

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

MINUTES OF THE 18th ANNUAL GENERAL MEETING HELD ON 10th OCTOBER 2022

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

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

AGENDA

1. The President’s Report had already been circulated and the President spoke to it’s content.
 - a. Submission to assembly for approval
2. Presentation of the accounts for the period since the last Annual General Meeting. These had been circulated before the meeting
 - a. Confirmation of probity
 - b. Submission to assembly for approval
3. Explanation of the budget for the year 2022 – 2023
 - a. Questions from the floor
 - b. Submission to assembly for approval
4. Management of debtors
 - a. The statement of shareholders accounts were circulated before the meeting
 - b. Application of a management charge on debts being ignored.
 - c. Renewal of authorisation to pursue debtors
5. Reinstatement of the Committee.
6. Any other business.
7. Date of the next Annual General Meeting

The owners of those houses are represented by 5, 6, 7, 13, 15, 16, 20, 24, 26, 27, 30, 34, 36, 37, 47, 48, 49, 51, 54, 55, 57, 58, 66, 67, 73 and 78

The meeting opened at 20.00. The President asked if there were any Spanish in attendance, otherwise the meeting would be conducted solely in English. There were no Spanish owners present and so the meeting continued in English. The President has since apologized for this decision because it did not account for Spanish residents watching on Facebook Live.

The President introduced the Mayoress of Alcaucin and her comments were in Spanish, interpreted into English for the benefit of the members-

The Mayoress spoke about the problems with the electricity grid and the sewage system in El Olivar de Buenavista. She confirmed the Ayuntamiento had agreed to pay for the system from January. There had been a misunderstanding and the Entity was charged for the first three months in error. The Ayuntamiento had agreed to repay the refund. The Mayoress then left the meeting.

1. The President's Report

The Ayuntamiento debt

The President explained that at the last AGM the Mayoress said the Ayuntamiento would pay costs however the Junta needed to approve this and there had been many delays in this regard.

In October 2021 there was word that this would happen but the Mayoress then said she needed to find the budget for this, but the agreement was made that the Ayuntamiento would fully adopt the system from the 1st January 2022.

In January, although the Entity was not obliged to make payment, the Ayuntamiento had not contacted Endesa to change the contract and so continued to pay. When the Mayoress was asked about this in March she said to cancel the Direct Debit.

Endesa contacted the President and was informed the Ayuntamiento was now responsible for payment. A debt collector's letter was received in August with the threat to cut electricity. This was referred to the Ayuntamiento and now the account is being paid but payment of the debt incurred has been requested several times and still not resolved.

The President then informed the meeting that there are three legal urbanisations in the Alcaucin area. (*It now appears we are the only legal urbanisation*) The law says that if a debt to an urbanisation becomes a problem, then the Ayuntamiento needs to collect that debt. The Ayuntamiento has sent the Entity the previously collected debts. At an appointment with the lawyers of the Ayuntamiento they said they are unaware of the Ayuntamiento could collect the debt, but when told we were an Entity changed their mind and then referred us to the Secretary. An appointment was made but then as time "was needed to read information" and then the subsequent appointment was "forgotten".

Judgment in court says debts over 5 years in arrears cannot be collected, and so over 3,500 euros in the last year has had to be written off due to inaction of the previous administrator and the Ayuntamiento.

On Thursday there would be a meeting of Presidents with the intention that an association would be formed to help future Presidents of urbanisations.

Obnoxious smells

There was another issue of concern with the smell from the illegal discharge of sewage into the river. The Ayuntamiento had promised to speak to the Ayuntamiento of La Viñuela concerning this as the discharge is from properties in the La Viñuela catchment. There has been no action, so we are going to approach the mayor ourselves and the next step may be to issue a denunciation which may be expensive.

