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ENVIRONMENT AND PLANNING
REVIEW TRIBUNAL

RECEIVED
24 SEP 2021

ST. FRANCIS DITCH
FLORIANA

20th September 2021

To: The Environment and Planning Review Tribunal
Block B, St. Francis Ditch,
Floriana

Re: PA/02520/21 – Merchants Street, fronting Rosselli Hotel at 167, Merchants Street c/w, St. Christopher Street, Valletta

Gentlemen,

We write on behalf of the Valletta Local Council of Republic Square, 33-35, Valletta Local Council, Treasury Street, Valletta.

Reference is being made to the decision that was taken by the Planning Authority on the 6th of August 2021 regarding the application number abovementioned for the proposal of setting up tables and chairs, umbrellas and street furniture fronting Rosselli Hotel. Such decision was published on the 7th of September 2021.

Reference is also being made to The Valletta Local Council's letter to the Planning Authority dated 2nd of September 2021 as well as its subsequent reply dated 10th September 2021.

That in the first instance, no such formal notice of application was ever made public and/or affixed at the location address. As a result, the Valletta Local Council strongly objects against the abovementioned application filed by AX Holdings Ltd. As regards the merits of the objections kindly be advised the following:

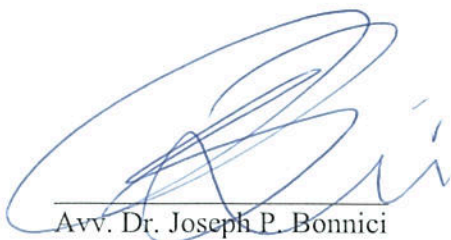
1. That The Valletta Local Council was never made aware, nor consulted or was asked to provide for their recommendations. Furthermore, The Valletta Local Council was never notified from The Planning Authority about such permit or works that would be carried out.
2. That although the publication date for approval of permit was dated on the 7th of September 2021, the permit holder illegally and illicitly began constructing the demountable platform before the publication date stipulated and therefore goes against the regulations at law.
3. That the Capital city of Valletta has a cultural and historic identity that is authentic, unique and different from other cities in Malta and Gozo. Only Mdina and The Three Cities (Vittoriosa, Senglea, Cospicua) fall within the same category of Valletta. Valletta's identity should be safeguarded for its specific features as it also forms part of the UNESCO World Heritage Sites. Such protection should always be maintained in its past, present and future state. As a matter of fact, the Outstanding Universal Value of the City of Valletta is vulnerable to impacts on its setting, form and fabric, deriving from the demands of a living city. Any intervention, such as this approved development permit, should not be compromising in any way the city's

Outstanding Universal Value. The latter in fact is a basic requirement for the preservation of the title of a UNESCO World Heritage Site for the City of Valletta.

4. The platform proposed by the permit holders has become a major national concern and has been heavily criticised by all the local news portals and journalists, civil societies, professional bodies, NGO's and Associations. Its location is simply not suitable and ideal for pedestrians and vehicles particularly emergency vehicles such as ambulances and fire-engines. The full development permit states that "all the permitted furniture, including the tables and chairs but excluding for the demountable platform, bollards, and planters shall only be in place for the hours of operation". Thus, this demountable platform is permanent. Hence this causes a permanent obstruction that affects both the city's aesthetic nature and the day to day running of services that passes through that street.
5. That the platform will also obstruct many festivities that are organised annually by religious institutions. Such festivities include the procession of the feasts of St. Paul, St. Dominic, Our Lady of Sorrows, Good Friday and many other devotional processions. Just across the road there is situated the Jesuit Church where our students attend their graduation ceremonies. Close by one can also find The University of Malta Valletta Campus. This development permit thus impinges negatively on the Cultural Value of the City itself since it will compromise the integrity of the centuries-old traditions of these devotional processions. Whilst it is understandable that the Maltese tourist industry's forecasts and trends are achieved, and the National Tourism policies are aligned with the latter, a balance has to be achieved taking into account the conservation of the cultural values of the living city itself. These are the pillars of the Universal Charters for the Conservation and Restoration of Monuments and Sites (Venice Charter 1964 and ICOMOS 1965).

Therefore, the appellants are humbly submitting to the Honorary Tribunal to revoke the decision taken by the Planning Authority on the 6th of August 2021 and published on the 7th of September for the reasons mentioned above and subsequently refuse the application previously submitted.

The appellants are formally reserving any relevant witnesses and/or documentation that are to be summoned by the appellants during these proceedings.



Avv. Dr. Joseph P. Bonnici