



Ref: Seduta 36Ad hoc_09-09-08 V

MINUTI TAS-SITTA U TLETIN (Ad Hoc) SEDUTA

Is-sitta u tletin (Ad hoc) seduta tal-Fames Kunsill Lokali ta' Sliema nżammet nhar it-Tlieta, 9 ta' Settembru 2008 fl-Uffiċċji Amministrattivi, fi Triq Depiro, Sliema.

Preżenti:

Sindku: Marina Arrigo

Viċi Sindku: Albert Bonello Dupuis

Kunsilliera: Marianne Aquilina
Margaret Ann Azzopardi
Michael Briguglio
Nikki Dimech
Julian Galea

Skuzati: Martin Debono
Luke Vella

Segretarju Eżekuttiv: Josef Grech
Stefania Friggieri

I-avukat tal-kunsill Ivan Gatt

Is-seduta bdiet fl-16:05 b'din l-agenda:

1. Rigward l-appelli li se jintbagħtu mil-kunsill lil MEPA
2. Rigward PA 3471/08 – *proposed upgrading of lower Road*

1. Rigward l-appelli li se jintbagħtu mil-kunsill lil MEPA

1.1 Is-segretarju eżekuttiv irrefera għall-appell dwar Fort Cambridge bin-numru PA 2752/07, li l-kunsill kien diġa iddeċieda dwaru fl-aħħar laqgħa tal-kunsill ta' l-20 ta' Awissu, 2008. Informa li għal dan l-appell ikun hemm bżonn *site plan*, timbru mil-bank, kopja tad-*decision notice* kif ukoll l-ammont ta' 5% tad-*Development Permit Fee* li jammonta għal Euro 3184.94.

Daħlu l-kunsillier J. Galea u N. Dimech fl-4.10pm

Is-segretarju eżekuttiv irrefera għall-korrispondenza tal-kunsillier M. Briguglio dwar jekk il-kunsill għandux jinkludi fl-appell tiegħu l-fatt li c-Chairman tal-MEPA huwa maħtur bħala *executive chairman* meta qiegħed ukoll *full time* fuq xogħol ieħor, meta qabel ic-Chairman tal-MEPA kellu *honorarium* biss. Il-kunsilliera M. Azzopardi qalet li minn naħa l-oħra, b'dan l-argument il-kunsill jista jappella għal kull proġett u ma taħsibx li hija decizjoni ta' qofol. Is-Sindku rimarkat ukoll li b'dan l-argument il-MEPA jistgħu jisskwalifikawna mill-appell u nitilfu kollox. Madankollu l-kunsill baqa' jaqbel li l-kwistjoni prinċipali hija li l-permess għal dan il-proġett mhux qiegħed skont id-*development brief*.

Minn aspekk legali l-avukat tal-kunsill ta' parir, li din il-kwistjoni filfatt ma' taqax taħt il-kompetenza tal-kunsill u r-raġuni għandha tinzamm għall-fatt li mhux qiegħed skond id-*development brief*.

Is-segretarju eżekuttiv informa li niżżel id-dokument ufficċjali tal-*development brief* kif approvat mill-website tal-MEPA. Fost affarijiet oħra, is-segretarju eżekuttiv irrimarka dwar il-punt prinċipali tal-kunsill li għandu jappella għalih li tiġi d-differenza fin-numru tas-sulari. Irrefera għall punt 6.15 ta' dan il-*brief* li ġie mnizżel mil-website fejn jgħid hekk '*The maximum height limitation for Zone A is of 16 floors (including penthouse within the 16 floors, if this design option is resorted to)*.' L-avukat għamel rimarka għal mod ta' kif inkiteb dan l-artiklu li jista jiġi interpretat b'diversi modi. Il-kunsill xorta qabel li għandu jipproċedi b'dan l-appell għax fl-aħħar minn l-aħħar tinqata skond l-interpretazzjoni tal-bord ta' l-appelli.

