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ILLEGAL STREET HAWKERS ISSUE FACING THE LOCAL AUTHORITIES IN SARAWAK: A CASE STUDY OF URBAN STREETS IN KUCHING CITY

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ABSTRACT

Street hawking is an urban phenomenon in both developed and developing countries around the world. Several plans and strategies have been developed by the local authorities to address issues arising from hawking activities. There is no exception for the urban local authorities in Kuching City; the Kuching North City Hall (DBKU) and Kuching South City Council (MBKS). Illegal hawking has led to problems such as traffic congestion, littering and endangered formal entities. The problems that arise from the growth of illegal hawkers produced a negative image of urbanisation growth in the city. In this study, qualitative methods are used and data is collected using structured interviews. In order to identify the problems of illegal hawkers, officers from related departments at DBKU and MBKS were interviewed. The research identified several problems often faced by local authorities in the management of illegal hawkers, such as the resistance of hawkers to change to formal entities, the maintenance of the city's aesthetic value, the management of waste disposal, and consumer preferences. The study will hopefully help the local authorities to improve the management of hawkers in the cities. It is therefore intended to focus on the local authorities' problems in managing the growth of illegal hawkers in Kuching City and thus having an in-depth understanding of the nature of law and enforcement.

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1. INTRODUCTION

The growth of illegal hawkers has contributed to various problems for the local authorities and the public in the City of Kuching. It has become a challenge for the Kuching North City Hall (DBKU) and City Council of Kuching South (MBKS) to find a solution to accommodate the growing number of hawkers. The aim of this study is therefore to identify issues related to illegal hawkers faced by the local authorities in Sarawak.

Local authorities have a dynamic role to play in urban development. Urbanisation and development, which occur simultaneously and dramatically, have created numerous challenges for the local authorities in the provision of services and facilities, particularly for small-scale traders within the city. Morales (2010) points out that the management of street vending has been challenging. Most of the time, vending is an illegal basis which separate it's activities from government regulations and does not rely on financial institutions for their credit needs. This is due to the fact that early investment and risks associated with vending operation



needs are low. A number of issues related to land use, protection, health and social infrastructure arise due to street vendors. Boonjubun (2017) also noted that modernist urban planners consider that unregulated land use, informal housing, and the informal economy, are problems that need to be addressed. In addition, street vending is considered to be low income occupation, easy to enter, low level of education and a self-employed occupation. These become the main reasons which attract more people to participate in street vending activities.

Street hawking is not a new phenomenon in Malaysia. In fact, it has existed before independence. Under the Local Government Act of 1976, a hawker may be defined as a person who offers goods for purchase or a person who sets up a stall offering goods for sale. These activities includes an itinerant, static or temporary hawker. Chakraborty & Koley (2018) refers to street vendors as people who are unable to get a permanent job in the formal sector due to their low level of education and other soft skills.

The eviction and exclusion of illegal hawkers from restricted areas by the law enforcement is intended to maintain the orderliness of certain public places in order to create an attractive outlay and preserve urban order (Xue & Huang, 2015). Tangworamongkon (2014) argued that the severe persecution of illegal traders who engage in trade to continue their livelihoods and support their families may have been regarded as lacking in sympathy. Still, without strict regulation, this may lead to corruption and create more street vendors as well as increase pedestrian congestion. Apparently, either stringent or lenient regulations would lead to public outcry. Kusno (2010), added that the existence of street vendors challenges the image of a "explary centre" created by local authorities by harassing the ideals of a specific group of people, particularly the middle class. Illegal street vending can therefore be seen as a dispute between different social groups about the use of urban environments.

Municipal and metropolitan governments have been grappling with urban space problems in many developing areas, such as Africa, Asia and Latin America over the last decade or two. This involves the urban management challenge of accommodating street vendors and managing some of the environmental externalities associated with their unauthorised occupation and their activities in the urban natural and built environment. Similarly, Hasan & Alam (2015) argued that the negative impacts of street hawkers have resulted in disputes with urban authorities over issues such as licences, site of service, sanitation and working conditions. Hasan & Alam (2015) added that despite the contribution made to society, it can be said that the management and control of the business remains a problem, including hygiene, cleanliness, aesthetics and safety concerns. However, it is difficult to describe precisely the growing number of hawking and their forms of business. Street vending may be a universal phenomenon and the actual fact that it is difficult to make reliable estimates on the number of street vendors in any cities.

