

ENVIRONMENT AND PLANNING  
REVIEW TRIBUNAL  
**RECEIVED**  
12 MAY 2022  
ST. FRANCIS DITCH  
FLORIANA

In the Environment and Planning Review Tribunal

Case Number: IF1133/21-N

Fine Reference: SO0831

ROAD CONSTRUCTION COMPANY LIMITED  
(C15677)

vs

ENVIRONMENT & RESOURCES AUTHORITY

Appeal application by Road Construction Company Limited of 'Tarmak Plant', Triq iz-Zebbug, Rabat, Gozo, bearing Company Registration Number C15677

Respectfully submits that:

(i) The appellant have been notified that an administrative penalty has been imposed against it *in solidum* with the Eco-Gozo Directorate of Pjazza San Frangisk, Rabat, Gozo on the 21st December, 2021;

(ii) That by virtue of the said letter, they were informed that a fine of twenty thousand Euro (€20,000) and a condition that forty (40) vitex agnus-castus should be planted in the area where allegedly two of the same trees have been uprooted;

(iii) That the appellant submitted an objection letter against the issuance of the said administrative fine, which objection has been rejected by virtue of a letter dated the 7th April, 2022;

(iv) That the appellant felt aggrieved by the said decision and subsequently is presenting its appeal from this decision;

The grievances are clear and unequivocal and relate to the following reasons:

1. That preliminarily, the appellant submits that it is not the interested party to these proceedings and that the fine has been erroneously issue against the appellant given that Road Construction Company Limited was not involved in any works being undertaken in the mentioned site;

2. That without prejudice to the above, in the course of the works conducted on site, great diligence has been taken in order that all the necessary permits and authorisations are given prior to

effecting and executing any works. In fact all the necessary authorisations had been issued as will be proved throughout the hearing of this appeal;

3. That furthermore the report and method statement compiled by Perit Godwin Sultana does not mention any uprooting of trees nor that any works involving removal of trees was to be undertaken;

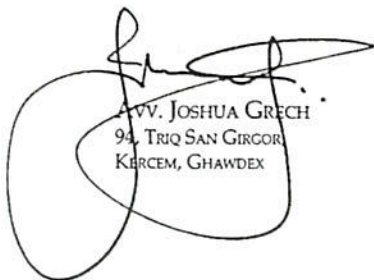
4. That in any case, no trees have been uprooted or removed during the execution of the works and particular attention has been taken so that the existing trees would not be harmed;

5. That concurrently with the works being carried out on site, third parties were undertaking works in the same areas, which works continues also after the works in the area had been ready. Moreover, prior to the said works, there was an incident involving third parties wherein a crane toppled causing damage to the valley, which incident did not involve the appellant;

6. That the appellant cannot be held responsible for acts which it did not cause or which were caused by third parties without the knowledge of the same appellant;

In view of the above and of further submissions that the appellant respectfully reserves the right to make, the appellant hereby submits his request to the Tribunal to revoke the administrative fine issued against it mentioned above and this under those terms and conditions that the Tribunal deems fit to prescribe.

Attached please find a copy of the administrative fine, decision to the objection and of receipt of payment of appeal.



AVV. JOSHUA GRECH  
94, TRIQ SAN GIORGIO  
KERCEN, GHAWDEX