



EXAMINING THE INSTITUTIONAL ARRANGEMENTS REGARDING PUBLIC PRIVATE PARTNERSHIP IN SOLID WASTE MANAGEMENT IN GHANA: FROM THE PERSPECTIVE OF SUNYANI MUNICIPALITY

Richmond Yeboah¹ and Daniel Odoom²

¹Coordinator, Centre for Entrepreneurship Development and Innovation, Cape Coast Technical University, Cape Coast-Ghana

²Research Coordinator, Graduate School, Ghana Technology University College, Accra-Ghana (Takoradi Campus)

Corresponding Author: Daniel Odoom, Graduate School, Ghana Technology University College, Accra-Ghana (Takoradi Campus)

Email Address: dodoom@gtuc.edu.gh / ankahodoom@gmail.com

Tel.: +233201164679

ABSTRACT

Solid waste management is one of the major issues facing most countries globally. It represents a major economic and environmental issue in most nations including Ghana. The government of Ghana has adopted public private partnership (PPP) as a solution for solid waste management given the herculean nature of the waste management task in terms of finance and technical expertise. Through qualitative research approach, this study sought to interrogate the institutional arrangement put in place for PPP in the Sunyani Municipality using 32 respondents made up of key officers including staff of the Waste Management Department, and Assembly members. Semi-structured interview and non-participant observation were the instruments used whilst content and thematic analyses were used for the study. The study found that the institutional arrangement for PPP in the Sunyani Municipality was weak. However, it was established that solid waste management in the municipality was guided by national laws on environmental health and bye-laws of the Assembly. With respect to resources in the implementation of PPP, the study found that, even though the private partner had some resources, they were not enough for the proper management of solid waste in the Municipality under a PPP arrangement. The study recommends the strengthening of institutional arrangement such as monitoring, sanctioning of poor performance and the formulation of bye-laws by the Assembly to ensure successful PPP arrangement.

Key Words: Neo-liberal, Public Private Partnership, Solid Waste, Waste Management

1.1 INTRODUCTION

Solid waste disposal is one of the major issues faced by most countries in the world (Majani, 2000). Chandrappa (2012) admits that solid waste was already a problem long before water and



air pollution issues attracted public attention. The management of solid waste represents a major economic and environmental issue throughout the world. It is estimated that in 2006, the total volume of Municipal Solid Waste (MSW) generated globally reached 2.02 billion metric tons, representing a 7 percent annual increase since 2003. However, global averages are broad estimates only, as rates vary considerably by region, country, city, and even within cities (Schubeler, Wehrle & Christen, 1996).

Despite major efforts made by some countries in recent decades to improve solid waste management practices, most municipalities in developing countries still face major challenges in properly handling the increasing volumes of waste generated by residents (Kaseva & Mbuligwe, 2003; Kitbuah, Asase, Yusif, Mensah & Fischer, 2009). According to Zerbock (2003), metropolises in developing countries spend 20 – 50 percent of their available budget on solid waste management. Zerbock (2003) argued that despite the fact that developing countries do spend about 20 to 50 percent of metropolitan revenues on solid waste management, they are unable to keep pace with the scope of the problem. What is more is that between 40 and 70 percent of all the urban solid waste remain uncollected and more than half of the population is underserved (UNEP, 2014).

Beyond urbanization and increasing population, a key concern in the management of solid waste has been unavailability of dumping grounds (Kaosol, 2009). Most local authorities find it very difficult to locate permanent grounds where waste can be dumped. The problem of unavailability of dumping grounds for solid waste disposal is even more serious in developing countries. Abul (2010) explained that the effects of ineffective waste collection and poor waste management is countless. Boadi and Markku (2005) revealed that high incidence of diarrhea in children under six years is related to food contamination by flies which had fed on waste. Other health impacts of poor solid waste management include respiratory symptoms; irritation of the skin, nose, and eyes; gastrointestinal problems; psychological disorders; and allergies. Cholera outbreak and malaria epidemic are also products of poor solid waste management (Cointreau-Levine, 1994).



Until the late 1980s, solid waste management policies and programs in Ghanaian cities were formulated and implemented by government agencies without significant private participation (Dinye, 2006). There are many problems in the overall management schemes for solid waste policies. The most often encountered problem is the poorly decentralized responsibility for various activities of solid waste management in the Municipalities. Where there is a poor definition of roles to be performed by the respective agencies, efficient service delivery is compromised because individuals, agencies and the citizenry require clear roles in the management of solid waste. This has not been the case especially in most developing nations including Ghana (UNEP, 2000). For instance, in the past, many cities and local governments in Ghana adopted a management system whereby waste collection was administered under the department of health. One central concern regarding the challenges faced in solid waste management has been the technical and financial deficiencies. Managing solid waste has been found to be very costly which most developing nations with outstretched budgets are unable to bear. According to UNEP (2000), the presence of a large informal sector that remains un-integrated into the formal waste management system coupled with inadequate mechanization owing to the poor financial health of the local bodies has made the management and delivery of a well-structured Municipal Solid Waste (MSW) system a difficult task.