Is-segretarju eżekuttiv qara lill-kunsilliera prezenti l-appell kif se jintbagħat lill-MEPA. Doc 'A' mehmuz.

Il-kunsillier M. Briguglio ippropona li l-kunsill għandu jipproċedi bl-appell tiegħu għall-istess raġuni kif kien deciz fis-seduta 35_20/08/08, bl-unika differenza li l-appell se jiġi jiswa Euro 3184.94. Ġie ssekondat mil-kunsilliera M. Aquilina. Is-sindku M. Arrigo, il-kunsilliera N. Dimech, M. A. Azzopardi, J. Galea ivvotaw favur. Il-viċi sindku A. Bonello Dupuis ivvota kontra. Proposta għaddiet.

1.2 Is-segretarju eżekuttiv irrefera għall-każ bin-numru PA 06269/06 u informa lill-kunsilliera prezenti li fl-appell li se jitfa' il-kunsill, gew ikkonsidrati xi punti mis-Sinjur Vella kif kien deciz fl-aħħar seduta 35_20/08/08. Is-segretarju eżekuttiv informa wkoll li dan l-appell se jiġi jiswa Euro 331.94.

Is-segretarju eżekuttiv qara kif se jintbagħat l-appell. Doc 'B' mehmuz.

Is-segretarju eżekuttiv informa wkoll li l-kunsill għadu ma rċevix il-kopja tad-*decision notice*. Il-kunsill qabel li għandha ninfurmaw lill MEPA b'dan.

Il-kunsilliera prezenti unanimament qablu li l-kunsill għandu jipproċedi bl-appell tiegħu.



2. Rigward PA 3471/08 – proposed upgrading of lower Road

Is-segretarju eżekuttiv irrefera għad-dokumentazzjoni u l-pjanti li l-MEPA baġtet għall-kummenti tal-kunsill, dwar il-proġett PA 3471/08 ta' Triq it-Torri. Il-kunsill qabel li għandu jzomm ma' l-istess deċiżjoni li kien ħa fis-seduta tal-kunsill tas-16 ta' April, 2008. Il-kunsill għandu jibgħat l-istess kummenti lil MEPA.

Fl-aħħar tas-seduta l-kunsilliera prezenti taw ir-rimarki tagħhom dwar is-servizz ħazin tal-ġbir ta' l-iskart li qiegħed jingħata mit-Transline Co. Ltd. Il-kunsill ma' jistax jibqa jirċievi l-istess numru ta' ilmenti kuljum. Il-kunsill għandu jiddiskuti fis-seduta li ġej dwar jekk jistax jidtermina l-kuntratt u x'nistgħu nagħmlu sakemm jinħareġ tender ieħor. Is-segretarju eżekuttiv ġie mitlub jistaqsi lid-Dipartiment tal-Gvern lokali jistax jassenja ix-xogħol ta' ġbir ta' skart lil ħaddieħor fil-każ li l-kuntrattur prezenti ma jonorax il-kuntratt saż-żmien tat-terminu kif stipulat mil-kunsill.

Is-seduta ntemmet fil-5.15pm. Seduta oħra tal-kunsill se ssir nhar l-Erbgħa 17 ta' Settembru, 2008 fil-4pm.

Marina Arrigo
Sindku

Josef Grech
Segretarju Eżekuttiv

DOC A

September 11, 2008

Malta Environment & Planning Authority
P.O. Box 200,
Marsa GPO 01

Attention: **MEPA Appeals Board**

Dear Sirs,

Re: PA 2752/07

The Sliema Council (Depiro Street, Sliema) as a registered objector, feels aggrieved by the decision taken by the Malta Environment and Planning Authority Board dated the 12th August, 2008 with regards to the above captioned application number and are therefore hereby filing an appeal thereto.

The grounds of appeal are the following:

Reference is made to the **Fort Cambridge Area Development Brief**, an official and legally binding document, which **specifically dictates** the parameters, terms and conditions of the proposed development.

