

A planning system suited for Malta

by Mr V. Cassar

I refer to the articles by Fr Peter Serracino Inglott (“Mepa – into the breach once more”) and John Ebejer (“Planning system at a cross roads”), both of which featured on 15th February, the first in The Sunday Times and the second in The Malta Independent on Sunday. Both articles debated the nature of a planning system that is most suited to Malta and the relationship between the system to be adopted and Mepa’s human resources. The authors also make reference to two position papers of the Kamra tal-Periti (Chamber of Architects), one on Mepa Reform (March 2008) and the other on Our Quality of Life and the Built Environment (The Urban Challenge, November 2007).

John Ebejer argues that “rigid” and “flexible” planning systems are extremes, and that any planning system falls somewhere in between. The notion of rigidity or flexibility is useful in so far as it helps us to understand the possible approaches ahead of us. But it is misleading if it treats these two positions as opposite ends of a Catch 22 scale along which our Planning Authority must statically position itself in all its workings. It is the understanding of the Kamra that the planning system requires both flexibility and rigidity – in the right places. There is no inconsistency in this. This is what The Urban Challenge calls for. Our present system appears to reverse the natural order of things – it communicates indecision on issues of principle (eg. ODZ, tall buildings, villa areas, internal gardens, UCAs, etc) yet it is very rigid on issues of insignificant and sometimes inappropriate detail, such as those found in Design Control.

Architect Ebejer is correct when he states that developers complain about insufficient guidance and that neighbours protest about inadequate protection of their rights. It can hardly be any other way when Mepa has not been clear and firm on issues of principle and when its own process of planning policy formulation has been fraught with uncertainty. This was the case for example during the drawn-out process leading to the formulation and eventual parliamentary approval of the Local Plans with several applications hanging in the balance for a number of years. The quote referred to by Mr Ebejer, taken from the April 2005 interview with former KTP president David Pace, referred specifically to the need for consistency in the treatment of applications (the merits of which are similar or identical) especially where issues of principle are concerned.

On the other hand, the KTP stands by its position that rigidity in the interpretation and imposition of policies, particularly those of a design guidance nature, stifles creativity and innovation. We just need to look

around us to note that this is true. It cannot be overemphasised that Mepa's decisions affect much more than our nation's land resources. Through its policies – by defining building heights through local planning documents, and by formulating a plethora of “design guidance” policies – Mepa also controls much of the appearance of our built fabric, all too often without the necessary skills to do so. Mepa also appears incapable or unwilling to assess the design quality of development proposals and their contribution to society. At present, quality never comes into the discussion – and is never referred to in any DPA report. No permit is issued for a project because it is deemed to be of superior design quality, while too many inadequate and sometimes harmful projects are inevitably permitted only because they comply with policy.

Both Fr Peter and Mr Ebejer rightly acknowledge the need for Mepa to invest in highly qualified personnel capable of taking a quality-oriented stance. Regrettably, current procedures discourage the taking of initiative, and dictate instead that Mepa's staff is all too often relegated to the role of ticking off applications against a one-size-fits-all “checklist”.

The notion of flexibility in planning to tackle changing economic and social circumstances is very different from the notion of flexibility on issues of principle. It is about having a pro-active and forward-looking planning authority that expends less energy on the trivial but invests more in resources capable of providing visions and adaptable strategies designed to take our society and the economy forward. Once again our system has reversed its priorities. Mepa has a bloated Development Control section assessing a multitude of applications, a large proportion of which are relatively insignificant. At the same time it sports an under-financed and under-staffed strategic planning unit and a heritage management section that are unable to cope with the fast changing demands of a dynamic developing society.

John Ebejer concludes that “countries develop planning systems that are a reflection of the culture and the country's economic and social aspirations”. What therefore, are the changes we truly need in our planning system? What role do we envisage for our Planning Authority in the process of urban change? Should it focus its energies on the details of numerous applications, or should we expect, as a minimum, an Authority that is forward-looking, one that seeks to safeguard Malta's environment through the promotion of sustainable development? With the right level of investment in resources, would it not be possible to conceive of an Authority entrusted with the conceptualisation of an appropriate vision for our country and with the establishment of strategies for that vision to be attained?

We may further enquire how that vision is related to government policy and what role the government ought to play in the planning process. In 1992, when Malta overhauled its planning system, it relied heavily on the British planning regime. What the new legislation omitted, however, was

the British system's clear delineations for government intervention in the planning process. In the light of the problems encountered in the planning process until that point, that decision may well have been understandable, yet the ambiguous relationship between Mepa and the government continues to confuse the roles and responsibilities of government and Mepa so that decisions taken by one or the other cannot be properly accounted for. In the eyes of the public therefore, the government carries the ultimate blame for Mepa's decisions and Mepa is often made to shoulder responsibility for policies published in its name, an uncomfortable situation for all.

The government and Mepa however need to work together. Mepa should function as a technical arm empowered to formulate and implement strategic policy based upon a vision (or visions) owned, as a minimum, by a large portion of the population. Neither is it desirable that our Authority formulates policy in the absence of the means to implement it, nor is it acceptable any longer for our politicians to announce projects and define approaches with no clear relation to wider policy objectives and sound research. The deficiency in this relationship is perhaps perfectly illustrated in the proposals for the harbour areas put forward by the two larger parties in the run-up to the 2008 election, within a year or so of Parliament having approved the Local Plans for the same areas, and without so much as a raised eyebrow from the Authority itself!

Mepa reform will not be an easy matter. It is however much more than Mepa positioning itself statically along a linear scale between "flexible" and "rigid". Of greater importance is that we collectively clearly understand the challenges we face. The KTP has consistently argued that the urban challenges ahead of us require all stakeholders (those involved in the production and marketing of the built environment) to take a good look in the mirror. Together we need to strengthen the means at our disposal to ensure that all agents perform to the best of their abilities.

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