In addition, Kumari (2015) added that street vendors often face violence and arbitrary restrictions on the part of the civic authorities. This is further supported by Mkhize, Dube & Skinner (2013) as street vendors are harassed and in a few cases assaulted where some of their belongings been confiscated by urban authorities. Meanwhile, according to Chen & Skinner (2014), despite various positive effects for urban residents, street vending is rarely supported and is more often than not repressed by local authorities and urban planners. The presence of street vendors in public places has become a factor that causes a disturbed situation, traffic jam, declining function of the sidewalk, declining beauty of the city, and social tensions. As a result, street vendors are often the main target of the government's eviction and relocation programme.

The eviction and relocation programme, however, has never completely resolved the issue of street vendors. While street vendors are often targeted to be ordered, controlled and arranged, their presence continues to become a trend and thrive; and flourish even more



(Hermawati, 2017). In most cities around the world, hawking is considered an illegal activity. Municipal and commercial restrictions are imposed on policies. In most cases, these laws do not directly prohibit hawking as a profession. Illegality makes it hard or impossible for the government to manage the vendors, including the handling of complaints from the general public. Most of the public report on vendors are usually connected to a lack of appropriate, dedicated space and resources for their use (Efroymson, 2015). In addition, Steel (2012) reported that more established shop owners in Cusco, Peru complained about their loss of autonomy over the sale of products and the competition that vendors bring with them, and also the decresed in their sales and earnings.

Street vending in Asian cities is seen as a very dangerous and hazardous profession, and vendors are inherently insecure, devoid of rights, lack of state recognition, social security and access to institutional credit. Furthermore, delaying the finalisation of the policy on the law and ongoing actions of eviction of vendors or registration of certain vendors or the sponsorship of a vending zone by local authorities in a few cities makes it difficult for vendors to understand what the authorities plan to do and what their role (Mamidi & Chada, 2014).

Several studies have discussed street vendors in Malaysia and other countries, and case studies have also been conducted in various countries such as Indonesia, Philippines and Thailand. The profiles of street entrepreneurs and policies to define the links between street hawkers and urban development and planning were compared by Elmar (2015) and Xue & Huang (2015). Some articles reported failures in the process of relocation and relocation to new locations after placement. In addition, Yatmo (2009) stated that it is essential for urban planning practices to shift from general strategies to more specific and diverse strategies that recognise the particular situation of city street hawkers, requiring different treatment depending on the location and the merchandise in the planning process.

According to a report by Rahayu, Buchori & Widjajanti (2019), the enforcement of rules and disputes between street vendors and municipalities have not been able to find ways to build policies that are humane and at the same time efficient for managing street vendors. A number of studies have been done to investigate the nature of hawker's business, their working conditions, challenges and contributions to urbanisation like the study by Rahmat Azam, Alip & Azizan (2013) on the role of street hawkers in Pulau Pinang and Backhaus (2015) on the Government of the Malaysian Hawker Place. However, very few researches have been conducted on the part of the local authorities to accommodate the growth of hawkers.

Kartini Ramlee et al (2019) did some work on the problem of accommodating illegal hawkers under the jurisdiction of the Kuching North City Hall, their focus was mainly on the five areas of Petra Jaya. Their research, complements the work of other scholars studying the phenomenon in Sarawak's developing cities and fills the gap left by previous work done on the whole of Kuching City. The research will be particularly relevant to both the local authorities in Kuching and to the public and private urban development agencies.

Therefore, this study aims to identify the problems that local authorities faced with the illegal hawkers. Moreover, in order to maintain the aesthetic value of Kuching City, it is important to have a better understanding on the nature of law and enforcement by the local authorities. Bhowmik (2005) reports that further studies on street vending could provide concrete data to promote the cause of hawkers and, at the same time, offer issues that could form the basis of a national movement. While it is difficult to develop a reasonable and detailed strategy to help the informal sector, it should nevertheless be achieved. This study will provide the local authorities with a guideline on how to formulate a policy that would accommodate the hawkers.