As a tool for the delivery of public service, PPP is a product of Neoliberalism advanced by the International Financial Institutions. It is worthy to note that the International Financial Institutions pushed the need for the involvement of the private entities in the provision of public services because of efficiency. Since 1983, private sector participation in public utilities and service delivery has vigorously been advocated as a means of attaining greater efficiency in their production and distribution in developing nations (Gutierrez, 2001) by the International Finance Institutions and other development partners. Da Zhu et al. (2008) argue that institutional framework is important for public PPP due to the complexity of the partnership and the involvement of many actors. For example, institutional setting, governance and regulatory



structures, resources, participation, monitoring of performance and market linkages are key to the successful management of solid waste under PPP arrangements (Schubeler et al., 1996).

Hartman (1995) noted that the provision of solid waste management via the private sector promotes high efficiency, equity and accountability to users and financiers. In that, the private sector is motivated by the profit it makes in carrying out this mandate unlike the state which carries out such mandate as part of its welfare policy. Neoliberal theorists argue that limited government intervention in the economy and the superior economic performance of the private sector lead to competition and efficiency (Nellis & Kikeri, 1989 cited in Ayee, 1998). In the past, private sector involvement in waste management was in the form of short term contracts managed by the Assemblies (Asare & Frimpong, 2013).

According to Asare and Frimpong (2013), although private sector participation in sanitation services is not an entirely new idea, it gained currency and widespread application in Ghana in pursuance of the Structural Adjustment Programme (SAP) in the 1980s for continued Bretton Woods Institutions' financial support. Proponents of the neoliberal theory of development claim that, the private sector involvement in solid waste management brings improvement and efficiency. This is because they bring resources to the partnership. Notwithstanding, Hartman (1995) argues that the issue of partnership between public and private entities is critical in the management of solid waste. Therefore, it is suggested that, for PPPs to be successful, there must be strong institutional arrangements where roles of various actors are spelt out.

The importance of PPP to Ghana led to the formulation of a National Policy on PPP in 2011 (MOFEP, 2011). Ghana continues to use PPP in service delivery because the idea of public private partnership continues to be promoted by international agencies and donors as the most effective vehicle for service delivery. However, Onyanta (2012) states that the inclusion of private entities amongst many African nations has become a major concern. Hodge and Grave (2011), and Onyanta (2012) argue that PPP does not offer the surest way for efficient service



delivery. Despite the expectations, Onyanta (2012) doubts the effectiveness of private sector participation in service delivery.

It is argued that involving private enterprises in the provision of solid waste management services should not be seen as a panacea or a cure for all problems even though it has often resulted in very significant improvements in many situations (Coad, 2005). Coad (2005) explained that, experiences show that if a local government body has not been able to provide satisfactory solid waste management service using its own resources; it will not be able to engage a private enterprise to provide the service in a satisfactory way. According to him (Coad, 2005) involving the private sector in service delivery results in increased corruption and misappropriation of public funds where institutional arrangements for waste management are weak. Despite the perception that the private sector is the engine of growth and that the involvement of the private sector in the provision of waste management services promote efficiency, PPPs in Ghana before Zoomlion Ghana Limited failed (Awortwi, 2004).

Awortwi (2004) observed that previous PPPs failure to resolve Ghana's sanitation problem was attributable to the lack of strategic communication (participation). Being a top-down in approach, neither the local people nor their representatives, that is, assembly members were involved in the waste management contractual arrangements and implementation. For example, waste collection contract to City and Country Waste Limited (CCWL) in the Accra Metropolis was undertaken without any consultation with the Waste Management Department (WMD) of the Accra Metropolitan Assembly (AMA). However, Coad (2005) suggested that most arguments are in favor of private sector participation because of positive experience, some because of their political standpoint, and some out of desperation nurtured by the failure of the public sector to deliver public service.

The precondition for a successful implementation of PPP depends largely on institutional setting, monitoring, governance and regulatory structures and market linkages (Amoah & Kosoe, 2014; Da Zhu et al., 2008). For efficiency to occur in PPP, monitoring, reporting and sanctioning in



service delivery, whether by the bureau or through the market or through collaborative action cannot be compromised (Awortwi, 2004) as underlined in the Principal Agent Theory. The challenges associated with service delivery by both the public and private sector bring to our attention institutional arrangements necessary for effective PPP in solid waste management.

1.2 Research Aim and Objectives

The aim of this study was to interrogate the institutional arrangements put in place for the implementation of PPP as a strategy for solid waste management in the Sunyani Municipality.

Specifically, the objectives of the study were to:

1. Examine the structure of organizations involved in PPP in solid waste management in the Sunyani Municipality;
2. Evaluate the contracting, monitoring and sanctioning systems for PPP in solid waste management in the Sunyani Municipality;
3. Investigate the relationship between actors of PPP in solid waste management;

2.0 LITERATURE REVIEW

2.1 Theoretical Framework

The study was guided by the neoliberal theory, public choice theory, and the institutional theory. Essentially, neo-liberal theory is a revival and reformulation of classical liberalism (Roskin, Cord, Medeiros & Jones, 2013). Proponents of classical liberal theory including Adam Smith, postulated that government supervision of, and interference in the economy with monopolies, subsidies, tariffs, and other restrains impede competition, efficiency, growth, and prosperity (Roskin et. al, 2013). The neo-liberal theory perceives the private sector to be superior to the public sector in the delivery of services. Neo-liberal theorists posit that limited government intervention in the economy and the superior economic performance of the private sector lead to competition and efficiency (Ayee, 1998).

