

Abusos Urbanísticos Almanzora No

Luchando para proteger nuestros hogares

Arboleas: Summary of Public Planning Meeting in Arboleas 22nd March 2011

The mayor of Arboleas, Angel Garcia, opened the meeting by stating that he would try to correct mistakes from the last meeting and get through the order of business clearly and concisely. He then welcomed the other participants at the table Stuart Gorman (Arboleas Help desk), Maura Hillen (AUAN President) and Brian Reade (AUAN Vice President).

He stated that the reason for the meeting was to provide citizens with information on the latest urban development's of the 'decreto' or decree recently announced by the Junta de Andalucia; also the results of the Inventory and how it affects Arboleas.

He then invited those at the table to speak if they wished to do so.

Maura Hillen stated that AUAN was present as an independent voice and had been invited by the mayor to make whatever comments it wished to make. She went on to refute the allegations of political bias made by some of the opposition parties and showed the audience a recent press report of AUANs meeting with the Junta de Andalucia (PSOE) which was illustrated by a photograph of AUANs recent meeting with the leader of the PP opposition in Andalucia.

She then thanked the mayor for the opportunity to share a platform with him to provide AUANs perspective on what he was about to say. "We will share any platform to which we are invited as independents", she said.

Stuart Gorman from the Help desk stated that he was here to listen and to put questions to the mayor later.

Q from Floor: What political parties are you representing?

Answer From Stuart Gorman, Brian Reade and Maura Hillen. We do not represent any political party. We are independent.

Mayor. This is an informative meeting not a political meeting. Stuart Gorman volunteers for the Help Desk and AUAN is an independent association that acts to inform on urban problems.

Decreto

The mayor went on to speak about the decreto which the Junta is preparing to apply to homes on non urbanisable land. The idea is that these houses can then have access to services. We do not have the text of the law at this time but that is the basic idea.

Inventory of structures on non urbanisable land

The mayor said that it was important to emphasise that the inventory catalogued every building on non urbanisable land, not just houses. The inventory in Arboleas was conducted in 2009 and catalogued everything in Arboleas that was on land not designated as urban...i.e. Old houses, sheds, garages, balsas, fincas, ruins etc. Approximately 280 of the buildings counted were houses constructed in the last 15 years.

How does the decreto and the inventory affect Arboleas?

Since November 2009 a series of modifications have been created to incorporate the houses outside of planning into the town plan. The town hall wants to include these houses in the plan and bring them on to urban land. Of the 280 or so houses the vast majority will now be urbanisable and within the town plan. And, as previously reported, this process is very advanced. The plans have received favourable reports from the Junta. These reports were provided to AUAN at our last meeting. As a result the use of the planned decreto in Arboleas will be minimal because it is designed to deal with houses on non urbanisable land when the majority of houses in Arboleas will now be made urban because of the well advanced changes to the town plan. However, it may prove useful in cases of scattered houses at some distance from the town that we cannot include in the plan. The purpose of the decreto is to help houses that can't get on the town plan.

Question from floor: Why has it taken so long, 8 years? I have most of my paperwork but I can't get my escritura. How long will it take to get my escritura?

Answer from Stuart Gorman: I will discuss your case with the mayor on your behalf.

In the case of the Inventory the Junta has queried only 1% of the buildings documented. That is buildings. Not all are houses. It includes lavaderos and some small naves. Included are two houses, one in Los Carrascos and one in La Perla. However these houses are included in the town plan and these plans have received favourable reports from the Junta (Obras Publicas & Vivienda and Medioambiente). To be clear there are TWO houses but work is already under way to include them in the town plan.

The rest of the homes not in the 1% are already in the process of being included in the town plan.

To repeat –only two houses – already working to resolve this. No home in Arboleas runs the risk of demolition. Our efforts are bearing results. We will resolve all small problems. No houses will be demolished.

Question: Where is the property in La Perla?

Answer: We looked at the locations with AUAN yesterday but we do not know who the owner is. We will find them and inform them and reassure them. (In response to further questions). The house is in a group of 50 on modification number 03 to the town plan, north of La Perla.

Maura Hillen: We reviewed the report yesterday with the Mayor and know where the houses are located. It would not be correct to say exactly where in a public meeting. The homeowners will be informed privately.

One house in La Perla had been identified as being on a via pecuaria (goat track). This case can be reviewed to see if the via pecuaria can be moved. There is a new road right next to the house.

The second house in Los Carrascos is too close to a rambla.

