

URBAN CONSERVATION ENTITY
EL OLIVAR DE BUENAVISTA
PUENTE DON MANUEL
ALCAUCIN (MALAGA)

MINUTES OF THE 20TH ANNUAL GENERAL MEETING
HELD ON 7TH OCTOBER 2024

The members of the Urban Conservation Entity “El Olivar de Buenavista” identified below gathered on the second call to hold the Annual General Meeting in the meeting room at “Tu Punto de Encuentro Asador”

It was duly convened under the chairmanship of the President, Mr Victor Calland according to the following agenda:

AGENDA

1. Welcome to the Señora Alcaldesa Agata González Martin
2. The Presidents Report
 - a. Questions
 - b. Submission to the Assembly for Approval
3. Presentation of the accounts for the period since the last Annual General Meeting
 - a. Questions
 - b. Confirmation of Probity
 - c. Submission to the Assembly for approval
4. Explanation of the budget for the year 2023 – 2024
 - a. Questions
 - b. Submission to the Assembly for Approval
5. Reinstatement of the Committee
6. Any other business
7. Date of the next Annual General Meeting

The owners of the following houses were represented: b, c, d, e, f, 5, 6, 20, 21, 24, 25, 26, 29, 30, 32, 33, 34, 49, 58, 62, 72, 73, 78, and 84

The meeting opened at 20:30. The President spoke to a Powerpoint presentation in both Spanish and English. Having apologized for not speaking in both languages, he spoke almost exclusively in English but two tables had copies of the presentation and committee members Hakin El Anabi and Francisco Mostazo acted as interpreters on those tables.

1. The President introduced the Mayoress of Alcaucin , who stayed throughout the meeting and answered when questioned directly.
2. The Presidents Report

The President said there had been many changes of ownership in the last year and welcomed all the new proprietors to the urbanisation.

He commented that the reservoir was holding more water than at the same time last year and it appeared that the Junta was finally taking action to improve the water supply but shortages would persist for some years to come. He recommended that when owners were considering home improvements measures for water capture (such as gutters and depositos) and water conservation, such as floating pool covers, at tap water heaters and even grey water systems were worth consideration.

The Green Zone has required more maintenance this year, not only because the caña is proving very invasive but also because various eucalyptus trees are requiring maintenance work, one in particular threatening the power cable that crosses the Rio de Salia.

The President spoke to the issue of dogs on the urbanisation. The green zone is a popular area to exercise dogs and whilst no one was expected to search in the grass for the faeces of their dog, removing them from the footpath so people didn't walk on them at night was being socially responsible. A bin had been provided for the collection of dog bags.

The President said he continued to receive complaints about dog owners who did not clear up after walking their dogs on the pavement. He said the action he could take was limited to the notices at both entrances to the urbanisation. He agreed it was illegal but unless a report to Seprona provided evidence no action could be taken. The Policia Locale of Alcaucin do not DNA test dog faeces the way that occurs in Malaga city.

The President also pointed out it was not his responsibility to approach the Fería organisers to stop the use of fireworks that might frighten animals.

(The only legislation regarding this is that animals are not to be worked in the immediate vicinity of where fireworks are ignited)

An ongoing complaint has been the smell from around the river. Over the years this has been blamed on our sewage plant or the goat farm. It is clear now that it is from unprocessed sewage that other urbanisations are discharging into the river, and with the drought and the cane it is not carried away. Thanks to the work of the Ayuntamiento the President was pleased to report that funding has been granted for a proper sewage management programme and he expected that in the next few years the situation should improve as it is implemented. He thanked the Alcaldesa for her efforts in securing the funding.

The drought is making the problem of cockroaches worse and the houses downhill nearest the sewage plant seem to be the worst affected. The Ayuntamiento has a fumigator treat the drains and the President thanked the Alcaldesa for her willingness to assist in the past with extra treatments but the current regime is insufficient to control the problem and so the President announced it is the intention of the committee to use some of the urbanisation finances to fund extra treatments by a commercial company. The Alcaldesa did not express an objection to this.

The entrance to the urbanisation now looks better with the cañizo and did look better with the plants that Arthur Pither and Chris Smith put in. A big vote of thanks must go to Arthur for diligently watering them, but unfortunately someone recently damaged one of the

plants and then stole another. This is disgraceful behaviour and utterly demoralising. We will continue to improve the entrance but clearly need to take measures against vandalism. The President informed the meeting that the legal entrance to the field was that section of fencing and the owner objected to the idea of even a temporary obstruction to his right to use it as an entrance.