In effect, governments must let the economy alone, that is, free competition unsupervised by government (*laissez faire*). In this case, efficient producers will prosper, inefficient ones will die



out. Their goal is that the public will benefit from the competition offered by the players in the private sector (Asare & Frimpong, 2013). The advocates of the theory contend that in the implementation of business-friendly policies, fewer government restrictions and private initiatives will ultimately improve the welfare of the entire society (Asare & Frimpong, 2013).

The neo-liberal theory continues that, in general, governments lack capacity to run large industrial and commercial enterprises. Hence, except for core missions of income distribution, public-good infrastructure, administration of justice and a few others, governments should shrink and privatize (Roskin et. al, 2013). Neoliberal standard goal, therefore, is to roll back the frontiers of the state, while its central pillars are the market and the individual (Heywood: as cited in Asare & Frimpong, 2013). The neoliberal agenda advocates for the market and the individual because it sees public officials as rent seekers (Asare & Frimpong, 2013). This is underlined in the public choice theory which describes the management of public services.

Beyond the neoliberal theory, the Public Choice Theory (PCT) has been used to describe management of public services. Like the neoliberal theory, public choice theory advocates a shift from the public to the private sector in the management of public services to achieve efficiency through the competition the market offers. Both the neoliberal theory and the public choice theory advocate for a minimal state intervention because of the rent seeking attitude of politicians (Buchanan & Tullock, 1977). The study adopted the PCT to explain why developing nations have turned their attention to the private sector (public private partnership) for the management and provision of public services. Buchanan and Tullock (1977), as cited in Asare and Frimpong (2013), argued that governments need to be constrained by strict rules while property rights and market transactions are upheld. On the basis of individual preferences, market solutions should be employed wherever possible (Hepple: as cited in Asare & Frimpong, 2013). Politicians and civil servants are capable of setting agenda, manipulating budgets and expanding their own public sector empires (Hepple: as cited in Asare & Frimpong, 2013). The private sector is more dynamic, resilient, creative, innovative and vibrant than the public one (Mutandwa, 2015). Hence, the introduction of market mechanisms will substantially enhance the



supply of public services. In this study, the PCT holds that a regulatory policy of the government that takes cognizance of the public good characteristics of waste management services shall enhance an effective public private partnership between waste management service providers as one partner and the public as the other partner.

The Institutional Theory states that the structure of certain classes of organizations, such as human services, is determined not by technology but by rules emanating from the institutional environment (Hasenfeld & Garrow, 2009). It argues that the relations within a human service sector are determined by rules and regulations other than by market exchanges. According to Harvey (2005), institutional arrangements cannot be discounted in the delivery of public services by the private sector because the role of the state is to create and preserve an institutional arrangement for the successful implementation of public private partnership. These rules will influence how decisions within a sector about goals, means, and funding are allocated among the constituent parts (Hasenfeld & Garrow, 2009). Thus, sectors will vary in their degree of decentralization, fragmentation, and federalization. That is, sectors may vary from how functions, and powers, are dispersed from a central location or authority and how large or small a sector is. Sectors will also vary by how the activities of their constituent organizations are controlled.

Cheema (2003) argues that, while the public sector supports efficiency improvements, the private sector's motivation for profit introduces conflicts of interest with beneficiary governments, which are committed to promoting equity and maximizing the well-being of their citizens. However, governments are generally willing to allow their private partners to make a reasonable profit in exchange for improving service and efficiency, leveraging its own financial resources, expediting project implementation (Cheema, 2003). Da Zhu et al. (2008) found that institutional framework is important for SWM due to the complexity of the Waste Management (WM) system and the involvement of many actors. The complexity in providing the required level of service commensurate with the increasing demand for good sanitation service is characteristically



attributed to institutional, technical and financial constraints at the various levels of governance: national and local levels, as well as the private sector (Amoah & Kosoe, 2014).

2.2 Conceptual Framework

This framework is informed by the positions of Schübeler et al. (1996) and Da Zhu et al. (2008). The framework highlights the key issues to attend to in successful PPP arrangement in solid waste management in Sunyani Municipal Assembly. Schübeler et al. (1996) argued that for successful solid waste management, there is the need for institutional and legal framework, a clear definition of roles and responsibilities, and a consideration of the factors that influence its operations as well as the awareness of the challenges faced in the implementation of PPPs in waste management. To begin with, Schübeler et al. (1996) and Da Zhu et al. (2008) stress the need for clear and well-defined institutional and legal framework for solid waste management due to the complexity of the waste management system and the involvement of many actors. Policy makers have to put in place appropriate institutional structures to handle solid waste. Such institutional and legal frameworks will allow for some policies, rules and regulations to protect the people and the environment. Schübeler et al. (1996) explain that since the private sector is profit oriented, there is the tendency to over-rate their interest to the neglect of the public good. Figure 1 is premised on the conviction that with appropriate institutional arrangements, a clear understanding of the roles of actors coupled with effective monitoring, supervisory mechanisms and sanctions, PPP in solid waste management can be successful.

