

In view of the imminent destruction of the last standing girna in the very heart of any Maltese town, as well as fields with historic rubble walls forming an integral part of a protected area, Ħarsien Patrimonju Mosti (ĦPM) has called on MEPA to intervene by means of an Emergency Conservation Order and prevent several rural assets from being destroyed.

 ĦPM has also called for the implementation of Article 39 A (1) of the Development Planning Act (Chapter 356 of the Laws of Malta), due to the applicant's failure to declare the existence of such structures on site. No mention was made of a corbelled stone hut (girna) in the original applications and documentation. This is a legal requirement and any omissions and errors, intentional (fraud) or otherwise, lead to the withdrawal of permit as specified in article 39A.

ĦPM believes that laws are there to be observed by everyone, especially the same authorities who are supposed to enforce them.

MEPA is currently evaluating our claims and our request for works to be halted and the permit annulled. ĦPM is determined to save this interesting array of ecological features and fine examples of precious rural heritage in what is essentially the town centre. ĦPM is also very concerned about suggestions that the girna is to be dismantled and eventually rebuilt elsewhere. Considering the building technique and its correlation with its immediate surroundings, moving the structure would render a reconstruction a worthless replica. Relocating structures like this ages-old girna incorporated into the rubble wall will be setting a very dangerous precedent. Such heritage gems have to be protected in their setting, otherwise they become meaningless.

The Mosta Environmental Constraints Map MOM7 (which as the name suggests specifically designates which areas may be built and otherwise), clearly shows that most of the area is OUT of the Development scheme. The approved plans were not issued according to these constraints and are fully in contrast with several DPA policies. ĦPM would like to highlight one policy of particular interest and direct relation to this particular case:

[POLICY RCO 29:](http://www.mepa.org.mt/Planning/index.htm?sp_15.htm&1)

*No new physical development will normally be allowed on the sides of valleys and especially on valley watercourses except for constructions aimed at preventing soil erosion and the conservation and management of water resources.*

As the withdrawal of the building line was already indicated in 2002 (Map A.11) there is no excuse for the issuing of this permit as MEPA regulation BEN 4 states:

*“During the interim period between the commencement date of the Structure Plan and the adoption of any particular Local Plan, permission will not normally be given unless the Planning Authority is satisfied that such permission would be unlikely to compromise the objectives of the review forming part of Local Plan preparation."*

It has also been confirmed that a rubble wall removed hastily by the developers themselves should not have been touched. Despite enforcement officers visiting the site last Sunday, the developers demolished most of its foundations yesterday, infringing orders to the contrary, as well as the permit conditions. This action is illegal and contravenes the permit conditions. The reported obstruction of a pavement is also illegal and in conflict with the permit conditions.

It is crucial therefore that regulatory procedures be initiated and action taken immediately in order to safeguard our rural heritage. It is expected that both incidents are investigated by the competent authorities and any legal action or other measures taken accordingly. ĦPM sincerely hopes that good sense and justice shall prevail, for the better benefit of preserving what heritage remains.