the maintenance requirements of street lights due to a number of factors, the actual figure for maintenance was lower. Furthermore, when accounting for all the costs related to lighting, whether maintenance and new, they are all registered under same account.
Waste Disposal	105,000	120,042	15,042	14%	We normally base the budget on the amount allocated by the LGD which was Eur102,685 for 2022. This was round up to €105,000. Please note that payments to Wasteserv are not done by this office but through a direct transfer from the LGD to Wasteserv. We did not manage to find any information as to the difference.

**Appendix 7: Inconsistent Procurement Methods**

Supplier	Service Provided	Actual Procurement Method	Procurement Method as recorded in the Schedule of Payments			
			Direct Order	Quotation	Tender	Direct Approval
Advisory 21	DPO Services	Quotation		x	x	
Armor Consultants	Health and Safety services	Quotation		x	x	
Benjamin Cilia	Handymen services	Tender			x	x
Elaine Scerri	Fitness/aerobic classes	Quotation	x	x		
Michela Aquilina	Service of Junior Science Club	Quotation		x	x	
Paramount	Transport Services	Quotation	x	x		
Piscopo	Maintenance of pots at the Naxxar Civic Centre	Quotation		x	x	
Victor Mula	Handymen services	Tender			x	x

**Appendix 8: Meeting Minutes not uploaded on the Council’s website in a timely Manner**

<b>Meeting No.</b>	<b>Meeting held on</b>	<b>Minutes approved on</b>	<b>Minutes had to be uploaded by<sup>12</sup></b>	<b>Minutes uploaded on Council’s website on</b>
41	25/05/2022	22/06/2022	27/06/2022	03/08/2022
42	22/06/2022	20/07/2022	26/07/2022	03/08/2022
46	26/10/2022	30/11/2022	05/12/2022	06/12/2022

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<sup>12</sup> Within three working days from their approval.

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**Appendix 9: Documents not uploaded on Council's Website in timely manner or not uploaded at all**

<b>Document Type</b>	<b>Timeframes for uploads as per Directive 01/2020</b>	<b>Meeting during which report was tabled and approved by Council</b>	<b>Date when document was uploaded<sup>13</sup></b>
Quarterly Financial Report – Quarter 2 2022	End July 2022	Meeting No. 43 – held on 20 July 2022	Not uploaded
Quarterly Financial Report – Quarter 3 2022	End September 2022	Meeting No. 46 – held on 26 October 2022	27 October 2022
Quarterly Financial Report – Quarter 4 2022	End January 2023	Meeting No. 49 – held on 26 January 2023	15 March 2023
2022 Annual Administrative Report	By end of May 2022	Meeting No. 49 – held on 26 January 2023	Not uploaded

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<sup>13</sup> Data as at 26 May 2023.

**Appendix 10: Absences from Council meeting not supported by an Apology Letter**

<b>Meeting Number</b>	<b>Council member</b>	<b>Details</b>
39	Christopher Deguara (Vice Mayor)	In the minutes, Official was marked as absent.
44	Ivan Gaffiero (Councillor)	In the minutes, Official was marked as absent with an apology, however, apology letter was not traced.
44	Christopher Deguara (Vice Mayor)	In the minutes, Official was marked as absent.
45	Ivan Gaffiero (Councillor)	In the minutes, Officials were marked as absent with an apology, however, respective apology letters were not traced.
47	Ivan Gaffiero (Councillor)	
47	Stephen Abela (Councillor)	



11th August 2023

Ms Joyce Dimech,  
Permanent Secretary  
Ministry for Heritage, the Arts and Local Government

Dear Ms Dimech,

#### **RESPONSE TO MANAGEMENT LETTER FOLLOWING COMPLIANCE AUDIT**

We would like to address the Management Letter (ML) that was issued subsequent to the Compliance Audit carried out by the National Audit Office (NAO) for the fiscal year 2022. We want to express our appreciation for the dedicated efforts and professionalism demonstrated by the NAO's auditors. This comprehensive audit provided a profound understanding of the systems and processes within the Naxxar Local Council. We acknowledge that the auditors are primarily focused on identifying areas of improvement, and this audit has been instrumental in shedding light on crucial shortcomings.