Public ← Investment (Responsibility/Risk) → Private

Original framework by Ndandiko, 2006

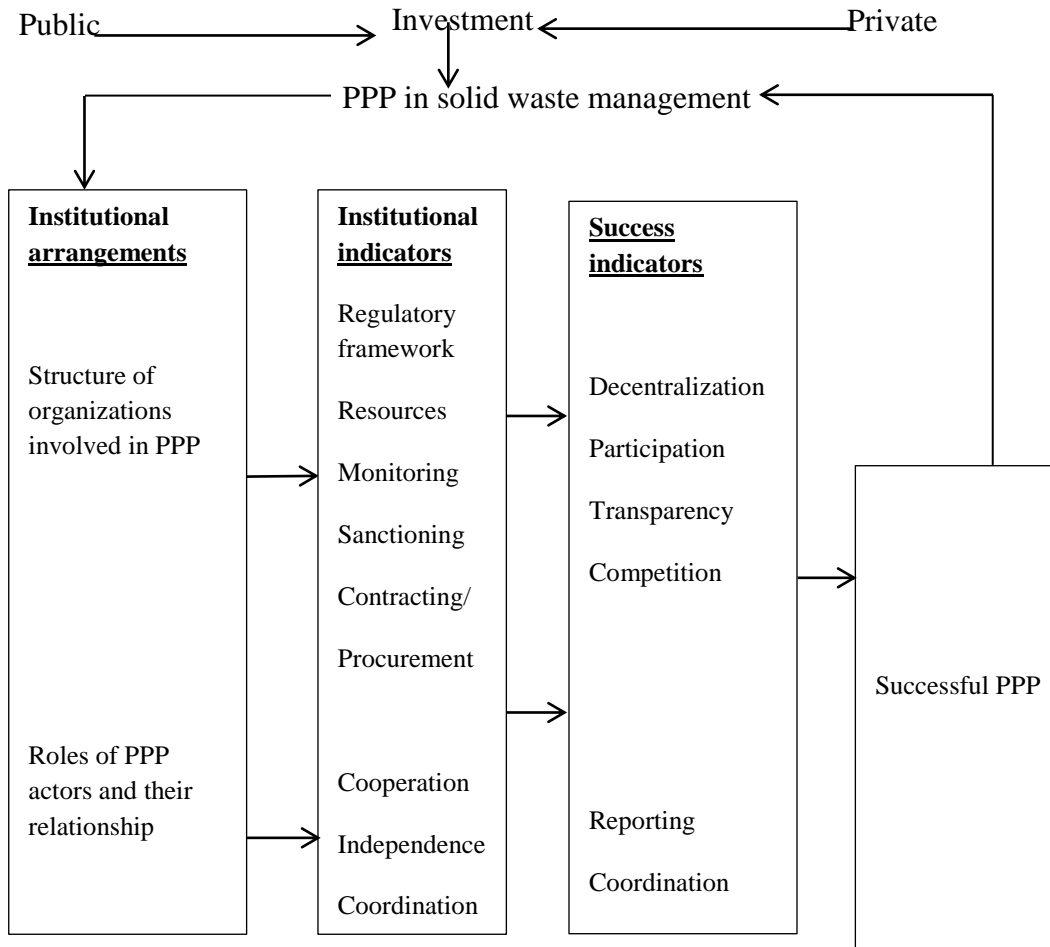


Figure 1: Conceptual Framework for Ensuring Effective PPPs in Solid Waste Management

Source: Adapted from Ndandiko (2006)



3.1 RESEARCH METHODOLOGY

The study was exploratory and descriptive. In the views of Babbie (2004), exploratory research seeks to bring out new knowledge, new insights, new meanings and the factors related to the issue whilst descriptive design entails a systematic collection and presentation of data on various issues or phenomena of interest. Purposive sampling technique was used to draw respondents made up of elected Assembly Members, Planning Officer, Environmental Health Analyst and the Municipal Operations Officer of Zoomlion Ghana Limited for the study. Finally, documentary reviews helped in giving insights into contract terms between actors, relationship and roles between actors, monitoring, sanctioning of performance and PPP process in Sunyani Municipal Assembly.

4.1 RESULTS AND DISCUSSION

The first objective of this study sought to examine the structure of organizations involved in PPP in the Sunyani Municipality. This was measured under two perspectives namely regulatory and legal framework and resources. The structure of organizations was examined by policies, rules, regulations and resources of actors. Existing policies, rules and regulations define the kind of regulatory and legal framework of an institution.

Regulatory framework on PPP in Solid Waste Management

Regulatory and legal framework is important for solid waste management. These include policies, rules and regulations to protect the people, environment and the partnership. With regard to regulatory and legal framework for PPP in solid waste management in the Sunyani Municipality, the documentary analysis centered on policies, rules and regulations for solid waste management and the PPP. The examination of the existing documents revealed that, the Assembly had a contract in the form of memorandum of understanding with Zoomlion Ghana Limited. The memorandum of understanding outlined the roles of various actors in the partnership. For example, the Assembly was responsible for the provision of solid waste disposal site; employment of project staff, payment of contract fees to the private company, monitoring



and sanctioning for non-performance. On the other hand, Zoomlion Ghana Limited was responsible for the collection, storage and transportation of solid waste to the final disposal site. This specification is important because it helped to avoid conflict between partners.