These houses must be reviewed by the appropriate authority to see if the problems are solvable.

Declarations of Sra. Cruz

The mayor emphasised that the process to resolve the illegal houses is working well. However, we mayors recognise that the words used by the consejera were unfortunate and may have been taken out of context.

We mayors have asked for a public rectification of the consejera's remarks.

Q. Are you worried by her remarks?

A. Yes. I speak for all alcaldes. We need to work together, to resolve problems, to give confidence and security. If we need to ask our co-workers in this process for a clarification we will do so.

Today the papers and the radio are full of the press release of the mayors. This is not a normal occurrence. I will read the press release to you.

The mayor then read the press release in Spanish. A full translation is now provided here:

The mayors of Albox, Oria, Albanchez and Arboleas categorically reject the statements of Cruz Villalon with respect to houses fuera de ordenacion.

The council leaders have asked for a meeting with the president of the Junta de Andalucia in Seville to address this issue and find a definitive solution

The town halls of Albox, Arboleas, Albanchez and Oria have flatly and firmly expressed their rejection of the recent statements attributed to the consejera for Public Works and Housing, Josefina Cruz Villalon, in the Andalusian parliament with respect to houses outside of planning in their municipalities.

In this regard, the mayor of Albox, Jose Garcia, asserted “We must consider the work that has been done in recent years on this problem. We have worked together with the Junta de Andalucía to find solutions for these houses, always based on rationality, moderation and common sense”. These words are supported by the mayors of Oria, Jose Perez; Arboelas, Angel Garcia and Albánchez, Francisco Martinez Garcia.

For his part, Jose Garcia has expressed his conviction that a legal solution exists, as well as an alternative route for houses outside of planning, declaring in this way that nobody is seeking to find fault, but to find solutions; solutions that are agreed by the town halls and the Junta de Andalucía, as well as by the promoters and homeowners.

For this reason, the mayors of Albox, Albánchez, Arboelas and Oria have asked the consejera of Public Works for a public rectification and reiterate their joint rejection (of these statements); because they consider that the statements issued on this matter should be “prudent”.

For this reason, the 4 mayors have asked for a meeting with the president of the Junta de Andalucía, Jose Antonio Grinan, in Seville, with the priority objective of informing him in first person of the reality of the situation and communicate to him the impressions gained over the three years that they have been working on this problem.

The mayors also want to remind the president of the Junta de Andalucía of the inventories they have made, supervised by technicians from the Autonomous government, as well as the adaptations of plans and the creation of punctual modifications to these plans as requested by the Consejera of Public Works and Housing.

The mayors mentioned have reiterated that their primary objective is to “seek a definitive solution” to the problem of houses outside planning. A solution that has not been reached after working for three and a half years.

A translation was not provided during the meeting to save time but Maura Hillen confirmed that a press release had been issued by the mayors of Albox, Arboelas, Albánchez and Cantoria demanding a ‘rectification’ of the comments made by Sra. Cruz.

She confirmed that the release had been sent to the Spanish press as the mayor had stated and that it was rather unusual for the PSOE mayors to publically contradict the PSOE Junta de Andalucía in this way.

She went on to say that that in AUANs meeting with the Junta de Andalucía she had requested a public and written retraction from the Consejera. Nothing less would do.

Speaking to the mayor about individual cases

The mayor then moved on to speak about other topics indicating that if any person wanted to discuss their specific concerns they could visit the Help Desk or see him. He had more information in his office and plans.

He stated that he had set aside this Friday to meet with anyone who wished to speak to him personally.

Internet towers

The mayor stated that he had had some queries about the installation of internet towers in the municipality. He said that they had all the legal permits, guarantees and were of low voltage output. They will be operating shortly and will provide internet & TV for the municipality.

Question from Crispin Welby of Ciudadanos Europeos

It is a great sadness that the PSOE, so used to the abuse of power that they will not criticise something so rude, outrageous and wrong – she should resign. I would resign if I made such a rude statement. Does the mayor think that Sra. Cruz should resign?

Answer: Should she resign – No. She should correct what she has said. The measures proposed are correct. She should correct what she has said not resign.

Crispin: We don't believe that. Spanish people are not spoken of like that in the UK. We have been made to feel unwelcome here.

Answer: I realise that this was a mistake and that she should apologise.

Question from Roger Done of PSA

“People who are not of this country and have settled here illegally”. These are the statements of Josefina Cruz. The same woman that is working on the decree.

