



Thank you to those of you who responded to our first Independent Newsletter and to those who have recently joined us. It is encouraging to see our support growing.

As we expected, our presence is not welcomed by the committee and supporters, but we have been spurred on by some of the enthusiastic support we received and it is clear that many of you really don't want this acrimonious dispute against WimPen, which is setting owner against owner. You just want a return to a hassle-free, enjoyable, and relaxed holiday.

Owners' Meetings

We have been able to speak at some owners meetings, but were disappointed at some of the aggressive confrontations that took place, with a few owners, who don't support our approach, preventing many owners from speaking with loud heckling and interruptions. In spite of that we do not intend to give up. The more aggression we meet, the more determined we become. Why is this hostility necessary, when all we have is a difference of opinion?

What Next?

We persevere with our aim to have recent constitution changes reversed which has been changed 3 times in since 2015 and seek to get a full general meeting under an independent moderator where EVERY owner is given an opportunity to vote on the future of Los Claveles. We want to see a new elections for the chair and committee, who we feel have inflicted the misery of this dispute upon us all.

We have received encouraging emails and letters from a number of owners and our support is growing. Issue 1 of our printed newsletter continues to be handed out at the resort together with this one. We had to find a way to communicate with owners as we are unable to publish our updates on the owners website or the official owners' Facebook group, neither are we permitted access to the members' database, so we negotiated with WimPen to make use of the noticeboard at the resort to create a more level playing field.

Please Support Us

We don't want to fight, we don't want aggression, we just want find a route to a peaceful conclusion. Only you, the owner, can help us achieve that. We urge everyone to allow measured debate and discussion and respect the views of others, even if you don't agree. Everyone is entitled to have their say, including us. If you support our efforts, please let us know and join us.

Roger Barrow

The Reception Team

This has not been an easy time for the reception team, under head receptionist Digna, who always give owners and guests a warm welcome.

They have had to face some difficult situations in obtaining payment from club owners, through no fault of their own. In spite of that, they handle everyone with a high degree of calm professionalism, and are always on hand to help and advise. They deserve our admiration.



Fake News

There are a number of false rumours circulating that we know are worrying owners, so we want put paid to these once and for all.



"WimPen will increase maintenance fees to an unaffordable level so owners will walk away"

Untrue, and not possible. As with all WimPen resorts, the budget and proposed fees must be put to owners to vote upon. Without approval from owners, fees cannot be increased. Many resorts have had no increase in recent years, including Los Claveles and this year owners at those other resorts have approved increases between 2% and 3%. We are informed that WimPen have no plans to propose an increase at Los Claveles this year.

"If WimPen take control, they will want to take all catering in-house to improve their income"

This is last thing WimPen will want. They have no expertise in catering, and there is only one WimPen resort where they run the catering, and that it is because the president at El Marquez requested they take over and implement a refurbishment. That bar is now making a profit for the community.

"WimPen are buying up owners weeks and are approaching owners to sell to them"

WimPen do own some weeks, but they are absolutely not buying up more, neither are they approaching owners to sell. A check with the sales team at Los Claveles will confirm that.

"Los Claveles is a valuable piece of real estate and WimPen want to throw owners out so they can sell it for development into apartments or to a hotel"

This is nonsense. Quite simply, Los Claveles cannot be sold. Escritura owners have a share of the freehold, and there are a number of such owners who have either disappeared or are deceased. It is impossible to sell those weeks. The title to club owned weeks are held by the trustees, and only a vote by 75% of members would allow them to be sold, with whatever remains after all liabilities are

settled to be distributed to each member, but that would still leave escritura owners in place.

"The marketing of Los Claveles as an 'Aparthotel' is evidence of WimPen's intentions"

This is purely a marketing strategy for rentals and it is Spanish Law that such resorts on the rental market should be described as aparthotels allowing the government to charge a levy. Renting vacant space is vital to the future financial health of Los Claveles.

"Roger Barrow is a WimPen Company Director and is paid by WimPen to disrupt the committee's campaign. The Independent Owners' Group are WimPen Minions"

Untrue. Roger is President of the Community at Las Casitas (previously Owners' Representative), another WimPen resort, and in that capacity he is a Director of the Las Casitas Properties Company, managed under contract by WimPen, 'WimPen Properties Las Casitas'. Casitas now has a new owners' representative, and standard practice is that she will also be invited to be a director of the Las Casitas property company.

This company has no authority over, or relations with, the activities of WimPen Leisure Management SL. Roger is there purely for the protection of Las Casitas Owners and has no influence over their management of Los Claveles. Roger has a proven track record in negotiating with WimPen and is robust in his challenging and questioning of WimPen management.

Our group is independent of WimPen and, contrary to popular belief, does not speak for them, although we have opened a useful communications channel with WimPen to

enable us to update owners with news. We are also independent of the Club Committee.