2. LITERATURE REVIEW

Street vendors are also described as street traders, hawkers, sidewalkers, and peddlers. The words that characterise them are based on the time or location in which they work. The consumption varies with the locality and the area. They also vary from state to state and from country to country (Shibulal, 2018). They operate in a number of open spaces, such as organised street markets or hawking areas, natural market areas, transport hubs, sidewalk, medians, and along the streets (Roever, Sinha, & Dias, 2011). In other words, street vendors can be identified with fixed stalls, semi-fixed stalls or mobile vendors who walk or ride through the streets as they trade.

Tiwari (2000), Bhowmik (2010), Saha (2011), and Bhatt and Jariwala (2018) found that hawking plays a major role in the urban economy and offers basic elements that remain substantially sustainable and economically viable at affordable prices to the general household. In any event, Tangworamongkon (2014) and Jalal et al (2015) argue that despite their significant contributions to the country, street vending is widely blamed for a variety of problems, including walking and road pollution, street littering and bribery. It is even regarded as a distinctive characteristic of underdevelopment.

Vendors often choose crowded locations, land-road borders on the sidewalk, on the water channel, in front of the offices and other public facilities when performing their activities. Evidently, for those who make a living from this trade, robust state efforts to remove street vending from public space are a frequent issue. Irrespective of the contribution made to society, it is concluded that the problems remain in its management and control, including issues such as hygiene, cleanliness, aesthetics and protection (Hasan & Alam, 2015). This can be supported by other researchers, street vendors around the world have been confronted by city authorities or regulators over business space, working conditions, sanitation and licensing (Popke & Ballard, 2004; Anjaria, 2006; and Milgram, 2011).

The Bellagio International Statement of Street Hawkers, which called for national policies on road hawkers and for follow-up measures by individual hawkers, hawkers associations, city governments and international organisations, began seriously with the existence of the street hawkers. In addition, six concerns of street traders around the world were perceived in the Bellagio Declaration to be specific: lack of legal status and right to a hawk, lack of space or poor location, licencing restrictions, regulatory costs, provocation, bribery, reallocation and evictions, lack of services and infrastructure, and lack of representation or voice (Mcgranahan at el, 2009 as referred to in Bellagio International Declaration of Street Vendors, 1995).

The declaration was also known at the global level as a milestone enhancement in the vendors' movement. Sinha and Sally (2011) stated that governments around the globe were urged by the Bellagio Declaration to give vendors legal status by issuing licenses, enacting laws and providing urban plans with suitable hawking zones. In addition, it was mentioned in the government study to make street vendors a unique component of urban development plans by considering them as an integral part of the urban distribution network.

Unqualified poorly educated people are commonly seen as hawkers who have entered the business illegally without the local authorities' permission (Yatmo, 2009). In addition, hawking is seen as a temporary solution of the source of income while waiting for better job opportunities. The main motivation of the hawkers in this sector is linked to both social and economic factors. It is claimed that a very low level of skill and capital investment are required to enter this sector. Compared to other sectors, it is easier to engage in street trading for poor migrants and lower income groups living in the city.

The growth of the urban poor which constitutes the largest segment of consumers for these street vendors can be seen with the increase of the urban population, leading to an



increase in the number of vendors in any given city. According to Ray (2017), the middle and lower income groups buy a significant proportion of daily goods from these vendors at affordable prices, often lower than the official stores.

There will be a chaos when the city administration does nothing to ensure effective management of street vending. However, if the local authorities set a demarcation line where the vending can and can not be made, it creates an enforcement challenge (Parikh, 2015). This is further supported by Widjajanti (2016), who stated that until the present years the handling of street vendors' problems in urban areas can still be said not to be aspirational and has not changed from the old pattern, since they are only evicted out of the concern for the cleanliness, safety and comfort of the city.

Local authorities therefore have a crucial role to play in urban development. Urbanisation and development, which occur simultaneously and dramatically, have created numerous challenges for the local authorities in the provision of services and facilities, particularly for small-scale traders in the city.