Answer: As I do not agree with these statements I have asked for a retraction. We know that what she said is bad but the work that has been done is good.

Roger Done: But how can we trust a law that we haven't seen that is still being prepared by this person?

Answer: In our opinion she has put her foot in it. The decreto is another thing, it will resolve problems. In Arboleas the decree will affect only a few houses. Most houses will be urban within a few months. I do not agree with what Cruz said. We want a rectification but I do not want to say that bad work has been done as well.

Maura Hillen: I agree with both the mayor and Roger on this point. The decree is not very relevant in Arboleas. It will be useful for isolated houses on the campo. The majority of houses in Arboleas will be dealt with under a town plan.

However, it has not yet been published and has been sold as some sort of big solution. Electioneering in our view.

I would like to return to the Inventory if I may. We have spoken of 8 buildings so far, 2 of them houses. However the report also listed 33 other buildings with insufficient data. Can the mayor please comment on that?

Mayor: These 33...some belong to the town hall; some are tourist dwellings, irrigation systems. None of these are houses that affect you.

I want to reassure you that all goes well, we will see results soon and I agree with you about the comments of Cruz.

The meeting then opened to questions from the floor with Maura Hillen pointing out that the politicians should arrange a separate meeting for a political debate. This meeting was intended to take questions from homeowners.

Stuart Gorman: Regarding the Catastro. What is the procedure? What is happening? Many people coming to the helpdesk are confused.

Answer: We are bringing the Catastro up to date. We have asked for your collaboration to provide information. We are still working on this. This is one more document you will need for your house. Many houses are being registered successfully. We don't have an end date for this process and it is a free service. The town hall facilitates catastral registration. There is a short time between the presentation of documents and registration. There is no finish date for this process. You have all year. All registrations dealt with in this year will start to pay next year.

Question: Cruz's comments have hurt people. Are Spanish people happy to support us? It's like you have no use for us any more?

Answer: Her comments are unfortunate. We have asked for a correction. My view is different. We (the mayors) have issued a hard press release against her. You must not doubt our support. I support you. I am supporting you and working hard for you. Integration is happening in Arboleas. Integration is a choice. This is happening.

Question: Thanks to the panel for providing the information and analysis. My question is, if the plan is passed, there will be financial issues with the builders. Some people feel that they are being held to ransom for documentation. What help can we expect from our town hall to ensure that what we have already paid for we will receive.

Answer: I have not changed the opinions expressed in the last meeting. Constructors have a responsibility; we will support you in every way. We never blame you as neighbours. I do not think that we should discuss your particular case in Los Higuerales as it cannot be resolved in a public meeting. I will meet with you privately.

Comment: We all came here for a nice life and I agree that integration is a choice. None of us need the bad press in the UK putting people off buying properties in Arboleas. Speaking of integration, we are running a walk for life in aid of cancer charities. Will you come?

Response: I totally agree that bad press must be avoided. Hence, we have asked for a retraction. And, yes I am going to walk with my friends and family.

Maura Hillen: To comment on the point of bad press. Bad things are happening to good people in this valley. Our only weapon is to keep this issue as near to the front page as we can manage.

Roger Done of PSA: You said that there will be no demolitions in Arboleas?

Response: Not one.

Roger Done: Any demolition in the Valley affects house prices.

Response: I can only speak about Arboleas because I only have information about Arboleas.

Roger Done: How do you know that there won't be demolitions? There are houses in Los Carrascos already in the courts, you are in the courts. Lakes Vega is in court, how will the judge rule? How can you be sure?

Answer: I know because they have not been queried in the Inventory and are not at risk of demolition.

Question: But they are in court.

Answer: That might result in a fine not demolition. It doesn't mean that they cannot be legalised.

Maura Hillen: We published information on this case. It is currently under investigation in the courts in Huerca Overa. If it is sent for trial it is always down to the judge to decide what happens.

With respect to the other comment from Roger that the mayor is implicated in this case, can I ask the mayor to comment on this?

Answer: The denuncia dates from 2007. It is an investigation relating to some houses. The judge has asked the town hall for documents. These have been handed over and the judge is asking for more. The case has not been sent for trial. It is an investigation.

At no time has this investigation implicated me. As serving mayor I have a responsibility to provide documents and speak to the investigators. I have done this when asked to do so.

Let's put an end to this rumour. There is nothing preventing me standing for re-election and I am standing for re-election. There is no impediment. We are talking about an investigation, no decisions have been made.

The mayor then thanked everyone for their patience and the meeting ended.