

WRITTEN QUESTION E-3441/09
by María Sornosa Martínez (PSE)
to the Commission

Subject: La Alberca 'Plan Parcial'

The town council of La Alberca (Murcia) has adopted 'Plan Parcial' ZU-Ab2 without any provision for submitting an environmental impact assessment. The region of Murcia has been asked whether such an assessment is necessary or not, but refuses to give an answer, stating that only Murcia City Council, as the body promoting the Plan, can decide, in terms of the relevant town-planning process in accordance with the Region of Murcia's Land Law, whether this environmental impact assessment is required.

Council Directive 85/337/EEC¹ of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, amended by Council Directive 97/11/EC² of 3 March 1997, lays down in Annex II, point 10(b) that all 'urban development projects' which meet the requirements of Articles 5 to 10 of the Directive shall be subject to an assessment. For that reason, I believe that in this case an assessment is necessary.

Does the Commission not think that the absence of an environmental impact assessment made by the La Alberca Town Council and the Murcia Region on the development project in question infringes Directive 85/337/EEC?

Does the Commission not think that the fact that the body which should be issuing the environmental impact assessment is at the same time the body concerned by or promoting the public works in question means that, in order to avoid delays which would be prejudicial to the development, the environmental impact assessment - which would in any case be necessary - should be expedited?

¹ OJ L 175, 5.7.1985, p.40

² OJ L 73, 14.3.1997, p.5