The informal industry is growing as it accommodates those unfortunate people who either lose their jobs or are unable to work in the formal sector. This phenomenon has also led to a growth in trading in developing countries in which street traders or vendors occupy a significant proportion of the informal urban sector (Muiruri 2010). It can also be argued that, as the government struggles to overcome unemployment, recent research evidence suggests that more and more people see street trade as their only hope of escape from poverty. According to Abhayray (2013), the majority of hawkers are entering the business world in an effort to escape poverty and unemployment. Permana, Norsiah & Siong (2016) supports this by saying that the government is unable to create enough formal jobs, and becauce of urban poverty and problems in getting formal jobs; this leads to issues of streets vendors and hawkers.

Kumari (2015) said that the majority of those who entered the informal sector are those who could not get formal jobs because of lack of education or skills. Hence, informality appeared as a result of the disability of the formal sector in creating employment opportunities for the urban and rural workers in the third world countries. The difficulty of obtaining an employment has increased the reliance on business as the only choice for young people. Kusakabe (2010) states that it is usually the poor who are found to be a survival or comping strategy in the informal sector, trying to achieve goals. This can be confirmed by Panwar (2015) and the International Labour Organisation (2014), in India poverty and lack of jobs in rural areas and in smaller towns, a significant number of people go to cities due to work and livings. Jain (2013) stated that the capacity of urban settlements for economic development encourages migration of all kinds of people, as development requires all kinds of skilled, semi-qualified and unskilled labour to generate the economy and develop urban infrastructure. Higher unemployment rates can act as an increasing factor in the informal sector, particularly in developing countries.

Debrah (2007) argues that the informal sector is a source of occupational production and that participation in this sector is seen as a means of combating poverty in developing countries. In many cases, the decision to become involved in the informal sector is because of a lack of career options and the selection of jobs available to generate income for their lives (Loayza and Rigolono, 2011; Begari, 2017).

Most urban authorities do not have consistent policies and regulations on thevendors as far as regulations and registration are concerned. They see street trade as a nuisance, and in some cases even licensed vendors are harassed by widespread raids. Obtaining a licence does not give street vendors full rights to trade. Vendors must comply with other trading requirements, such as trading in approved or designated areas and complying with trading requirements. While this is appropriate, most street traders are not aware of the details of the



health requirements. As a result, their licenses are confiscated for non-compliance to the health requirements (Parikh, 2015). The International Monetary Fund (2017) stated that policy makers should focus on policies aimed at boosting the productivity of household enterprises rather than simply trying to increase the tax revenue generated by informal workers.

Chen (2004) argued that the policy must be participatory and inclusive in nature, requiring the involvement of organisations representing the informal sector, authorities and other relevant social actors who must work collaboratively towards negotiated solutions. It is not only a way of producing income but also a recognition of the presence of the hawkers in the public space that hawkers require licenses. Although they do not have the formal right to be in a position to establish their stalls, they know that they are tolerated by the authorities through the licensing process.

Meanwhile, Widjajanti (2016) argued that the new designated location for street vendors is less strategic and bring less business opportunity for them, resulting in the street vendors more likely to return to their original location In addition, street vendors are often persecuted, living in uncertainty and working in poor conditions with little access to infrastructure. They encounter problems such as eviction, bribery, inability to access various government facilities, lack of facilities such as toilets, lighting, lack of social security and other similar obstacles (Khairuzzaman et al, 2014 & Kumari, 2015). Having an unsafe workplace is a big problem for those who work in the streets, and the common problems faced are lack of storage, theft or damage to stocks. Improving the working conditions and the economic, social and legal status of street vendors are major challenges for the state and local authorities. It is quite clear that the informal sector is growing massively due to increased poverty, job losses and general unhealthy economic conditions in developing countries, a move towards the eradication of vendors' streets would surely have many social and economic ramifications that could exacerbate existing economic hardships (Beccles, 2014).

Natawidjaja, Rahayu & Sutrisno (2015) reported that street vending has played an important role since the 1990s after the failure of banks and factories due to the Asian economic crisis by being a tool for dealing with low households in the city of Surakarta. It can be inferred that street vending is one of the main means of earning a living for the urban poor, as it requires a minimal initial investment demand, and attempts to find a job and skills are minimal.

3. METHODOLOGY

A qualitative approach was employed in undertaking this study. According to Levitt, Motulsky, Wertz, Morrow & Ponteretto (2017), qualitative research is inductive in nature and the researcher mainly explores meanings and insights in a given condition. The tools for data collection are very important in order to achieve the proposed objectives. Reference is made to a range of data collection and analysis techniques that use purposeful sampling and semi-structured and open-ended interviews (Gopaldas, 2016). Thus the instruments utilised for data collection in this study is based on the interviews. This will enable a deeper understanding and meaningful information on the topic. Structured and semi-structured interviews were held with DBKU and MBKS officers from various departments.

