



Today Ana Juan, President of the Consell de Formentera, sat down with Maria Jose Mayans, Chair of the Platform for Individuals Affected by Delimitation (*Plataforma d'Afectats per la Delimitació, PAD*), and PAD Spokesman Vicent Tur, to review the local government's representations to the Ministry of Ecological Transition and Demographic Challenge about proposed changes to Coastal Authority regulations, including a request that the proposal be scrapped. An order signed 7 January by President Juan detailed these representations and maintained that the amendment submitted for public consultation was "unlawful and contrary to the case law on delimitations" and "creates legal uncertainty which encroaches on the rights of individuals".

The President stressed that the new regulations must take into account "the peculiarity of Formentera" and that "no backward steps can be taken in this regard". "The people of Formentera have always worked together on this issue and transcended partisanship to defend each others' interests; the new regulations must not increase insecurity or impinge on our powers as a local authority", said Juan, who stressed "the great work of department staff" in preparing the representations.

The document sent by the Consell highlights how the proposed modifications would mark a return "to arbitrariness in determining the scope of public domain" and encroaches on municipal government's authority in town planning and activities. For example, it regulates construction that can be carried out in protected areas and modifies articles that regard conservation works on properties left in the public maritime land domain. "Care must be taken so that these changes don't lead to built structures in this coastal area being demolished earlier than previously accorded", the text reads, highlighting the amendments' potential "to cause significant impact on the landscape and environment".

The modifications would additionally cause "unjustified limitation of the rights of individuals insofar as the changes, in their laxness, leave review of demarcation to the subjectiveness of the Administration, and once again ignore technical criteria accepted by jurisprudence". In addition, the changes may raise "new obstacles to owners' and others' rights in the public land maritime domain".

Absent from the proposed regulations is the section which currently allows individuals to park and drive in the area in question. "In any case, the change stands to create significant environmental concerns and complications in how access to beaches is managed by regional and local authorities, even engendering problems in town planning".

One of the proposed modifications involves limiting concessions to a duration of 30 years, or up to 75 years if renewed, as set out in legislation on "public administration patrimony", which creates provisions for a generic period of 75 years.

Nor does the proposed regulation include an economic impact study, or equivalent mechanisms, which the Formentera government's representations describe as "a fundamental requirement in state legislation" and necessary for the economic quantification of the proposed measures' impact.

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