

The Brackenhill Park, Hamilton Owners' Association Advisory Committee

<u>Date and time:</u>	16 th May 2024 at 19:00
<u>Location:</u>	35 Holstein Avenue
<u>Present:</u>	Ayo Alagbe; Dasha Chan; Hazel Hutton; Lhyam Sumal; William King Hay Chan
<u>Apologies:</u>	Chrissy Rooney; David Mair; James McIntyre; Shareen Ali

1) Introduction

The members were each introduced and then the meeting was called to start. It was agreed that the purpose of this meeting is to adopt the constitution for the Association, adopt the Voice Online Community web site (brackenhillpark.org.uk) for homeowners/residents to access, and agree the next steps forward.

2) Aims for the Association

Discussion took place around what each member considers key objectives of the Association. It was agreed the primary reason is to protect and promote the interests of all owners/residents on matters concerning the management and maintenance of the estate.

It was noted that there are a noticeably high number of complaints from owners on social media about the factor, Hacking & Paterson (H&P). The Association aims to be able to work with the factor productively to voice owners' concerns and ensure that concerns are being addressed consistently and work attributed to the factor and their contractors is carried out to a high standard. Each of the committee members shared their personal experiences with issues with factoring services and inconsistencies in how complaints are handled by H&P with poor recording.

The members agreed to set up a page on the web site where owners can report concerns to the factor, but this will also ensure that the Association is in the loop of all issues. These can then be addressed with the factor collectively or help shape future decisions regarding the development.

3) Constitution

The Deed of Conditions (incorporating the Development Management Scheme) prepared by Morton Fraser Lawyers includes a full constitution model. The committee has agreed to adopt this constitution model for the Association.

4) Area of Representation

The committee proposed at this point, especially for the purposes of formally establishing, that the Association should focus on the areas within the development that are referenced in the Deed of Conditions. This area is the Stewart Milne Development – phase 1 and phase 2, and phase 1 of the Bellway development. This area includes 290 homes.

It was noted that as owners become aware of the Association, more owners may wish to join the committee to represent wider areas.

5) Voting of the Advisory Committee

LS described that the constitution requires that owners formally appoint the members onto the Advisory Committee. Without this, the Association cannot formally engage in matters with the factor or on behalf of residents. The constitution also requires a minimum quorum of 40% of members to attend meetings, which would mean a minimum number of 40% is required to formally vote the committee in place.

A series of options were discussed for owners to be able to vote the advisory committee members. These were:

- a) A meeting is held either in-person or online via Teams/Zoom, or a hybrid of both. Owners would then be required to vote in person by a show of hands.
- b) The committee can publish its intentions to form an advisory committee and write out to all owners informing them of this intention. Owners will then be able to vote online within a defined timescale, for example 30 days. If more than 40% of owners' vote, then the committee is appointed.
- c) Like option (b), the committee writes out to all owners informing of their intention to form an advisory committee and assigns all owners an automatic vote of approval. Instead, owners who object would be invited to register their objection online.

The committee agreed the best way forward would be with option (b). It was felt that this would offer the most convenience to homeowners and provide a quick and simple method for voting yes or no. It was agreed that to proceed with option (c) would potentially result in negative feeling towards the Association, and option (a) would potentially not generate enough commitment by people to physically attend a meeting.

It was agreed that LS will draft a sample letter and forward this to committee members for input and approval. The letter could feature a link to the web site for voting, and a QR code for quick and easy return online by homeowners. Once the letter is approved, LS will approach H&P for distribution of the letter to all homeowners by e-mail and by post within 14 days.

The voting period will be within 30 days of the date of the letter.

There was discussion around whether H&P can be trusted to distribute the letter. LS explained that Alastair Leitch, a director at H&P, had previously stated by e-mail that H&P can distribute the letter without any problem. The committee agreed that this should be the route to consider for now, but the letter should be sent by both e-mail and by post to all homeowners.

It was agreed that should H&P not distribute the letter with reassurance, or the minimum 40% target of votes is not received, the committee members will then print and deliver copies of the letter themselves and will then hold a second vote at a later date in the summer.

6) Agenda for Next Meeting

The committee will approve the text of a letter to all owners and will then draft and approve the online page for owners to submit their vote.

Minutes prepared by: Lhyam Sumal

Minutes seconded by: Dasha Chan

To be approved by the advisory committee at the next meeting.