Data was also collected from both primary and secondary sources in order to analyse the problems encountered by local authorities in managing hawkers in the urban streets of Kuching City. Primary data were collected through intensive field work and specifically from sample populations such as DBKU and MBKS officers. Secondary data were obtained from published and unpublished documents such as books, journal articles, City Hall of Kuching North and City Council of Kuching South online or hard-bound publications and statistics reports. The non-probability sampling technique was used for this study. In this context, five



officers from the two local authorities were interviewed. The rationale for selecting purposive sampling was to involve those with relevant information for this study.

4. RESULTS

This section discusses the findings on issues related to illegal hawkers.

4.1 Resistance to Move into Formal Entities

Although legal formalisation is still applied in many cities around the world, street vendors still continue to disobey the law and also majority operate without a legal permit in most places (Vargas & Urinboyev, 2015). The main attraction of being in the informal sector is unreported finance. Expensive fees to obtain the licenses is one of the reasons why illegal hawkers remain in the informal sector.

Response from Respondent #1:

[Sometimes these hawkers prefer to stay illegal because they find it difficult to obtain a license, and some of the procedures required a lot of time and money. Before they can obtain a license or permit, they must comply with our enquiries, such as the hawkers must hold the food handler's certificate. In addition, the Companies Commission of Malaysia (CCM) also made it very clear that those who have the intention to start a business, whether small or large, need to register as a regulatory organisation with them. Moreover, these hawkers only sell to support their daily lives, and sometimes it was not enough. It takes a lot for them to consider joining the formal sector and legalising their business. Without any permission from DBKU, these illegal hawkers could be fined RM 1000 for the first time offence and up to RM 3000 with or without a prison term of six months for a repeat offence.]

In addition, the trouble of the regime in removing all street traders and relocating them to a designated location was seen by the hawkers as a result in a loss of income. Many hawkers fear that they will relocate to areas that are not accessible to most of their customers. The hawkers also argued that a more structured system of street and pavement sales offered a more robust alternative to a local government role as their business depends on passing trade (Mushonga, 2000 and Cohen, Bhatt & Horn, 2000). Some hawkers would prefer to operate illegally as long as they are at strategic locations, paying their fines on a periodic basis, rather than moving to legalised locations where they could not attract many customers.

Response from Respondent #3:

[We, along with a few state representatives, have agreed to build a new location for these hawkers, for example in Jalan Tunku and Jalan Buntal, so that they can get better facilities. We even held a dialogue session with these hawkers, to make them agree to move to a designated location. We found a mutual agreement and agreed to move to a new location, but once the project was completed, they were reluctant to move because their customers could not reach them and the location was not strategic enough to attract more customers. Now the new market is not fully occupied and empty buildings could lead to other social problems.]

It is reassuring for individuals to want to make money on their own without any payment to an authority, so it has become a reason for them to participate in the informal sector. Mengistu & Jibat (2015) also supported this as most street vendors engage in street vending activities to support their low income or to complement the low salary of their spouse. According to the survey by the Ministry of Women, Family & Community Development (2014)



and Ramasamy (2017), the versatility of time is the reason for women informal traders to enter the informal sector. Research also shows that through street vending, most women have taken on the task of helping their families and taking food to the table (Amankwaa, 2015; Chingono, 2016 and Roever, 2016). It showed that a number of hawkers chose to make hawking as their permanent activity to generate income while others took the opportunity to earn additional revenue as part of their temporary activities (Mustafa, Rahim & Marzuky, 2013).

4.2 Customer's Preference

Hawkers are usually seen as efficient mediators through their relationship with the formal sector in the distribution of goods and services. They help minimise the cost of living in the city by supplying food and other consumer products at reasonable rates and broadening consumer choice. In short, street vendors can often deliver items at lower prices than other retailers, since they have lower rent and capital costs. They are distributors of affordable goods, as they provide customers with easy and usable retail choices and are a crucial part of the social and economic life of the city. Having and retaining daily customers is the most critical strategy for street vendors (Kusakabe, 2006).