He said that both his predecessor, Señor John Cuff and he had made representations to the Ayuntamiento, proposing that it be moved to the other side of the road for safety reasons. Because our submissions were ineffective he attended the Open meeting of the Ayuntamiento this year and raised the issue. As a result the Alcaldesa has authorised the installation of a mirror so you can see oncoming traffic. He thanked the Alcaldesa for her attention to the issue.

Another issue was the unsightly appearance of the rubbish point. The President said that the Ayuntamiento was aware of the issue but at present had been unable to find a satisfactory solution.

(This item on the agenda raised various questions at the end of the Presidents report)

The President said that an attempt to interest the local school in a project to increase awareness of the personal benefits of effective recycling was rejected without consideration by the headmistress even though a significant financial incentive to the school was offered.

He said that the owner of the field alongside the northern border of the urbanisation had allowed vegetation to grow and die alongside the boundary wall until it posed a serious fire risk to the houses. With the help of the contractor used for the green area he were able to persuade the owner to pay for the heavy machinery required to clear it. It was without doubt his legal responsibility but appeals to the Policia Locale had proved ineffective *(the Policia Locale agent was first on holiday, and then got married!)*. He was pleased to report however that the area is now no longer a fire risk.

At the last Annual Meeting a new committee member, Francisco Mostazo was appointed. The President thanked him for kindly donating two fire extinguishers to the urbanisation which are located beside the defibrillators in an alarmed cabinet. Opening the cabinet starts a siren to attract help, which can only be turned off by a key. The nearest home owners to the cabinet have copies.

The President said that fire safety is now a major issue for the urbanisation because the Diputación de Malaga has withdrawn the bomberos from Periana, the nearest fire station. It will now be at least 20 minutes before firefighters will arrive on the urbanisation. He had fully supported the Ayuntamiento's strong opposition to this dangerous decision. He said that he would strongly advise home owners undertake a fire risk assessment of their homes. If home owners wanted advice on how to use the defibrillators or the extinguishers, or advice on fire safety in their home he would be happy to advise as it was a subject he used to teach.

He also said that found a small amount of space to store home nursing aids. After an accident or sudden illness it can be a challenge to get everything needed quickly. The idea was to lend these items to residents for a few days until continuing care can be organised.

If anyone had items they no longer needed, let him know, and to also contact him if residents would like to borrow something.

When he became President the Urbanisation had been adopted by the Ayuntamiento and the Administrator resigned because he was no longer needed. He had handed the President the various files he had and left without any explanation how to do the job. He said that four years later it is his intention to resign at the 2025 Annual General Meeting but he would ensure that there is a seamless transition to the next President.

To assist this the committee agreed the purchase a laptop specifically for handling the business of the urbanisation. Over the next year he will transfer all the records to it and write an office manual.

He said he would like to thank the committee for their support over the years and also to thank the proprietors for their confidence in him.

He then asked if there were questions.

Peter Thornton thanked the President for his work and there was some applause

Karena Vrijdaghs asked why the Ayuntamiento did not adopt the responsibility for the green zone and so the Entity could be abolished and there would only be the need to pay IBI. It was explained that the Ayuntamiento had specifically not wanted the Entity abolished for a variety of legal reasons but it also meant there would be no mechanism for maintaining the mailboxes, the emergency points or funding the monthly green skips and so the quality of the urbanisation would diminish. *(and probably the property value)*

Karena Vrijdaghs asked why the Committee had decided to buy a laptop rather than just an external memory. The President explained that by keeping a device solely for Urbanisation matters then it reduced risks of infection by viruses commonly associated with software designed for personal use. It also makes the transfer of administration to another person easier as access to software and external providers is already in place.

Karena Vrijdaghs asked the Alcaldesa in Spanish why the rubbish point was not located underground. She replied that the Ayuntamiento did have two underground rubbish points but the lifting mechanism was a constant source of problems and there were not cost effective. The President explained the question and answer to the English speaking members present.

Karen Vrijdaghs asked who emptied the bin for the dog waste and Hakim El Anabi replied it was generally his neighbour but in his absence he would do it himself.

Phillip O'Kennedy asked if there was a charter of the Urbanisation. The President replied that the Law of Horizontal Property permitting the development was very detailed and the Urbanisation had a Statute approved by the Ayuntamiento de Alcaucin and recorded by the Junta de Andalucia. It was available on the website.

