

Dorianne Farrugia

From: Andrei Scerri <andreixerri@gmail.com>
Sent: 19 October 2022 14:22
To: EPRT Info
Subject: [Ext] Request of Appeal of enforcement notice: EC/2000/9/22

ENVIRONMENT AND PLANNING
 REVIEW TRIBUNAL

RECEIVED
 19 OCT 2022
 ST. FRANCIS DITCH
 FLORIANA

[EXTERNAL]

Dear Tribunal,

Ircivejna enforcment notice mahruqa fis-7 ta Ottubru 2022 (aness f'dan l email). Permezz ta dan l-email nixtieq nissotometti appell f'dan ir rigward:

L-enforcement notice taghmel acenn ghal 3 ilegalitajiet/jew irregolaritajiet hekk imsemijin fl-enforcement notice

a) Dwar l -uzu ilegali

Bhala skola zghira ta-larti (licenzjati taht il kategorija ta informal learning tuition center) ahna niperaw minn diversi siti differenti kemm fil privat kif ukoll fil-gvern. fil fuq minn ghaxar snin minn kemm ilna noperaw ahna dejjem imxejna skond il-ligi u l-proceduri rikjesti minnha mil awtoritajiet relevanti. Hhala skola ahna ghandha il licenzji kollha mehtiega biex noperaw minn dan is-sit u ohrajn inkluz il-licenzjar ta tuition center, Fire Health and Safety, POMA u dokumenti ohrajn etc.. Fil waqt ta dan kollu ahna qatt ma gejna infurmati kemm waqt inspezzjonijiet ta l Education u kif ukoll mil-awtoritajiet relevanti dwar xi nuqqassijiet jew iregolarijiet. Xhieda ta dan huwa l fatt li il-licenzjar taghna bin numru ta registrazzjoni ta SLC12448 ghadu kemm imgedded ghal sentejn ohra.

Ghal fini ta Informal education Tuition center license (kif ahna rikonoxxuti ahna) m hemm lebda rikjesta li l-propjeta trid tkun wahda kummercjali jew residenzjali. Ir rikjesti l-ohrajn kollha ta Fire, health and safety, POMA etc.. huma diga approvati.

Fid dawl ta dan u li **it-tali sit gie certifiat mill inspectors tal edukazzjoni u approvat** bhal kull sit iehor li noperaw minnu. Ghaldaqstant ahna qighedin nezigu sabiex l-Awtorita ta l-ipjannar tersaq u tinfurma ruha dwar dan mal awtorita tal Edukazzjoni ghaliex il permess u licenzjar inhareg bl approvazzjoni shih tal Education u fejn tista u skond il-ligi tipprova kwalunkwe attivitajiet li l-awtorita ta l-ipjannar qiegheda tinsiti fuqhom u li huma mhux skond il-ligi.

Jekk rizultat ta dan hemm xi nuqqasijiet dawn ghandhom l-ewwel jigu ccarati u indirizzati fuq livell tal-awtoritajiet.

Madanakollu, hekk kif gejnt infurmat dwar xi potezjalment nuqqasijiet jien infurmajt lis-sid tal-propjeta. Konsegwentament iddahhlet applikazzjoni bil-perit qabel inharegt l enforcment notice (application b referenza numru 267350). Ghaldaqstant ahna nhossu li l- PA ghandha tistenna l ezitu tal process tal applikazzjoni bhal ma jsir f-cirkustanzi simili.- Dan huwa perjodu ragjonevoli li jidependi fih innifsu mil-istess awtorita. Dan ukoll fil-kuntest wisa li ahna mxejna b efficjenza sabiex kwalunkwe shortcoming jigi kkoregut- u ghalhekk il motiv taghna huwa wiehed car u onest.

b) Rigward il-bieb ta barra

Jien cempilt il PA case officers u dawn infurmawni li m hemm bzonn ta l ebda permess biex wiehed jibdel il bieb ta barra. Specjalment meta l bieb inbidel minn wiehed antik u msaddad ghal wiehed gdid ghal fini ta manutenzjoni. Dan il bieb ilu li gie mibdul ghal numru twal ta snin.

u

c) li kien hemm xi alterazzjonijiet strutturali

Hekk kif jixhed mil-istess ritratti li ttiehdu mill- PA enforcement officer Mrs Lorraine ma saru l ebda alterazzjonijiet esterni jew inkella interni - kemm fissi jew ta natura stutturali fis-sit. L-uniku 'divider' huwa li il PA qed tirimarka ghalih huwa wiehed temporanju u moveable - voldiri jista jinfetah u jicaqag skond il-bzonn.

Barra minn dawn li semmejt hemm affarijiet u dettalji ohrajn li nixtieq inressaq ghal-attenzjoni tat-tribunal:

- **As per Cap 552, 94 (1) (a) it states that enforcement officers should enter any dwellings after giving previous reasonable notice, after at least 24hr.**

- in our case Mrs Lorraine Dimech made her way in without any notice, and started shouting out loud in the presence of students and members of staff that the school has to be closed as it has not permits. None of the schools executive was present or on location during this time.

Proof of this captured via our security camera. Available on request.

- **96 (1) the enforcement officer should produce and present proof of their identity**

- no proof was produced at any point in time neither by Mrs Lorraine nor by her 2 colleges who were dressed in informal wear.

Proof of this captured via our security camera. Available on request.

- **96 (a) info should be request by PA - despite my several attempts for a meeting to clear our position as a school and the fact that we are licensed to operate from this premises by the Education dept and subjected to health and safety and other rigorous process- the PA was never proactive and open to our requests for communication.**
- **Our architect maintains that this approach (although within the law) is very abnormal and that in similar circumstances to ours the enforcement notice is not issued once an application is in process.**

Grazzi,

Andrei Scerri

Managing Director

m: +356 99831064 e: admin@ak-artistry.com

w: www.artclassermalta.com SLC no. 12448

Kindly consider your environmental responsibility before printing this e-mail