Response from Respondent #4:

[Street vending has existed for a long time and it is very hard to break the hawking tradition in our culture. Even as customers, they found it is very convenient for them. They do not have to find the parking spot and walk all the way to the mall or market. They know that those people who sells at the roadside are exposed to danger, but they still find it easy and cheaper to buy from the hawkers. It is just next to the street and save more time for them. We tend to choose what is easy or convenient for us to do. It is the thinking of the society, and you could not do much about it.]

Response from Respondent #5:

[These street vendors have loyal customers of their own since they started business. They are already building this kind of relationship where a regular or loyal customer sometimes gets more discount from the hawkers. This is one of the reasons why consumers choose to buy from these illegal hawkers rather than buy from the market.]

However, Mitullah (2003) argued that street vendors are perceived as creating unfair competition for more formed shop owners by providing pirated and counterfeit goods and commodities for sale at much lower prices. It has also been found that the existence of an informal economy leads to a reduction in government revenues and has an undesirable impact on policy efficiency. In addition, there are arguments on the consumer's affinity-animosity relationship with street vendors. It is generally seen that consumers prefer the benefits offered by street vendors, but they dislike the way vendors occupy the pavement and some of their practices. According to a study by Bhowmik & Saha (2012) of ten cities in India, they found negative perception that consumers have on the street vendors. All groups feel animosity towards these vendors, and the high-income groups dislike how suppliers in busy places block the pavements. In the meantime, the middle income group is also frustrated by the use of sidewalks by the vendors, which leaves pedestrians with insufficient room and contributes to dirtying the pavements.

4.3 Aesthetic Value of the City

The aesthetic importance of a city is one of the most essential aspects of its urban identity, which separates it from other cities (Al-Hinkawi & Ramdan, 2016). Meanwhile,



according to Al-Jaf (2012), the aesthetics of cities lie in the ideals of civil society, the exchange of information, cultural diversity and the provision of many means of transportation. The presence of street traders is considered by regulators to reduce the aesthetic standard of urban settlement, according to Ayeh, Sylvana & Decard (2011), and to undermine the attractiveness of the city. In 2017, the Mayor of Bandung City partnered with the police and military institutions to monitor the activity and presence of illegal street hawkers in restricted areas and to protect officers from potential harm from suspected threats from informal vendors. This was done with the aim of maintaining order, cleanliness and the beauty of Bandung as a new tourist destination (Malasan, 2019).

Response from Respondent #2:

[Kuching used to be the cleanest city, but with the growth of hawkers, the aesthetic value of the city had decreased. It is no longer uniform in terms of structure. We have installed CCTV around the city to monitor every activity and flow of traffic. This is intended to prevent too many complaints from the public.]

Response from Respondent #1:

We have issued notice to illegal hawkers along the Waterfront to stop all illegal trading activities by April or we will take a stern action against them. We want to make Kuching a vibrant city, but we are also concerned with the cleanliness of the city's structure. We are responsible for the beautification of our regions and we do not want people to believe that we do not do our best to preserve the city's aesthetic value.]

Mexico, India and Asia considered street vendors to be offensive and illegitimate invaders, who have the capacity of cities to modernise and achieve global status (Turner & Schoenberger, 2012). The authors added that street vendors are perceived as a sign of chaos and disorder, and that the metropolitan authorities have failed to instill order within cities. Government policy on street vendors is an attempt to monitor their activity in public places and to regulate them.

The government has classified the places that are permitted and not permitted to be used as selling places by using the policy, which naturally differs from the interpretation of street vendors in public places. This is because the government describes spaces using the control perspective, but also the orderliness, embellishment and comfort of the city, while street vendors use the economic perspective (Hermawati, 2017). The presence of street vendors in public places has become a factor that causes a disturbed situation, a traffic jam, decreasing function of the sidewalk, a declining beauty of the city and social tensions. As a result, street vendors often become the main target of the government's eviction and relocation programme. However, the eviction and relocation programme has never fully addressed the problem of street vendors. Although street vendors are often targeted to be ordered, regulated and arranged, their presence remains to be a trend, and they are still thriving and growing (Hermawati, 2017).