Cockroaches

Another problem concerns cockroach infestation at the bottom of the hill. The infestation control from the Ayuntamiento treated this problem in May. It did not appear to be well done. Information needs to be collected about the severity of the problem and then an approach needs to be made to the Ayuntamiento. The next stage, if nothing further is done,

would be to employ private contractors which may result in an increased problem with cockroaches for a while. The question was asked why we needed to wait for the Ayuntamiento but the President replied that as they were legally responsible for undertaking the work they needed to be given a chance to respond.

A member said that he wanted the problem to be put back to the Ayuntamiento with a clear mandate for this problem to be dealt with as soon as possible otherwise the Entity should look for reasonable quotes to deal with the matter and if no rapid response received, then the Entity should pay. It was suggested that the President should approach the Ayuntamiento again about this problem and remind them it is their responsibility and that they should pay. Another member strongly disagreed and said that the Entity should not take on the responsibilities of the Ayuntamiento.

First Aid Course

There has already been one course held with a discount for urbanisation residents and another course is planned

Installation of solar powered lights

There was a plan to put two, together with a litter bin in the area at the bottom of the hill

Street Cleaning

The President said a number of people had raised this point and that it is the responsibility of the Ayuntamiento to clean the streets and in the past this had been carried out. He suggested that people deal with the weeds themselves.

Maintenance of Street Furniture

Again, the President stated that this is the Ayuntamiento's responsibility. The first time they were only painted halfway, the second time they were painted up to ladder height, but painting the lamp housing itself needed the appropriate vehicle to do it safely.

Dog Fouling

A member asked the question of what could be done about the problem of dog fouling on the streets of the urbanisation. The President said that signs had been put up asking people of clean up after their dogs. Other than that, there was very little apart from the the very expensive DNA testing such as was carried out in Malaga, this had to be initially funded by the local authority, something unlikely to happen here.

A member said that he did not think the problem was caused by dogs belonging to residents of the urbanisation but those walking their dogs from other areas. He had in fact seen somebody allowing her dog to foul and had not cleaned up afterwards. When he approached the woman about the matter he received a very dismissive reply.

Illegal Occupants

One of the houses has had illegal occupants for several years. They have left but still have possessions in the garage. There is a Court date fixed but the squatters do not want to go to Court and the matter is under control

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

In September 2022 there were 44 debtors, but by September 2021 this had been reduced to 18 debtors and as of September 2022 there are now just 10 debtors.

The total debt in 2020 was 16,000 euros which has now reduced to 4,500 euros with 1,500 euros of this being the Ayuntamiento debt.

All payments are signed by the President and another member of the committee and also every three months the accounts are checked and verified by Michael and Louise Norville, who being present, confirmed this to be true.

There are 8,000 euros in the account. However there are some non resident homeowners living abroad who have not set up internet banking and are still paying the higher amount of 16 euros a month. Consequently there are 2,600 euros in overpayment. As this is other people's money we cannot use it. Consequently this leaves 5,000 euros available for expenditure. There being no questions about the accounts they were taken as accepted.

3. Explanation of the budget for the year 2022 – 2023

The expenses this year will be reduced so we don't need to hold a large balance. It was proposed that we keep the annual fee at 60 euros for this year, payable in January which would produce 4,000 euros plus a similar amount for 2024. There being no dissent the motion was carried without a vote.

4. Management of debtors

There are 3 houses with large debts due and these were referred to the Ayuntamiento 2 years ago for debt collection. Because of inaction on the part of the Ayuntamiento we have had to write off 3,600 euros in debt.

It was proposed that in future, any debt over 100 euros will immediately be referred to the Ayuntamiento and if necessary we will use a debt collector. There being no dissent the motion was carried without a vote.

5. Reinstatement of the Committee.

All members of the committee agree to continue for another year.

6. Any other business.

There were no items of other business from the floor

The President said there were exhibitors at the meeting who could give information regarding:

Solar Panel installation

Registering to vote in local elections

7. Date of the next Annual General Meeting

The next meeting would be 9 October 2023

The meeting ended at 21.10 on 10th October 2023