Recognizing the vast scope of this audit, we understand that the auditors are primarily responsible for highlighting deficiencies and failures rather than providing justifications. We are aware that the audit process might seem akin to a tick-the-box exercise. It's important to note that while this approach effectively uncovers issues, it may not always account for resource constraints that impact strict adherence to regulations.

Our commitment remains unwavering in striving to enhance our systems and processes to the best of our abilities. However, we must acknowledge the challenges posed by the sheer volume of work and the ever-increasing demands from the public, coupled with the complex regulatory landscape. Achieving perfection within these constraints is a formidable task.

Prior to going through the areas of concern, allow us to address an important factual inaccuracy. The auditor's reported employee count of 7 is inaccurate. To clarify, since it makes a big difference in capacity, the actual headcount during the year was: 5.5 (Jan – April), 5 (May-Oct) and 6 (Nov-Dec).

We must emphasize that this audit placed considerable stress on the Executive Secretary and the entire staff, a situation exacerbated by the timing of the audit and particular circumstances.

While we may not always align with the auditors' interpretations, our commitment to enhancing our systems in alignment with applicable regulations remains steadfast. We would like to offer our responses to the findings and recommendations detailed in the Management Letter:

### **1. Weak Compliance Environment:**

- *Procurement, Expenditure, and Overtime:* We acknowledge the need for compliance and strive to meet regulations. However, operational realities may occasionally limit full adherence.
- *Non-Adherence:* We accept the possibility of non-adherence and commit to addressing these instances.

### **2. Non-Adherence to Procurement Regulations:**

- *Direct Orders:* Instances where obtaining quotations is challenging were due to time constraints and supplier availability. We recognize the importance of careful procurement practices.
- *Fragmented Procurement:* We acknowledge the need for improved coordination in procurement processes.

### **3. Procurement without Formal Agreements:**

- a) Documented instances of untraced documentation will be addressed to ensure proper coverage and compliance.
- b) The highlighted clause's intent is clear, and we'll ensure its better implementation.

### **4. Contracted Period and/or Amount Exceeded:**

- i) *Outdoor Gym Safety Flooring:* We maintain that the contract's payment structure is rate-based and tied to actual work performed.
- ii) *Collection of Mixed Household Waste:* We concur with the audit report however we contend that contract is rate-based with specific rates per day of collection.
- iii) *Professional Services of an Architect:* This was a period contract based on specific rates. The estimate at tendering stage was purely an estimate since it is not possible to plan for opportunities which may arise such as schemes issued by the DLG.

### **5. Requests for Additional Compensation:**

- We acknowledge oversight in obtaining proper approvals and are working to prevent such instances in the future.
- With regards to the claim that documents were not signed by the Architect we do not share same opinion since documents were sent by email and can easily be verified.

**6. Unsubstantiated Amounts for Services Rendered:**

- Actions are underway to adopt a different system, and we aim to improve accountability and substantiation of expenses.

**7. Procurement without Fiscal Receipts:**

- Efforts are ongoing to improve the timely acquisition of fiscal receipts, and we will implement the recommendation to report non-compliant suppliers.

**8. Incomplete Purchase Orders:**

- We will endeavor to maintain more accurate and comprehensive purchase orders, balancing practicality with compliance.

**9. Gifts and Donations:**

- We stand to differ on Auditors' interpretation. We maintain that none were donations (see also justifications on appendix 4 of Management Letter).
- With regards to the gift for the resigning employee, we feel we have to show full appreciation to employees' dedication. Other than being a thank you token for years of service, it serves to motivate the other members of the staff.

**10. Overtime not substantiated by formal approvals:**

- We maintain that workings of overtime were correct and easily verifiable. We will endeavor however to enhance processes.