4.4 Waste Disposal Management

The function of the local government is to provide for all social facilities which are chartered in accordance with Sections 101 and 102 of the Local Government Act 1976, Act 171 and Sections 5(1) and 6(1) of the Town and Country Planning Act 1976, Act 172. The Ninth Malaysian Plan emphasis is that the local authorities must undertake various compulsory and discretionary activities in the provision of services to the urban population. These include the provision of solid waste management services. In order to address the environmental pollution challenge, local authorities need to establish a long-term provision for an effective solid waste



management system so that environmental pollution does not cause problems (Kamarudin Ngah, Zaherawati, Jamaludin, Nazni, Mohd Zool Hilmie & Mahazril (2011).

Response from Respondent #5:

This is the most serious issue we have encountered. The hawkers are not concerned about the environment. They dump their waste on the site where the stall was built. For seasonal hawkers; for an example durian seller, they will leave the durian peels on the street. After the operation is over, they will not worry about carrying the waste home. In addition, they tend to dump their waste in the drain and sometimes it can cause foul smells and blockages. The entire neighbourhood will therefore be affected.]

Waste management refers to waste collection, transport, waste recycling and disposal, including control of such operations and the disposal site after treatment (Jerie & Tevera, 2014). In urban areas around the world, solid waste management is a major challenge. Without an effective and efficient waste management programme, street hawking waste can result in health risks and have a negative impact on the environment. It has become the norm for street vendors to leave their garbage on the pavement waiting to be collected. Some are in the habit of putting it next to drainage inlets. People confidently believe that it will somehow be collected and disposed of by the municipal sweepers (Richardson, 2003).

One other problem associated with this is that the collection schedule is not fixed in areas where private solid waste collectors are present. In some fields, collection is not routine. In addition to requiring a greater workforce than in countries with a weekly collection system, daily waste collection also has a significant impact on equipment and its maintenance (UNDP, 2008). In addition, access to waste collection points varies considerably. The collection of waste from vending sites located in inaccessible streets and alleys can also be troublesome for local authorities and even local societies. There are still vendors who practice burying or burning their waste near their stalls, most of whom are not prepared to pay for their waste collection. In the event that waste containers at the stall are inaccessible or not noticeable, customers are not allowed to properly manage their waste. The majority of consumers leave their waste on the table or drop it on the floor. Some stalls were littered during the busiest part of the selling period. Not only is this aesthetically objectionable, it is also unhygienic (Cabaltica, Nguyen & Pham, 2016).

5. DISCUSSION

Management has an important role to play in the success of any activity. There should be good management in street vending. There is a lack of policy guidelines for street vendors in Asian countries as the government assumes that street vendors will be abandoned if they are not properly regulated. As in the case of Kuching City according to the DBKU, premises used for operating village shops, static hawkers and mobile hawkers are required to apply hawkers in compliance with an Act, Ordinance, Order, by-laws, Rules and Regulations of the DBKU. Government provides street vending policies to street vendors. Nevertheless, street vendors are not always aware of such policies. According to a report by Kiran & Babu (2019), the best way for policy makers to fix the street vendors' issue is to grant them business licenses. This will go a long way in giving these hawkers room within the legal structure as well as accelerating the control of street vendors to the government itself.

The practice of vending permits and licensing systems is one of the direct attempts by the local authorities to exercise control over these illegal hawking activities in urban public spaces. In addition to generating revenue, these regulatory instruments also enable local authorities to manage numbers and prevent congestion and related environmental problems. In addition, there is a lack of expertise on legislation concerning street trading, such as municipal regulations and by-laws, aggravated by information inaccessibility and lack of efficient contact between municipalities and street traders (SEDA, 2008). The most popular



concern of street vending debate is that vendors are disproportionately competing against off-street entablishments because they do not bear registration and tax costs and do not have costs, such as rent and service payments. This creates unfair competition and threatens the viability of established enterprises. Due to these reasons, local governments should formalise street vendors by relocating them to secured premises where they would not be exempted to register, pay taxes and rent.

The government must protect public space against such intrusions by sternly restricting or even outlawing street vending. Vendors pay a premium to the Municipality for rights to the necessary space for vending. If successfully introduced and applied, allow the system to manage congestion and environmental emissions. The local government is relocating vendors to other new areas by considering the capacity of space allocated to manage congestion, accidents and environmental health problems (Ofor, 2007). The difficulties caused by street vendors should be reduced by the allocation of vending areas (Efroymson, 2015).

