

RTPI NEWS

The RTPI News pages are edited by Diana de Deney (editorial fax: 020 7929 8199; e-mail: diana.dedeney@rtpi.org.uk) at the RTPI, 41 Botolph Lane, London EC3R 8DL
Tel: 020 7929 9494; fax: 020 7929 9490; e-mail: online@rtpi.org.uk

Baptism of fire: the first nine years of Malta's new planning system

John Ebejer describes the Maltese experience in introducing a planning system aimed at improving the quality of decisions on development

Nine years ago, I had the good fortune to study planning at Sheffield University. As I was studying the subtleties of the British planning system, the planning system in Malta was undergoing a radical change.

Up to 1992, the planning system was rudimentary. Applications for development were considered by a board appointed by the Minister of Works. Other than outdated planning schemes, there was no formally approved policy guidance which the board could refer to and technical back-up was very limited. In the 70s and early 80s, there were several planning decisions which were generally seen to be dubious and which put into question politicians' involvement.

The Development Planning Act of 1992 provided for the set up of the Planning Authority with specific responsibilities for forward planning, development control and enforcement. Also in 1992, the Structure Plan for the Maltese Islands was approved by the Maltese Parliament.

One of the first priorities of the new organisation was to build up adequate human resources to carry out its statutory obligations. For this reason, several graduates pursued post-graduate planning courses overseas. Moreover, consultants were employed giving the opportunity for Maltese planners to learn from more experienced counterparts.

A development control system was set up in accordance to the new legislation. For each application submitted, a report is drawn up by the case officer. Where a refusal is being recommended, the report is sent to the architect who may submit counter-arguments. The decision is taken by the Development Control Commission.

The system is designed to give opportunities to interested parties to send



Portomaso, St Julians: a substantial mixed-use tourism development

in comments on a development application. A sign is posted on site and adverts are put in the press to inform the public that an application has been submitted for the site. An appeal mechanism is also provided for.

Planning legislation provides for the scheduling of buildings and sites on the basis of their historical, architectural, archaeological, ecological or landscape value. For certain types of development and EIA is required.

Another of the Planning Authority's responsibilities is the preparation of local plans. The process provides for extensive consultations with Government departments, local authorities and the general public. Each local plan is prepared within the context of the Structure Plan and has to reflect Government policy.

The Maltese planning system was found compliant with EU requirements in the context of Malta's application to become an EU member state.

The issues dealt with by the planning system reflect the Islands' geography and economic structure. Malta and Gozo are two small islands home to some 400,000 people. In spite of the high density, in many parts of Malta and Gozo one can enjoy scenic countryside and coastline and the typical Mediterranean landscape. Up to a fourth of Malta's economic activity is generated by tourism.

The towns of Valletta, Birgu, Mdina, Rabat (in Gozo) and many others provide insights into centuries of Malta's history.

On the basis of these characteristics, the predominant planning issues are those relating to countryside and coast, tourism development and conservation of historic urban areas.

Although the Development Planning Act was based on the British system, it was designed in accordance with the specific circumstances in Malta. The most important difference is that decisions on development applications are taken by a board which is independent of Government.

The planning system introduced in 1992 was a substantial improvement in terms of increased transparency, greater accountability whilst providing for better planning decisions. In spite of this, the initial reaction to the system was generally negative — it was a radical break from the past and particular sections of the electorate could no longer rely on their elected representatives to lobby for permits.

The system also provided for a more flexible approach to development with decisions being subject to interpretation of policies. This made it difficult for architects to advise clients.

Although the forward planning system provided for consultation, some Government departments did not have the human resources to give feedback on planning issues in a sensible and coherent manner. Hence, attempts by the Planning Authority to provide land use planning for certain sectors were met with suspicion.

Unfortunately some planning officers adopted a stance which was too negative towards development. Getting a development permit became increasingly difficult even for applications which were fairly straightforward.

In recent years, the Planning Authority has renewed its efforts to reduce delays in the process. The Authority extended its use of IT to better manage the applications caseload. Applicants can now check the progress of their application from the internet. In 1997, planning legislation was amended to expedite the development control process.

Further amendments to the planning legislation are to be discussed by the Maltese Parliament in the coming months. These will further refine the system and in particular provide for more effective enforcement. One important change, is that Government will have the right to call in an application "of national interest" and take the decision itself. This is meeting with some opposition particularly from NGOs as they fear that Government would "abuse" the new powers. In actual fact, the political scene in Malta has matured substantially since the 70s. Any Government choosing to call in planning decision will be required to justify its decision to the electorate. After all that is what democracy is all about.

Another innovation is the introduction of a mediator for the more difficult applications. The role of the mediator will be to seek a compromise solution based on planning policy and acceptable to both the Planning Authority and the applicant.

In planning terms, this past decade has been very eventful in Malta. On balance however, the newly established planning system has resulted in better quality developments and greater safeguards for Malta's natural environment and cultural heritage.

John Ebejer, an urban planner and architect, is currently a full-time consultant on product planning and development with the Malta Tourism Authority. Comments or questions are welcome. Write to je@maltanet.net