From the existing documents reviewed, it was found that even the memorandum of understanding between the Assembly and Zoomlion Ghana Limited was signed by the Ministry of Local Government and Rural Development in Accra for and on behalf of Metropolitan, Municipal and District Assemblies (MMDAs) in Ghana. The Sunyani Municipal Assembly and Assembly Members who are representatives of the people were not involved in the planning stage. The Ministry of Local Government and Rural Development has thus charged MMDAs to monitor the contract to ensure the success of the PPP arrangement.

The study also revealed that although the Assembly had bye-laws on waste disposal and management in the municipality, the municipality had no policy or legal framework to guide the public private partnership in solid waste management. This means that the Assembly only had the National Policy on PPP arrangements as the guidelines for the conduct of activities. However, interviews and discussions with the respondents from the SMA and Zoomlion revealed that they were not conversant with the National Policy on PPP arrangement which could guide the PPP arrangement in the absence of a policy for the Sunyani Municipality.

Importantly, interviews with the Assembly members on regulatory and legal framework revealed that most Assembly members were not aware of any policy or legal and regulatory framework even at the national level that guides the PPP arrangement. They indicated that they only knew that the Assembly had a contract with Zoomlion Ghana Limited to collect, store and transport solid waste to the final disposal site. The respondents generally indicated that they did not know what the contract talks about. Some Assembly members revealed that “sometimes there is a problem with service delivery but because we don’t know our role in the contract, we do not say or do anything about it. We have not even seen the contract terms before”.



The results of the regulatory and legal framework are similar to the findings of Ahmed and Ali (2004) who explained that laws and regulations are weak in the developing world and inability to handle the problem is also one of the major issues to PPP. According to Awortwi (2004), for a PPP to deliver its expected results, all actors in the partnership arrangement are required to execute their assigned responsibilities. Otherwise, it may lead to wrong way of doing things or utter failure of the projects. Weaknesses in laws and regulations have become a cost to the success of PPP implementation. From the Conceptual Framework (Figure 1), it is evident that the absence of policies and regulations present a challenge to both the conceptual and practical relevance of PPP in solid waste management.

Resources

Resources are very vital in the successful implementation of any policy. In order to understand the resources of actors, the exploratory study focused on resources of both the public and the private actors. Resources under this study were financial and technical resources. Financial resources for the implementation and sustainability of PPPs are crucial. This is because prior to the implementation of PPP, the public partner faced challenges in managing solid waste partly due to inadequate funding. The private partner is seen to be financially sound than the public partner. Under the current PPP arrangement between Sunyani Municipal Assembly and Zoomlion Ghana Limited, the public sector has the responsibility for paying the private company for the services it provides. Thus, the study found that the management contract model of PPP was used. This was due to the fact that the provision of solid waste services is a social good and thus the responsibility of government.

Documentary reviews and the results from the interviews revealed that, there was over reliance on the public sector by the private sector for funding because of this arrangement. Funding for the PPP arrangement largely came from the Assembly which affects the delivery of waste services. This was because Zoomlion Ghana Limited was unable to pay its staff and also maintain their equipment anytime funds from the District Assembly Common Fund were delayed. Some of the respondents remarked:



If Zoomlion had enough money there would not be poor service delivery anytime there was a delay in paying the private partner. Sometimes when we see that solid waste in containers are left uncollected and we ask project staff, they tell us government has not paid them.

Thus, in terms of financial resources, the respondents generally believed whilst the responsibility lies with the Assembly to provide funds, the private partner, Zoomlion Ghana Limited, should also be well financed in order to discharge their duties effectively. The reason attributed to this position by the respondents is that the company will be able to pay their staff and maintain equipment anytime the Assembly delays in performing its financial responsibility.

Although logic may be on the side of the respondents regarding the need for a financially capable private partner, the theoretical orientations of the management contract model of PPP do not support that. This is because under the management contract, the public partner provides the financial enablement for the arrangements.

Managing waste by the private sector requires huge financial investments. For example in Nairobi, 47 percent of the city dwellers pay US\$ 1.25 per month for good waste management services. If the private sector does not have money to invest and hikes prices, people will not cooperate. It is therefore very difficult to manage the garbage well and the private sector cannot ensure clean environment (Henry, 2006). The results of financial resources support Muneera's (2012) observation that the public sector is financially constrained to provide WM services. Muneera (2012) concludes that any arrangement regarding SWM with the public sector as the sole provider of funds is unsustainable because even if they collect taxes from the people, still that money is not enough to provide good services.

