



August 2013 Update

Anthony Malpass spoke to Sue Walker regarding the Court case brought by the Shepherd and the apparent Court Ruling on the case as reported in "El eco de Jumilla", the local digital newspaper. As a result of this, he contacted Almudena at HdT and enquired as to the Court's Ruling. A conversation was had with Almudena about the ruling and its impact upon the Purchasers. And this conversation was subsequently discussed between Anthony and Sue Walker.

The Ruling:

It appears that Jumilla Town Hall have been told that they should have had the Water Licenses before approving the paperwork for SADM not afterwards. And therefore, the Court annulled all the paperwork to date issued by the Town Hall.

What Does This Mean for the Purchasers?

Firstly:

The Shepherd no longer has any impact upon Phases 1 and 2 of the Development and his actions are now ceased. HdT has the water licenses for the new Phase 1, owns all the land and has done the Landscaping for the 9 hole Golf Course. HdT proceeded with all of the works correctly after being issued the licences by Jumilla Town Hall .

Secondly:

We now believe the Town Hall has liability towards HdT for their costs and the purchasers for their deposits which were all given in good faith on the basis of the actions of the Town Hall.

Therefore, we feel that the Town Hall under the new administration has the ability to solve this current problem by reissuing the paperwork for Phase 1 of SADM as HdT has the appropriate water licence paperwork. SARC will attend a forthcoming meeting between HdT and the Mayor at the Town Hall and we have asked a Solicitor to attend with us to emphasise the importance to the Mayor of approving and processing the paperwork promptly. There is no longer the impediment of the Shepherd's Court Action to prevent this happening.

Almudena informed Anthony that HdT has been in discussions with companies who wish to participate in the project and will also enable the company to fulfil its obligations to pay the initial refund to those who wish to have their money back. It is anticipated that with the approval of Phase 1 that building can commence by January 2014 and HdT are planning on how to make properties available ASAP.

Comment/ Opinion:

The SARC Committee Members discussed this and believe that this could be a blessing in disguise as it could finally enable HdT to proceed with building Phase 1. Yes, it is a surprise and there is some uncertainty. However, after speaking to our solicitor, he feels that the best course of action for the Town Hall and all parties is for the paperwork to be approved and for Phase 1 to now finally go ahead.

It is important to note that there are Purchasers who live in Jumilla and are waiting for their homes to be built. These are voters in Jumilla and there are other Spanish nationals who have also purchased there and this plus the Economic Advantages to the Town of Jumilla should have a positive influence on the Town Hall. As soon as we have met with the Mayor and HdT we will write a report and inform all of what is going to happen.

SARC 4th Aug 2013