Peter Thornton asked what plans were being formulated for when the properties on the other side of the A7205 were fully occupied and the amount of waste being left at the rubbish point substantially increased. The President reassured him that the Ayuntamiento was not satisfied with the current situation and were working on a solution.

There being no further questions the report was accepted without dissent.

3. Presentation of the accounts for the period since the last Annual General Meeting

The President started with an apology. He said that when he prepared the table in the financial report he was very stressed report and the numbers were incorrect. Only one house owner, Karena Vrijdaghs, had spotted the mistake. He said he had provided her with a copy of the accounts and he hoped that she would verify the opinion of Mr & Mrs Norville that the accounts were honest and only the table in the financial report had inaccurate figures. *(Whilst she had sent an email on 27th September to say “todo sale correcto hasta el centimo” she did not say that at the meeting but had prepared copies of her own version of the accounts, distributing them without seeking consent and explaining her interpretation to each table before the meeting was called to order. After the meeting she requested that her version of the accounts be included in the minutes. However, the accounts have never been included in the Minute Book, but her version is available on accounts page of the website)*

The President explained that from there being 44 debtors when he took office there were now only three and legal action had been commenced against all three. He thanked Manuel Nuñez Martin for his expert knowledge of the court at Velez-Malaga. The President also pointed out that in keeping with the decision at the last Annual General Meeting all proprietors who had overpaid had been refunded, with the exception of one, who donated the overpayment to the Entity. The President said he had emailed a corrected table to all homeowners. He pointed out that the version of accounts that had been distributed by Karena Vrijdaghs had used different categories and she had included reimbursements to the creditors as an expense, whereas the President had decided that at this was never our money it was not an expense against the Urbanisation. If the amount reimbursed was deducted from her version of total expenditure the numbers were within euros of each other. The difference being explained by her counting every cent and the figures prepared by the President were to rounded figures for clarity of presentation.

The President then went on to explain what had constituted maintenance and new works and called for questions.

Karena Vrijdaghs asked why the website cost nearly €300. The President explained that this was domain name registration, hosting costs and also included the Microsoft 365 licence that provided the email address, as well as the Powerpoint and Excel that was necessary.

Karena Vrijdaghs asked why we had a website when we could use Facebook. The President explained that the Facebook account had been hacked and now there was no longer access to it. Despite appealing to Facebook through their channels of communication no action has been taken and no reply received. Furthermore, all the legal documents, accounts and minutes of the Annual Meetings are available on the site as well as a lot of advice. The level of security is far superior to Facebook.

Karena Vrijdaghs then asked why the cost of ink and paper was so high. The President patiently explained that he used his own printer to print out documents for distribution to 90 houses, the last circulation being about the extinguishers and defibrillators was in colour and three pages in length. Hakim El Anabi suggested that the urbanisation should fund a laser printer which although a capital expenditure in time would reduce printing costs. This proposal appeared to have the support of Karena Vrijdaghs. *(The President is not*

convinced that there is sufficient volume of printing to make the capital outlay justified in the lifetime of a new machine)

There being no further questions the accounts were accepted by the meeting without any dissent.

4. Explanation of the budget for the year 2023 – 2024

The President explained that for the last two years we have budgeted on a reserve of 7500€, but he felt this needs to be increased to 8000€. It is always possible that the Entity could face legal action even though it has few responsibilities now. By keeping a reserve we would not need to immediately seek unplanned and extraordinary payments from the homeowners. Furthermore if we change the amount now there is a high probability that different amounts will be submitted recreating the disparity in house accounts that has only just been resolved.

If we keep the current annual charge of 60€ paid in January we will be able to fund extra treatments of the sewage system to help control the cockroaches

The assembly unanimously approved the decision.

5. Reinstatement of the Committee

The President informed the Assembly that all the members of the Committee had agreed to continue to serve the Urbanisation and he therefore asked that the Assembly approve the present committee for another year.

This was approved without dissent.

6. Any other business

Karena Vrijdaghs wanted to know why the President could not tell her who the other members of the committee were.

He gently pointed out that all the names and photographs of the Committee members were on the notice board, and then explained the notice board was the one that was above the mailboxes.

Karena Vrijdaghs asked who was responsible for the park. The President explained it was the Ayuntamiento

The President then decided that there had been sufficient opportunity for the rest of the assembly to ask questions, and announced:

7. Date of the next Annual General Meeting

To be held on Monday 6th October 2025

The President thanked everybody for coming and the meeting was closed at 21:15