In responding to technical resources, all the respondents from the Municipal Assembly, Assembly members and Zoomlion Ghana Limited commented that though the private sector had some trucks, skip containers, containers or waste bins, tricycles and vehicles for the management of solid waste in the municipality, they were inadequate. The respondents generally believed that

solid waste management in the municipality had improved since the private waste management company was contracted. They collect, store and dispose waste from skip containers on time. Plates 1 and 2 show the tricycles and skip trucks for solid waste management in the Sunyani Municipality. This confirms responses of respondents that Zoomlion Ghana Limited had secured new solid waste management equipment.



Plate 1: Tricycles for Solid Waste Management in Sunyani Municipality

Photo credit: Fieldwork, 2016



Plate 2: One of the New Skip Trucks for Solid Waste Management in Sunyani

Photo credit: Field work, 2016



On the other hand, respondents revealed that the main challenge they had now was recycling of solid waste at the final disposal site. They disclosed that Zoomlion Ghana Limited did not recycle solid waste that was collected in the municipality. The results of this study on technical and financial resources confirm the views of Batley (1996) and Stein (2000) cited in Adam, (2012). The authors argued that the private sector in waste management in Africa and developing world lacks both technical skill and finance. This jeopardizes the successful implementation of PPPs in waste management in Africa and the developing world. Oduro-Kwarteng (2011) found in his study that entities with the necessary technical resources can largely address issues of solid waste management when given the opportunity. Beyond this, the conceptual framework (Figure 1) shows that with adequate technical and other resources; there will be a successful implementation of PPP in solid waste management.

The second objective of the study looked at the contracting, monitoring and sanctioning measures for PPP arrangements in the Municipality.

With regard to contracting arrangements, the researchers looked at issues such as local participation, competition, and transparency. The PPP arrangement between the Sunyani Municipal Assembly and Zoomlion was highly centralized. The agreement was signed between the Local Government Ministry and Zoomlion Ghana Limited in Accra. Metropolitan, Municipal and District Assemblies were mandated to monitor and ensure compliance of the provisions in the contract. This is a top-down policy approach. The Sunyani Municipal Assembly had a memorandum of understanding with Zoomlion Ghana Limited for the provision of solid waste services such as collection, storage and disposal of solid waste. As law makers and community representatives, Assembly Members were required to compliment the Environmental Health Analyst efforts in monitoring the performance of the private partner. Unfortunately, details of the contract were not known to Members of the Assembly.

In responding to the question on the nature of the contract, a key informant revealed:

You see, the contract with Zoomlion Ghana Limited was signed in Accra and we are required to monitor and ensure contract performance. The Assembly has no control over



the contract. Under the current arrangement, Zoomlion Ghana Limited receives its service fee directly from the District Assemblies Common Fund. Sometimes they do not provide us with good service but their monies are paid to them because we do not have a final decision on it. The only thing we can do is to caution them when they default in performing their assigned duty.

The above position on local participation supports the views of Schübeler et al. (1996) who opine that implementing a proper waste management policy means a strong involvement from the public authorities who are in charge of the service. They need to be involved in areas including planning, costing, negotiating contracts with service providers, monitoring performance, educating users, establishing and enforcing regulations (Schübeler et al., 1996). The conceptual framework (Figure 1) illustrates that competition enhances efficiency in service delivery because each private partner wants to meet targets for future contractual renewal.

On whether or not there was competition in PPP arrangement in the Municipality, the key informants from the SMA said:

Currently, apart from Zoomlion Ghana Limited, we do not have any other private company in the collection, storage and disposal of solid waste but have contracted a waste management company which is responsible for the management of the dumping site only. We do not intend to engage the services of another private company for solid waste management. This is because we do not have much problem in the collection, but managing the final disposal site. Our concentration now is on the final disposal site. We have signed a memorandum of understanding with a private company called HRO ecosystem and they are going to burn solid waste to generate about sixty kilowatt (60KW) of power for the Brong Ahafo Region and parts of the Ashanti Region.

Transparency promotes participation which is important to the success of a public policy. On the issue of transparency in the contract between Sunyani Municipal Assembly and Zoomlion Ghana



Limited, some of the respondents mentioned that the bureaucrats (top management members at the SMA) have kept the contractual agreement secret. When asked whether they want to know the provisions in the contract, most respondents said they indeed wanted to know. They believed that Assembly members must know the details of the contract, and that they were in charge of legislating in the municipality. It was therefore prudent for them to know the details of the contract. In the words of some of the respondents:

If we were aware of the contract we can effectively help the Environmental Health Analyst in monitoring. We must not forget that, Zoomlion works in our communities. Sometimes we confront Zoomlion when we see that some areas of the city are not clean or solid waste containers are left uncollected, because we are not aware of the details of the contract, they tell us that they are not responsible for those areas. We must have details of the contract so that we can provide information to our electorates too.

Again, the interviews revealed that Assembly members were not privy to the contractual agreement between the Assembly and Zoomlion Ghana Limited. These present a serious challenge to the successful implementation of the PPP arrangement since participation, competition and transparency are key issues in contracting under any successful PPP arrangement. The results confirm the views expressed by Awortwi (2004). According to Awortwi (2004), previous PPPs failure to resolve Ghana's sanitation problem was attributable to the lack of strategic communication (participation). Being a top-down in approach, neither the local people nor their representatives, that is, assembly members were involved in the waste management contractual arrangements. Addo-Yobo and Ali (2003) also noted that, in developing nations, generally there is poor communication of policies between stakeholders. Managers in high positions do not involve others in decision making.

