

The Commissioner for Environment and Planning

To: cep@ombudsman.org.mt <cep@ombudsman.org.mt>

Sent: Sunday, July 19, 2026 at 08:51:33 AM GMT+2

Subject: Request for an independent investigation (EC/00071/26)

The Commissioner for Environment and Planning

Office of the Parliamentary Ombudsman

11, St Paul Street

Valletta VLT 1210

Malta

19th July 2026

Dear Commissioner,

Request for an independent investigation into maladministration, planning enforcement failures, and lack of accountability regarding the illegal development at Armier, Mellieħa (EC/00071/26)

I am writing to formally request that your Office initiate an independent investigation into the actions, decisions, and omissions of the Planning Authority and the Lands Authority concerning the illegal construction of a residential-style structure on public coastal land at Armier, Mellieħa, which occurred between May and July 2026.

Unauthorised construction on public land adjacent to a protected Natura 2000 site was flagged at an early stage by the Malta Ranger Unit (VO/2443) and members of the public. The Planning Authority subsequently issued Enforcement Notice EC/00071/26. However, reports regarding the Planning Authority's lack of enforcement were reported on 10th June 2026:

- PA considers further action over illegal Armier villa - MaltaToday
https://www.maltatoday.com.mt/news/national/142448/pa_considers_further_action_over_illegal_armier_villa
- Toothless PA looks on as man ignores enforcement order and continues building illegal villa at Armier – MaltaToday
https://www.maltatoday.com.mt/news/national/142437/toothless_pa_looks_on_as_man_ignores_enforcement_order_and_continues_building_illegal_villa_at_armier
- Unauthorised villa construction continues despite PA enforcement - Times of Malta
<https://timesofmalta.com/article/unauthorised-villa-construction-continues-despite-pa-enforcement.1129704>

Dismantling parts of the structure started on 16th June 2026:

- Armier illegal development being taken down after months of reports - MaltaToday
https://www.maltatoday.com.mt/news/national/142585/armier_illegal_development_being_taken_down_after_months_of_reports
- Public outrage bringing illegal Armier villa down - Newsbook
<https://newsbook.com.mt/en/public-outrage-bringing-illegal-armier-villa-down/>

Subsequent follow-up investigations by environmental rangers on 8th July 2026 revealed that the demolition works had been completely abandoned after just one day. The structure remains substantially intact, failing the 16-day legal window for full site restoration:

- Illegal Armier villa still standing as demolition works halted - MaltaToday
https://www.maltatoday.com.mt/news/national/143034/illegal_armier_villa_still_standing_as_demolition_works_halted

The enforcement case named Franklin Mangion and Mario Attard as contraveners (<https://www.pa.org.mt/eccasedetails?CaseType=EC/00071/26>). Despite clear media identification, there has been a lack of visible action by the Malta Police Force to criminally investigate these individuals for the illegal usurpation of public property. It is vital to determine whether administrative failures or a lack of institutional referrals prevented the police from executing their duty.

The failure of public authorities to ensure the total eradication of this flagrant illegality on public land points to potential administrative failures. I respectfully request that your investigation determine the following:

1. **Timeliness of Intervention:** Did the Planning Authority act with due urgency upon receiving the initial alerts from the Malta Ranger Unit, or did administrative delays allow a "fait accompli" building to be erected?
2. **Exercise of Statutory Powers:** Did the Planning Authority and the Lands Authority exhaust emergency enforcement and immediate eviction mechanisms available under the law, rather than relying on passive daily fines?

3. **Compliance and Direct Action:** Why did the Planning Authority fail to execute direct action to flatten the structure once the developer's contractors walked away on 16th of June, particularly after the legal compliance period lapsed?
4. **Inter-Agency Coordination:** Did a failure of coordination between the Planning Authority and the Lands Authority contribute to the state's inability to protect public land from unlawful private appropriation?
5. **Accountability of Public Officials:** Did any individual public officials fail in their statutory duties to enforce the law, and should administrative accountability be established?
6. **Financial Enforcement:** Have the daily penalties accrued under EC/00071/26 been formally issued, tracked, and collected?
7. **Police Referral and Criminal Investigation:** Did the Planning Authority or the Lands Authority formally refer the illegal land grab by Franklin Mangion and Mario Attard to the Malta Police Force for criminal prosecution? If not, why not?
8. **Police Inaction:** Has the Malta Police Force initiated an independent criminal investigation into the individuals involved in the illegal occupation and alteration of public land?

Thank you for your attention to this matter of significant public interest. I look forward to your findings.

Matthew Agius