

STICK IT UP YOUR JUNTA

After years of uncertainty over the legal status of their homes, Britons in Andalusia are fighting back

Shuffling dejectedly onto the village square under the shadow of a crumbling 19th-century palace, they came together in Almanzora, Almeria, last Saturday for a rally to demand the legalisation of their homes. For hundreds of expats, it was the culmination of an internecine squabble involving the Andalusian regional government — the junta — and local councils over planning laws, which has resulted in the demolition of three British-owned homes in the past five years.

Less than a month ago, two villas built on rural land in the hamlet of Las Terreras and owned by British couples were hastily torn down by a digger on the orders of the junta.

Two others, just yards away, are expected to suffer the same fate. It was the latest episode in a saga that can be traced back to the building boom of the early Noughties, when unscrupulous developers and local mayors turned a blind eye to the regional government's planning rules.

Thousands of Britons were duped into buying properties on non-urban land with the connivance of councils, who were often willing to sign off building permits or authorise the illegal connection of water and electricity. The junta was slow to react. Despite insisting that its own strict planning laws took precedence over a council's town plans, it failed to prevent the construction of about 300,000 suspect dwellings in Andalusia, 13,000 in Almeria alone.

Things came to a head in January 2008, when the dream villa of a retired British couple, Len and Helen Prior, was bulldozed. At first, the junta failed to recognise the international repercussions of pulling down the pensioners' home, which the courts recognised had been bought in good faith. Then, following a backlash from owners and

a stream of negative British press, it announced that it would draft a decree to solve the problem. The aim was to legalise, or "regularise", up to 90% of affected properties in the region, except those built on flood plains or protected land.

When the document was approved in January 2012, however, it came in for a bashing. Critics slammed it as confusing, ambiguous and complex. AUAN, an expat property-rights association, said the decree failed to address key issues such as the carving up of rural land into subplots ("parcelisation"), and would not save those properties already facing court action.

Almost two years have passed and the decree has had little impact. Antonio Ramos Salas, leader of an association of local councils, says: "I wouldn't buy property here as things stand. The law is a mess — it needs to be changed." The junta may have taken note. Officials recently hinted that they could introduce an amendment to legalise parcelisations.

Yet the uncorking of cava bottles may have to wait. Last week, the regional government announced it had withdrawn its objection to the demolition of the two remaining homes in Las Terreras, which increases the chances of their destruction. Gerardo Vazquez, AUAN's lawyer, believes the only antidote is to change regional planning laws and compensate affected homeowners. "The Spanish government was able to change the constitution in a month, so it can do the same with planning laws," he says.

Until then, the future remains bleak for scores of Britons and Spaniards. According to the junta, there are at least 900 properties in Almeria that may never be legalised.

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