Again, according to respondents from the Municipal Assembly, one of the critical roles the Assembly played was monitoring. Zoomlion Ghana Limited had District Supervisors who



supervise project staff. Project staff members were waste management workers who clean the streets. These Supervisors also reported directly to the Municipal Environmental Health Analyst. When asked about monitoring measures the Assembly had put in place, a respondent from Zoomlion Ghana Limited revealed that as part of the public partner's monitoring measures, the Assembly endorses their monthly report before payments were made to them by the Local Government Ministry from the District Assembly Common Fund.

Contrary to claims of a respondent from Zoomlion Ghana Limited that there were monitoring mechanisms, the Assembly members believed that they must oversee Zoomlion to know whether or not they were doing the work assigned to them in the contract. The Assembly members believed it will help to prevent uncollected solid waste from waste containers. In a semi-structured interview with Assembly members, they said:

As a result of poor monitoring by the Assembly because of poor monitoring mechanisms, waste bins and skip containers sometimes are left uncollected in the streets for days which spillover. The Assembly does not properly monitor. We expect to see them in our communities to make sure that skip containers and solid waste containers are emptied anytime they are full.

Even though respondents from the Assembly and Zoomlion Ghana Limited explained that monitoring of performance was strong in Sunyani, the Assembly members indicated it was very weak. Plates 3 and 4 seem to confirm the views of the Assembly members. The weakness in monitoring confirms the views of Asare and Frimpong (2013). The authors explained that weak state capacity to monitor, co-ordinate and regulate partnership contracts contributed to the failure of earlier PPPs in Ghana. Awortwi (2004) also argued that PPP projects must be carried out under good monitoring systems.



Plate3: Uncollected Solid Waste Containers at Sunyani Technical University New Site

Photo credit: Field work, 2016



Plate 4: Open Dumping of Refuse at Rapid Road/GETFUND Junction

Photo credit: Field work, 2016



On the issue of sanctions, the researchers found that the Assembly members and officers of the Assembly generally believed there were not deterring enough. They were of the views that defaulters in the PPP arrangements were not appropriately sanctioned which also hinders effective service delivery.

The final objective of this study explored the roles of the Actors involved in PPP in the Municipality. The Sunyani Municipal Assembly as part of the partnership provides funding for the partnership. The Assembly paid Zoomlion Ghana Limited for the service it provides to the Assembly (collection, storage and transportation of solid waste). Funding for this project comes from the District Assembly Common Fund. As mentioned earlier, the money due Zoomlion Ghana Limited was deducted from source even before the Assembly could receive its share of the fund. The Assembly was responsible for the employment and remuneration of project staff. On the other hand, under the partnership, Zoomlion Ghana Limited was in charge of cleaning public spaces such as markets, main roads, streets and lorry parks. Project staff members are the Zoomlion Ghana Limited workers who sweep public spaces and clean the drains. They worked for Zoomlion Ghana Limited but were employed by the Municipal Assembly. In support, a respondent from the Assembly remarked that even though most of these project staff worked with Zoomlion Ghana Limited, they were staff of the Municipal Assembly. The officer added that it was the Assembly that employed and paid their remuneration and that, Zoomlion Ghana Limited only provided them with training in the form of capacity building.

The Municipal Assembly was also responsible for the provision of final disposal site and collection points for dumping of waste. With regard to the provision of final disposal site, respondents from the Municipal Assembly, Assembly members and Zoomlion Ghana Limited stated that it was the sole responsibility of the Assembly to provide final disposal site for dumping of refuse. Spaces for skip containers and solid waste containers in the city were all part of the Assembly's responsibility. The private contractor was only responsible for collection, storage and transportation of solid waste.



According to the memorandum of understanding between these two actors, the private company, in this case Zoomlion Ghana Limited, was only responsible for the collection, storage and transportation of solid waste in public spaces. Even with the public spaces, the Assembly had demarcated it into two parts and Zoomlion Ghana Limited was responsible for one part and the Municipal Assembly was also responsible for the other part. The private company collects all solid waste from public areas within their zone such as streets, lorry parks and markets. The solid waste collected was stored temporarily in skip containers and solid waste containers at demarcated collection sites. Solid waste in the containers was collected into skip containers when they were filled to capacity. There was a skip container attendant who regulated activities at the skip container storage site. Skip containers were collected into skip trucks and transported to the final disposal site when filled to capacity. The final disposal site was an open dumping type.

Responding to the question on the roles of the private partner, all the respondents stated that Zoomlion Ghana Limited was in charge of collection, storage and transportation of solid waste to final disposal site. The Assembly had contracted Zoomlion Ghana Limited to clean some portions of public spaces. The Assembly was responsible for the cleaning of the other portions of the municipality.

