

MEETING FRIDAY 5th OF MARCH 2010-SEVILLA- WITH THE DIRECTOR OF HOUSING AND TERRITIAL INSPECTION.

A delegation from SOHA, The Greens of Alcaucín, the law firm Borbolla and the local architect J. Gámez gathered with a delegation of the Junta de Andalucía, presided over by Ms. Ana María Moniz Sánchez, Directora General de Inspección de Ordenación del Territorio, Urbanismo y Vivienda and her colleagues for about an hour on the afternoon of 5th March.

SOHA stressed, once more, the problems that the owners of irregular houses are facing. The Junta admits that there has been massive fraud. They suggest that owners should not direct their anger solely towards the Junta, but that they should start legal proceedings against the promoters and Town Halls who have acted improperly. SOHA responded that these procedures are far too expensive, that they might take 10 years before any sentence is pronounced and that the promoters or Town Halls could still plead “insolvent”. At the end, it might turn out to be a waste of time and money.

The Greens of Alcaucín added that if the Junta had begun to act against irregular building practices 10 years ago, the number of houses affected would be significantly less. The Junta suggested a major factor was the slow speed of the judicial system. The Greens of Alcaucín also suggested a moratorium on new demolition orders while the Junta looks for a solution to this problem. The Junta suggested the use of a procedure called the “Incidencia de ejecución de Sentencia”. This procedure is only valid for those villages who have presented a new PGOU (Ordenation Plan) within the LOUA. Alcaucín is among 16 villages that have already presented that plan, Viñuela is currently in the Supreme Court. In this case the judge suspends any demolition order until the new PGOU is updated. Some of the affected houses might be legalized within the new PGOU. However, to be regularised, the Junta insists that those properties will have to be equipped with roads, street lights, sewage, etc. and that the cost of it will have to be borne by the promoters or the owners!

The Junta confirms that some demolitions will be inevitable, and went on say that over the years, it is expected that all irregular houses will “return to dust”. We strongly

oppose this policy. We also stress that once again that it is the victims that appear to be being punished.

We suggested the possibility that the LOUA adapt to the situation by postponing the date of application of the law. This could give the Junta the possibility to legalize the vast majority of irregular houses. Afterwards they could start with the firm application of the law to avoid further destruction of rural zones. This of course doesn't exclude the possibility of taking legal action against mayors, lawyers, politicians, etc. who are suspected of breaking the law.

The subject of the registration in the Town Hall was also discussed. According to the Junta, the irregular situation of the houses doesn't impede registration-EMPADRONAMIENTO. SOHA and the Greens express their wish that massive registration of the foreign community take place so that they may exercise their political rights during the next municipal elections of May 2011.

We had a very interesting meeting but without any positive result. The Junta will continue to appeal against the irregular issued building licences. They suggest a new meeting within 2 or 3 months. The priority for La Viñuela is to present a new PGOU in accordance with the LOUA. The only way to prevent demolition orders for the moment is that the Town Hall appeal against the revocation of the building licence.

Conclusion: Your attendance at the Protest March of the 17th of March in Málaga, is more important than ever before, at least if you want to defend your houses and those of your friends.