

Question for written answer E-002831/2018
to the Commission
Rule 130
Florent Marcellesi (Verts/ALE)

Subject: Port of Málaga (Spain)

There are plans to build a skyscraper hotel in Levante dock in the port of Málaga (Spain). An environmental impact assessment has been rushed through based on the 'Port Spaces and Uses Demarcation Document' (DEUP), which, after the 2003 amendment to the State Ports Law, was consolidated with the 'Port Spaces and Uses Plan' (PEUP). When this amended planning document was sent to the Environment Ministry, they stated that a Strategic Environmental Assessment (SEA) would be necessary. However, the Ministry of Public Works responded with a report from the Spanish Government's legal service rejecting the idea that an SEA was mandatory, on the grounds that the DEUP did not constitute a plan and therefore did not require an environmental assessment under the State Ports Law.

1. Is the Commission aware that permission for this hotel was rushed through with no Strategic Environmental Assessment (SEA)?
2. Is the Commission aware that the provisions of Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 have been disregarded?
3. As this is a Member State competence, should it not be the Spanish Government that carries out the SEA, rather than the Andalusian Regional Government and/or the City of Málaga, as was the case in the end?