**11. Inappropriate Leave Records:**

- We acknowledge the need for improved organisation and accuracy in leave records.

**12. Contract Manager not Engaged:**

- While the Council did have a contract manager previously, we hold reservations regarding the role's effectiveness and will prioritise effective resource allocation.

**13. Use of Mobile Phone by the Executive Secretary:**

- We believe the mobile phone usage by the Executive Secretary adheres to the agreement's terms and serves the office's operational needs.

**14. Christmas Lunch Expenditure in excess of set threshold:**

- Council will continue to be very prudent in its spending however we would like to point out on the need to review and update the established threshold considering inflation throughout these last twelve (12) years. We also contend that Memos are not legally binding.

**15. Budgeted Expenditure Exceeded:**

- We will continue to aim for budget adherence while maintaining flexibility to accommodate exceptional circumstances.

**16. Inconsistencies in the Schedule of Payments:**

- We acknowledge inaccuracies in payment details due to human error and will continue to work toward greater precision.

**17. Statutory documentation not uploaded on Council's website in a timely manner:**

- We understand the importance of timely documentation uploading and will do our best to balance this requirement with available resources.

**18. Absences from Council Meetings not always justified**

- We will ensure better adherence in the future however we believe that changes in legislation in this regard are necessary.

**CONCLUSION**

This audit underscores a number of failures and lack of adherence to a number of applicable regulations despite genuine efforts from the Executive Secretary to comply as much as possible. Local Councils face a lot of resource constraints, requiring a balance between compliance and service delivery.

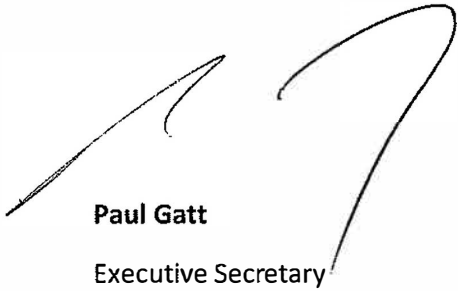
The continuous influx of regulations without commensurate consideration of operational constraints presents a huge challenge. Balancing administrative obligations with service delivery is increasingly difficult and we therefore urge consideration of the practical challenges that arise with increased regulations and limited resources.

While controls are vital, they must not hinder effective service delivery. Our core mission is to serve residents efficiently, and while shortcuts are not ideal, they sometimes arise due to the overwhelming demands. We are dedicated to providing value for money and prudent use of financial resources, even if auditors tend to focus on compliance without considering holistic value.

We remain committed to addressing the shortcomings identified and working towards improved systems and processes. We look forward to engaging constructively to achieve our shared objectives.

Thank you for your attention to these matters, and should you wish further clarification, we will be more than pleased to meet and discuss in more detail for the benefit of the system of Local Governance.

Sincerely,



**Paul Gatt**  
Executive Secretary



**Post:** Kunsill Lokali in-Naxxar  
**Data:** 14 ta' Settembru 2023  
**Min:** 12.15pm - 1.41pm  
**Prezenti:** Is-Sindku, I-Kunsillier Joe Spiteri, is-Segretajru Eżekuttiv u Yanika Borg, Uffiċjal tal-Kunsill.

Is-SE ressaq l-ilmenti/talbiet fuq il-formoli apposta u li kienu jinkludu ritratti u site plans skont il-każ.