"WimPen's contract has ended, and they are continuing to manage resort illegally"

Not entirely true, their contract has ended, yes, but the arbitrator has ruled on the legality of the decision of the Club to terminate WimPen's management contract and the legal status of WimPen as Founder Members of the Committee, in favour of WimPen. So they have legitimately remained as acting administrator until the dispute and various legal proceedings are resolved.

None of this dispute would have been necessary if the committee had waited until the end of the contract and a valid AGM where all parties involved could have decided the future of Los Claveles. WimPen also

currently have a valid contract for the escritura owners and common parts.

While we support WimPen's current role as acting administrators, as we have said before, we are not necessarily advocating they should be permanently in place, but they are doing a pretty good job at the moment. Let's give them a chance.

"WimPen want to take full control of the resort away from owners".

They can't. It is an owners' resort and always will be. WimPen can only ever be employed by the owners, and the terms of any contract they have must ensure they, or any future administrator, remain subservient to owners and the AGM. We believe under the current recently changed constitution, too much control is in the hands of the committee.

Chairman's and Committee Website Updates

The chairman and committee have published some hard-hitting rebuttals of our news. The very fact they have felt it necessary to publish these indicates to us that our campaign is having an effect.

We see no point in publishing a tit-for-tat argument against all the points expressed in those updates, but the fact is we learned nothing new from them, just the same repetition of the legal situation, the constitution (which is now in its 3rd version), demands that owners must pay the club and that WimPen must leave. We do not anticipate WimPen leaving in the foreseeable future and would like to see them remain as administrators until such time that a full general meeting where every owners can vote, is called.

Sadly, we have met a lot of unpleasantness, name-calling and aggression in our encounters with some committee supporters. We are told we must respect and not challenge the constitution and that we must follow instructions on the owners' website. We are told the WimPen must abide by the arbitration, but the arbitration results have yet to be fully published and are still subject to a legal challenge.

This is democracy isn't it? A fundamental ingredient of democracy is the right to free speech, so we reserve the right to express our point of view without fear of recrimination.

However, our newsletter report that the assault on the president was 'hearsay' produced a very emotional response from the chairman and we know some owners were also concerned. We too would be very concerned if that is what happened.

The fact is however that there are different accounts of the events on that day in May 2017 and for that reason, all we say is that it remains 'unproven', which was also the Spanish judges verdict we understand. We realise emotions were running high all round at the time. However, we now learn that an owner is holding a video he made on the day, so we ask that it is published so we can all put this issue behind us.

Paying your Maintenance Fees WimPen or the Club?

We know that for club members, this issue has caused more concern than anything else. You don't want to pay twice yet the club are demanding you pay them, insisting they the only legal recipients of your payments.

However, WimPen remain in place as Acting Administrators. Whether owners like it or not, that is the current situation. They are also the nominated administrators for Escritura Owners, with responsibility for the common areas.

All payments to WimPen go straight into the Association's account from where WimPen pay the wages, they manage the staff, they look after the cleaning, they make resort improvements and deal with maintenance, it does not go into WimPen's coffers. The community accounts would be

handed over in the event of a new management company being appointed in the future. so your money is safe. You will have seen from the accounts, recently sent to all of you, that the Los Claveles financial health continues to improve.

The committee know club owners have to pay WimPen while this dispute continues, so we don't understand why are they demanding you pay them as well, leaving you with complication of trying to obtain a refund from the club. What are they doing with the money they receive? We would like to see the club's accounts.

Our advice is to pay WimPen for the time being, get the keys to your villa and enjoy a hassle free holiday.

Keeping in Touch

There are a number of ways you can contact us. We have a Facebook Discussion Group where you can join in the debate, and an open Facebook Public Page where we will make announcements and publish information. We are also on Twitter.

On our website you can read our news and updates and join our mailing list so you receive these updates in your mailbox. If none of those are suitable, contact us by phone, text or post. We look forward to hearing from you.

Website: www.claveles-alt.eu

Facebook Discussion Group: facebook.com/groups/clavelesindependent

Facebook Public Page: facebook.com/clavelesIndependent

Twitter: @ClavelesAlt | Email: info@losclaveles-alt.eu | Phone or Text: 07948 447084

Postal Address: Los Claveles Independent, 13 Marine Gardens, Selsey, PO20 0LJ

The Los Claveles Independent Working Group

Roger Barrow | Marilyn Fry | Sue McKenzie | Keith and Julie Lear

We are a group of owners who want to challenge the club committee and the way the dispute is being handled. We are not elected and we don't have any 'official' status, we are simply a group of owners who want to have our say. We don't seek aggressive confrontation and hope that through negotiation and by building our support and influence, we can help bring the club dispute with WimPen to a peaceful conclusion, and bring owners together to decide the future of Los Claveles.