Particular reference is made 6.15 of the above mentioned Fort Cambridge Development Brief, regarding the *Building Height Limitations and Plot Ratio*, which in clear and precise terms states that the development should have a maximum height limitation of sixteen (16) floors – including the penthouse within the 16 floors.

The decision (under appeal) is permitting and authorising the construction of floors in excess of what is permitted by law. The Sliema Council cannot allow this breach to go by unchallenged, particularly because it is in clear breach of the law, and more over since the development as proposed and permitted by the MEPA Board, will be more cumbersome on the area/locality with an inevitable negative impact on the community.

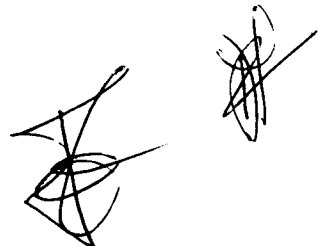
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In view of the MEPA Board decision of the 12th August, 2008, (the subject matter of this appeal) which falls foul and in direct breach of the terms and condition imposed by the **Fort Cambridge Area Development Brief**, the Sliema Council as registered objectors, requests that the said decision be declared as being in breach of the above captioned terms and conditions and subsequently revoked and the application turned down.

Yours faithfully,

Mayor

Executive Secretary

Two handwritten signatures in black ink, one larger and more complex than the other, located in the bottom right corner of the page.

Doc 'B'

September 11, 2008

Our reference: SLC/063

Malta Environment & Planning Authority
P.O. Box 200,
Marsa GPO 01

Attention: **MEPA Appeals Board**

Dear Sirs,

Re: PA 06269/06

The Sliema Council (Depiro Street, Sliema) as registered objectors, feels aggrieved by the decision taken by the Malta Environment and Planning Authority Board dated the 22nd July 2008 with regards to the above captioned application number and are therefore hereby filing an appeal thereto.

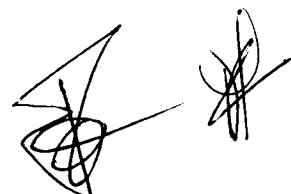
The grounds of appeal are the following:

The site in question is a set of old traditional terraced houses in a row of such like houses. Strangely enough these houses (subject to the development permit), are omitted from the UCA. The conservation area stops short of including these last terraced houses from an uninterrupted row of similar houses!

The proposed demolition and replacement of the building would disturb the existing townscape in the Urban Conservation Area, and would therefore run counter to Structure Plan Policies UCO 6, UC08, UCO 9, UCO 10 and BEN2. In addition, the proposed development would have an adverse impact on the streetscape on this part of Milner/Howard Street.

The Heritage Advisory Committee is in fact adverse to the said development and has registered its objection.

It is pertinent to note that the site in question is considered as having considerable architectural value which should be preserved. Therefore the fact that the site is not earmarked as falling within the UCA, does not automatically annihilate or obliterate its architectural and historical value. Nor does it automatically infer that the site is free to be demolished and developed.

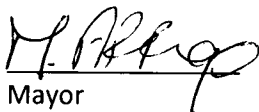


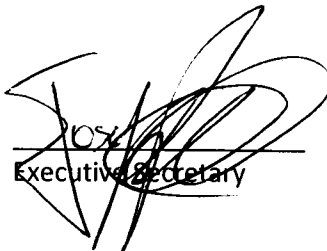
The role of the Heritage Advisory Committee is of significant importance and its recommendations should not be taken lightly.

The Heritage Advisory Committee has indicated the site as being of considerable architectural importance and as such, although not being within the UCA, must nevertheless be accorded such status and protection.

The Sliema Council feels that the proposed redevelopment of the site into a block of apartments runs counter to the conservation policy relating to Milner Street and Howard Street. The Demolition of the facade of both Milner Street and Howard Street would have a negative effect on the streetscape of both streets. Since the application/decision runs counter to the above mentioned policies, the Sliema Council requests that the decision under appeal be revoked and the application turned down.

Yours faithfully,


Mayor


Executive Secretary