Dawn li ġejjin huma l-ilmenti/talbiet imressqa li jinkludu d-deċiżjoni tas-sotto-kumitat:				
Ref. No.	Tkt. No.	Deskrizzjoni tat-talba	Isem tat-triq	Rakkomandazzjoni tal-Kumitat
12643	n/a	Talba ghal tabella għall-qtates tul it-triq.	Kampanjol	Approvata. Nitkellmu mar-residenta fejn l-aħjar li ssir.
12646	61458	Request to install two signs of No entry except for residents or to render a service in Triq il-Latmija, is-Salina	Latmija	Mhux approvata. It-triq hija pubblika u kulhadd għandu dritt jaċċessaha.
12650	61448	talba għall-road hump magenb il-Kappella ta' Triq il-Katakombi - <a href="https://goo.gl/maps/PKPvzfMSpxfg9o3b9">https://goo.gl/maps/PKPvzfMSpxfg9o3b9</a>	Katakombi	Approvata, fuq ġustifikazzjoni li t-triq hija dejqa ħafna u l-bankina mhux aċċessibbli.
12653	60407	Talba biex terġa tiġi diskussa l-un/loading bay request ta' Wesgħet il-Frott. Comments from the applicant - We asked for this not to have a parking space but to have a place to drop off heavily pregnant women and babies in prams. (We are obviously happy to have a sign specifically stating this) Please bear in mind this clinic is not a GP clinic but deals primarily with newborn babies and Pregnant women in addition to patients with broken bones attending for x-rays. Sometimes we even need patients to be taken away by ambulance.  <i>previous Council decision - w/o - 12602 - Mhux approvata minħabba peress li kliniċi oħrajn m'għandhomx u għalhekk jinħoloq precedent.</i>	Wesgħet il-Frott	Skont il-gudelines ta' Transport Malta issir biss jekk isiru operazzjonijiet fuq il-post. Mhux approvata wkoll minħabba li jinħoloq precedent għal clinics oħra.
12657	61787	Talba ghal road hump fit-triq, qrib tal-Knisja. Dan qiegħed jingħad l-aktar għaliex intqal li hafna drabi t-tfal li jmorru d-dutrina jkunu mingħajr il-genituri.	Xambekk	Approvata fid-dawl li hemm dutrina, knisja u ġnien.
12664	n/a	Talba ghal communal disabled parking bay quddiem l-entrata tal-Middle School. Dan għaliex intqal li prezentament ma hemmx wahda.	Iskejjel	Approvata.
12673	n/a	Talba ghal road hump quddiem id-dar nr 22.	Forga	Mhux approvata minħabba li tkun ta' inkonvenjent għar-residenti.
12676	62009	Request to install No Motor Vehicle signs in the alleys	Santa Lucija	Mhux approvata. Teknikament diġa mhux permessibli li wieħed jipparkja fi sqaq biss f'numru ta' sqaqien hemm il-garaxxijiet.
12680	n/a	Talba ghal communal disabled parking bay quddiem drive nr 30. Garaxx ma għandux mad-dar. Hu stqarr li fin-nuqqas ta' dan, qiegħed ikollu jagħmel double parking.	Ph. Skippon	Mhux approvata. Isiru double yellow lines mal-ġnub tad-drive.
12686	60161	talba għall-bus shelter/s ġo Triq is-Salina vicin iz-zewg bus stops OMMU (ta magenb ir-roundabout)	Salina	Għalkemm mhemmx oġġezzjoni, mhemmx spazju fejn isir u għalhekk mhux possibli li din it-talba tintalaq.
12693	57448	re-discussion of the speed calming measures request in Triq il-Kappella ta' Santa Marija - near B&B construction. previous request for road humps was denied	Kappella ta' Santa Marija	Mhux approvata minħabba li t-triq tintuża minn vetturi kbar u għalhekk humps ma jkunux effettivi.
12701		Tehel mera faccata ta' Triq l-Amerika, ghal dawk il-karozzi li jkunu gejjien minn Triq l-Emigranti.	Emigranti	Mhux approvata minħabba li ma' tkunx effettiva minħabba d-distanza. Se jsiru linji sofor doppji fil-kantuniera.

