

Roger Shrubb
London
Phone:
Email:
Saturday 24 April 2010

Dear Gerard Batten, Marina Yannakoudakis, Claude Moraes, Charles Tannock, Mary Honeyball, Syed Kamall, Jean Lambert and Sarah Ludford,

Expropriation of property - Santa Margarida, Roses, Spain

I thought you should be made aware of an alarming development in the quiet backwater of Santa Margarida on the Costa Brava in Spain. The urbanisation was built by private money on a swamp on the outskirts of the town of Roses. Private money dug out a series of "canals" and houses and apartments were built along the canals. Property owners have cared for the canals and constructed their own moorings. This was all done entirely legally, and the property taxes reflected the value of the moorings.

Last year, the government in Madrid decided to re-draw the coastline. The Ley da Costa has been enforced elsewhere in Spain where illegal developments have scarred the coast. Santa Margarida is not such a place. The re-drawing of the coast-line there has been done in such a way that every property on the canals is now regarded as being on the coast. As a result of this, the moorings are expropriated, a zone of 6 meters from the water's edge is expropriated, meaning in many cases the house itself, and the whole of the properties are subject to special rules and restrictions. We are told that property owners will not just lose their properties, but will have to pay for the works needed to satisfy the new delineation. € million has been quoted between a few hundred "owners". For the time being, no property sales can be registered.

The property owners are banding together as best they can, in a multi-lingual association and employing lawyers to protest the case in the courts (www.euroclub24.com) The local authority is also making a case in the courts to overturn the re-drawing of the coast-line. The government in Madrid is being obdurate. Our German, French and Spanish friends tell us that the British MEPs have a fine reputation for taking up cases with EU authorities - much better than their own rather compliant representatives.

For many of us, the property here, purchased entirely legally, represents our life's savings. We now live in fear of losing it. The European Union has no meaning for the citizens if it is unable to protect them from State expropriation of property purchased in another member state.

I should be grateful for anything you can do to dissuade Madrid from their course of action.

Yours sincerely,
Roger Shrubb

written reply

Dear Roger

Thank you for your email of 24th April 2010 with regard to property laws in Spain . My colleagues and I have received many such letters and we are keenly aware of the distress of many innocent homeowners caught up in one of the scandals.

There are two laws involved and both are having a very significant effect on property ownership by Spanish and other EU citizens alike. The Urbanisation law was the source of most difficulties brought to us during the last term of the European Parliament and was the subject of the Auken Report <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A6-2009-0082+0+DOC+PDF+V0//EN> which was adopted by a large majority in March 2009 despite cross party Spanish opposition. The Parliament still awaits a response from the Spanish Government and the President of the European Parliament Jerzy Buzek MEP has very recently written to the Spanish authorities at the urging of the Petitions committee, and, in particular, Mrs Auken MEP to remind them we are waiting to hear from them.

The other law, the Ley de la Costa, has also been the source of many petitions to the European Parliament. At a recent Petitions Committee meeting in March two sessions were devoted to a presentation by the Spanish authorities with debate by MEPs and presentations by petitioners themselves. Apart from vigorous contributions by Conservative MEPs Chichester, Nicholson, and Helmer the debate was conspicuous for the number of interventions by Spanish MEPs condemning the scandal and drawing attention to the fact that some 400,000 householders are affected of whom 80% approx are Spanish.

This issue has been followed by the Petitions Committee for some time in a variety of ways in addition to the Auken Report such as fact finding delegations visiting Spain, questions to Commission and Council, debates in Committee and individual initiatives. We Conservatives continue to press for action in the belief that sustained pressure and publicity will eventually embarrass the Spanish authorities into taking remedial action including adequate compensation.

Best wishes

Marina Yannakoudakis MEP
LondonRegion