

With respect to public controversy surrounding various construction projects in the Punta Gavina area of Formentera, the Formentera Island Council informs island residents of the following:

In 2007, 19 different building proposals were under review for the ANEI (Àrea Natural d'Especial Interès, or Area of Special Natural Interest) zone of Formentera. The projects, for which proceedings were being handled by the Ajuntament de Formentera (the town council), were met with rejection as a result of Decree 1/2007, approved by the Govern Balear.

The 19 construction projects in question, located within the ANEI zone and proposed in the years prior to 2007, had been drafted in adherence with applicable regulations of that time. Indeed, these regulations – known as the PTI (or Island Territorial Plan) of Eivissa and Formentera – had been approved by the then Council of Eivissa and Formentera in 2005 under a PP administration.

At the time, the Eivissa/Formentera Territorial Plan provided theoretical approval for constructions erected on parcels of a minimum of 25,000 m2. Additionally, it allowed for

dwellings of up to 600 m2 upon parcels of 50,000 or more metres squared.

The Formentera Council granted definitive approval to a new Formentera Territorial Plan in September 2010. The new plan reduced the maximum legal building dimensions in the areas in question and admitted only those new constructions with some sort of hereditary basis, a measure intended to avoid real estate speculation upon plots of land of this sort and apply a no-build status to those zones included in the Xarxa Natura 2000.

The Island Territorial Plan included a transitional arrangement, which enjoyed the complete technical and legal support of the Council, providing for the rights of individuals as well as the protection of local public assets. This arrangement effected not just the applications rejected as a result of the new decree, but also the applications rejected for standard incompletion of requisites. This provision called for a reduction of the maximum building dimensions allowed by law to 400 m2, and – as stipulated by the law – it was an option only for those applications already in proceedings in 2007 prior to the entry in rigour of Decree 1/2007. This resulted in significant reductions to building dimensions and simultaneously granted a form of legal security to the effected parties, one of the central principles behind the work of the local public administration.

The stipulation effects not merely the four building applications that received the majority of public attention; it also effects the totality of the 19 building applications intended for the ANEI. The Council has, at all times, handled the proceedings with absolute transparency and a thorough application of the law. The Council's application of the new regulations – in its application of the new guidelines within the ANEI and its creation of a transitional regime for those applications already being processed – represented a scrupulous adherence to Decree 1/2007 of the Govern Balear.

The Formentera Council, while not denying these building projects' impact on the landscape and faced with the impossibility of rejecting the license applications outright, has attempted instead to mitigate the impact that such construction would have had if previous building standards had been applied. This has not only meant a moving of the buildable area further away from the coastline, but also the imposition of strict set of aesthetic criteria appropriate to the area.

Considering the legal recourses available, the Formentera Council has remained compliant with the law by overseeing those building applications already in advanced proceedings before the

Govern Balear's 2007 stop-order. Moreover, by obliging these projects to adhere to the new building parameters adopted in Formentera – parameters that are significantly more restrictive than those previously in place – the local administration has not only attempted to fight for conservation but also tried to significantly lower the possible negative impacts that new construction has on our landscape.