12712	63204	Request to install cat crossing signs in Triq is-Salina	Salina	Mhux approvata minħabba li ma jidhirx li hemm xi problema f'din it-triq u t-tul tagħha jagħmilha diffiċli biex issib post addattat jew problematiku. Il-sottokumitat qies ukoll l-ammont kbir ta' tabelli tat-traffiku li hemm fit-triq.
12732	63541	Talba għal road hump fit-triq, int u niezel Triq l-Emigranti qabel ma' ssib is-side road Triq l-Amerika. Dan għaliex qeghdin isehhu hafna accidenti.	Emigranti	Mhux approvata. Il-Kumitat qabel li għalissa jsir il-yellow lines imsemmi f' talba nr 12653 u wieħed jara x'effett se jkollhom.
12734	63488	Talba għal tabella għal qtates tul it-triq.	Ferdinand Von Hompesch	Approvata li jsiru tnejn waħda fuq kull naħa iżda jsiru biss jekk hemm arblu tad-dawl diġa (biex jeħflu magħhom). Jekk m'hemm ma' jsirux.
12735	n/a	Talba biex issir tabella fuq/ viċin il-bokka tal-ġwiebi. Dan biex ma jintramawx krejnijiet/ makkinajru tqil fuq dawn il-bokkok. Jidher li hawn tlett ġwiebi li huma: Fil-Pjazza, wara l-kapella ta' Triq Santa Lucija u Triq San Ġwann kif tispicca Triq Santa Luċija.		Il-Kumitat innota r-ritratti ta dawn u rrimarka li ma jidhirx li hemm periklu addizzjonali jekk ikun hemm makkinajru fuqhom. Jekk jinstab li t-triq qed jiġriha xi ħsara fuq il-post, il-Kunsill jinvestiga.
12763	63441	Talba biex jiġu installati bollards quddiem ir-residenza numru 36, Triq is-Salib	Salib	Ir-resident jagħmel planter u jieħu ħsiebu hu.
12772	64114	Request to install a bollard in Triq Leli Falzon corner with Trejjet l-Iklin	Iklin	Isiru żewġ bollards in-naħa ta' Trejjet l-Iklin hekk kif tispicċa l-kantuniera. Dan biex issir evalwazzjoni tas-sitwazzjoni mingħajr ma jinholoq periklu jew ħsara lil terzi.
12777	63107	Talba għal built outs fit-trufijiet tat-triq. Dan sabiex innaqqsu l-possibilita li l-karozzi jsuqu b'mod eccessiv mit-triq.	Ferdinand Von Hompesch	Il-buildouts għandhom jidhru fil-programm ta' Infrastructure Malta għal meta jkun se jsir ix-xogħol fuq Triq is-Seneskalk. - nitlobu lil IM. Sa da it-tant issir buildout biż-żebgħa.
12778		Talba għal estenzjoni tad-double yellow line li jinsab fil-kantuniera. Il-kantuniera bejn Triq l-Amerika u Triq l-Emigranti. Dan għaliex meta tigi pparkjata vettura li hija off roader, trendi l-kantuniera aktar blind corner.	Emigranti	Approvata (madwar 4-5 metri).
12783	63860	Talba biex jitpogga bin (skip) fiz-zona ta' Baħar iċ-Ċagħaq (viċin il-bajja). Din it-talba qed isir mill-organizzazzjoni Żibel u dan il-bin ser ikun qiegħed jintuza biex jintrema skart li jinġabar minn fejn il-baħar. Dan il-bin ser ikun imsakkar u jista' jinfetaħ biss billi minn jużah jrid jagħmel scan tal-QR Code li jkun hemm mal-bin, tinfetah applikazzjoni online fejn tingħata referenza tal-oġġetti li nġabru u kif din tiġi sottomessa, jingħata code biex jinfetaħ il-bin. L-allokkazzjoni tal-bin fejn ser ikun qiegħed jitpogga hija f'idejn il-Kunsill.	Baħar iċ-Ċagħaq	Il-Kumitat qabel li jsir. Il-Kunsill jirriżerva d-dritt li jekk il-post mgħažul ma jkunx l-aktar effettiv, jitlob li dan jiċċaqlaq.