From the above discussions, it can be noted that roles of actors in the PPP arrangement in the Sunyani Municipality were well defined. Both the public and private partners understood their roles as stipulated in the memorandum of understanding. The Assembly undertook its part of the contract by providing the needed support to Zoomlion Ghana Limited. Notwithstanding, it must also be noted that, sometimes there was a delay in the release of funds from the District Assembly Common Fund. Figure 2 shows the role of actors and how they were connected in the PPP arrangement.

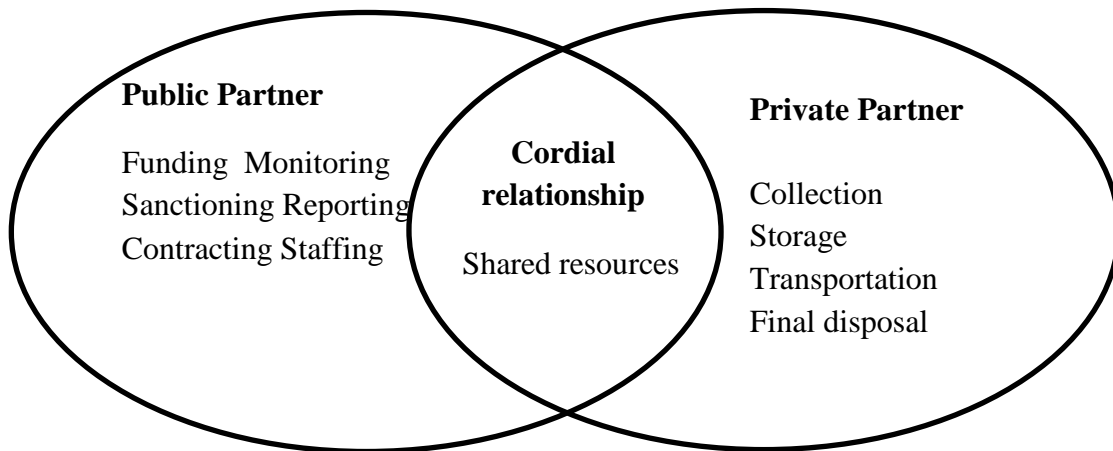


Figure 2: Roles of Actors and how they are connected in the PPP Arrangement.

Source: Field work, 2016

5.1 CONCLUSIONS AND RECOMMENDATIONS

Several conclusions could be drawn from the findings of this study. One, the poor control the Assembly has due to lack of strong institutional arrangements, policy, legal and regulatory frameworks makes the success of PPP in solid waste management in Sunyani very challenging. Two, the over-reliance of the private company on the Municipal Assembly for both financial and human resource for its operation is an embarrassment to the success of the PPP arrangement in the Municipality. Third, although respondents claim that there had been an improvement in solid waste management in Sunyani since the shift towards PPP, contracting, monitoring and sanctioning measures put in place by the Assembly were weak. Four, the current PPP arrangement defeats the whole essence of autonomy which underlies effective decentralization process. Five, Assembly members who are key in the implementation of the PPP arrangement have no defined roles in the PPP arrangement.

Based on the findings of the study, the following recommendations are made to players in the PPP arrangement:

1. The government of Ghana should allow Metropolitan, Municipal and District Assemblies to take control of PPP arrangements at the local level. For instance, the Assemblies



should be allowed to sign their own contracts with private waste management companies to allow for proper control. The Assemblies should be allowed to advertise and attract other private waste management companies to increase competition in the sector. The Assembly should be allowed to consider other models including franchising of solid waste collection to take care of areas where Zoomlion Ghana Limited does not cover.

2. Government should expedite action on the passage of the public private partnership Bill into law to help boost PPP arrangements in Ghana. This will bring clarity on the legal framework needed to enhance PPP arrangements.
3. Assembly and Unit Committee Members who are community representatives must be involved in contractual arrangements for PPP in solid waste management. In that, Assembly members will support the Environmental Health Department in monitoring. This will help in ensuring better service delivery by the private partner.
4. Beyond improving upon its monitoring and supervision, the Municipal Assembly should enact bye-laws to guide the PPP arrangement in solid waste management. Formulation of bye-laws by the Assembly to guide the PPP arrangement is very critical for the successful implementation of PPP in solid waste management in Sunyani.
5. The Assembly should endeavor to educate the general public and households through sensitization programs that are geared towards attitudinal change and that elicit responsible conducts through the use of the media and information service van. Assembly members should intensify the use of community durbars to address issues of solid waste reduction, and management and offer explanations to the communities on problems they face regarding solid waste management.
6. The Assembly should also improve its local revenue generation in order to serve as an effective buck up and to be able to meet its financial obligations towards the private companies. The Assemblies must also invest more into resources and logistics such as compactors, protective clothes, refuse containers, vehicles for monitoring and the provision of fuel in a timely manner to facilitate PPP arrangement.



7. Zoomlion Company Limited should improve its funding sources so to be able to support its operations whenever there are delays in payments.
8. The Company should strengthen its technical capacity through capacity building programs and interventions. Zoomlion Ghana Limited should acquire more logistics for solid waste collection. The company must invest in recycling of solid waste.
9. Zoomlion should team up with the Assembly to intensify public education program as a way to help reduce solid waste generation in Sunyani. This must be done hand in hand with environmental health education and laws on improper disposal of solid waste in public spaces.



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