Setting up a formal vending zone with basic rules, such as time restrictions has potential to reduce urban problems. This also helps to recognise the location of vendors and ease of registration and gradual formalisation (Bhavan, 2009). As the city grows and the urban street economy expands, the burden on insufficient sanitation and waste management facilities will increase the problems produced in the city due to the increased demand for suitable sites and the necessary infrastructure and environmental facilities. According to Yankson & Gough (1999), this will increase the environmental problems associated with the activity of such informal economic units unless the urban management system reacts with the right policies and programmes to accommodate them.

In all cities, street vending activities are correlated with insufficient management of waste and other environmental and sanitation practices. Municipal authorities need to provide basic facilities in the allocated vending areas, such as the supply of waste containers, public toilets, the creative design of mobile stalls, the supply of electricity, drinking water, the provision of storage facilities particularly for food and the provision of protective cover for their goods, as well as for their goods, from heat, rain and other barriers they may face to roadside (Bhavan, 2009).

In addition, hawkers ought to be formalised not merely because a large number of people depend on street vending for their livelihoods, but also because their services benefit the common urban resident. Hawkers only exist because there is a demand for them by consumers. Conversely, if the urban population did not buy from street vendors, they could not have existed let alone increased. Although it is logistically easy to forcefully relocate street vendors into an enclosed public market, it is relatively hard to attract customers to these new markets (Bromley, 2000 & Donovan, 2008).

The potential of a new public market to attract customers and produce sales is also a key factor assessing the effectiveness of the relocation of the street vendors phase. Changing the vending place from the street to the off-street public market changes the nature of street vending and requires the displaced street vendors to change their old way of operating. Unfortunately, many relocation processes overestimate the ability of street vendors to adapt to change and underestimate the difficulty of retaining support from customers who may still prefer to shop in the street. As a result, large off-street markets are expected to have a higher degree of customer attraction because of their diversity. Smaller markets, which contain only basic food staples and have less options, may have lower consumer intensity and are more likely to fail. Due to the failure of the above attempts, the workable process of accommodating street vendors in rapidly urbanising countries remains elusive and misunderstood. This resulted in a lack of support for urban development policies and for the regulation of street vendors.

Furthermore, the rapid increase in street trading activities has made it difficult for municipalities to provide adequate services and trading spaces, as street trading is not always taken into account in urban planning efforts. The existence of street vendors influences the physical and visual quality of construction and sidewalk occupation on the basis of a study by Dimas (2008). Street vendors are seen as an urban scourge all over the world (ILO, 2006). As



they deface city sights and disturb the aesthetic value of the cities, governments would like to eliminate them. Street vendors are regarded as dirty, congestive, messy and unmanageable. They are undesirable elements of carefully arranged urban architecture. Street vendors can cause a decline in tourist attraction. Street vendors will create a lot of noise with their announcements and their customers dump garbage on the streets.

6. CONCLUSION

Increased numbers of the informal sector in urban areas have caused the problem of urban landscape, particularly the role of informal trade, which does not encourage certain fundamental aspects of urban design. It is therefore crucial that certain actions are speed up to respond to the problem. In the implementation, the planning policies for street vendors in the city faced a number of obstacles including the emergence of street vendors which are not untenable, making it difficult to regulate the conduct of street vendors. In terms of street-vending laws, there is a clear boundary between what is legal and what is illegal, but when it comes to law enforcement, leniency on the part of local authorities caused by sympathy, vested interest or bribery is commonly observed.

In conclusion, although street hawking has brought some negative impacts toward urbanisation, street vendors can be seen as an example of micro-entrepreneurship and a solution to urban poverty. The State Government has made several attempts to resolve this issue. However, the spread of street vendors in the city has also proven the lack of effectiveness in their intervention. The implementation of policies against street vending has been negatively affected by the local authorities' policies and regulations, lack of employment opportunities, economic downturn and their resistance to change in the formal sector. This study helped to inform policy makers that they could look at street vending practically and not reactively. It is also true that street vending can be a source of government revenue when properly harnessed through good and well-researched police forces in the future.

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