

# The Brackenhill Park, Hamilton Owners' Association Advisory Committee

<b><u>Date and time:</u></b>	18 <sup>th</sup> July 2024 at 19:00
<b><u>Location:</u></b>	12 Holstein Avenue
<b><u>Present:</u></b>	Ayo Alagbe; Chrissy Rooney; Dasha Chan; Lhyam Sumal; William King Hay Chan – and Hannah Beaton (on behalf of TIS)
<b><u>Apologies:</u></b>	Hazel Hutton; James McIntyre; Shareen Ali

## 1) Introduction

The members were each introduced and welcomed Hannah Beaton from Tenants Information Service (TIS). Hannah explained that TIS work on behalf of South Lanarkshire Council (SLC) to promote and support tenant engagement and community support. Whilst the bulk of the work that TIS do is supporting social housing tenants or groups where SLC provide factoring services, Hannah is able to offer guidance and support to our group and offered to attend future meetings.

There was some discussion around the purpose of setting up the Owners' Association due to frequent complaints around the service received from the factor. Chrissy (CR) shared with the group experience of an Owners/Residents Association (OA) in Jackton, East Kilbride where Hacking & Paterson are appointed as the property factor, however the OA manage the factor through walkarounds and regular meetings. CR explained in some more detail how walkarounds were agreed with the factor initially on establishing what was communal grounds and what tasks the factor would oversee. Each member on the OA was then assigned 2-3 streets to look after as a patch and at the committee's meetings, each member would report any issues on their patch.

This discussion led to a need to have a similar working arrangement in place at Brackenhill Park to maintain standards and prevent the area looking neglected as was starting to happen in parts.

## 2) Approval of Previous Minutes

There were no amendments required to be made to the previous meeting's minutes and these were approved by the members.

## 3) Ballot Count and Ratification

The committee recently completed the Vote for the Advisory Committee through an online ballot. Lhyam (LS) reminded members of the rules of the vote:

- A minimum of 40% of homeowners were required to participate in the ballot to fulfil the quorum required under the constitution as a digital show of hands.
- Votes were counted per household.

- If a household voted more than once, a vote would only be counted once providing that each subsequent vote from that household was in the same direction.
- If a household voted more than once but subsequent votes differed from the first vote, then that household's vote would be disqualified and not counted.
- The vote was primarily focused on the Stewart Milne phases one and two, and the first phase of Bellway homes. This was because the homes in these phases all share the same conditions of title deed that are binding on the property manager (factor). This meant a minimum of 116 votes would be required from this area to succeed.
- The vote was conducted online through the Association's web site. The committee had agreed at the previous meeting to run the ballot in this manner, and through e-mail, had agreed on the questions put to homeowners.

LS then downloaded a copy of the results of the online ballot from the web site. With Hannah (HB), LS then explained that there was a total of 8 questions on the ballot form, and showed HB how the data was to be filtered:

- Group the results by street name and then sort by street number.
- Identify the Yes and No votes and highlight respectively in green for Yes, and red for No.
- Highlight any entries where a household has voted more than once and check the direction of their votes. There was a total of 22 households.
- Of the 22 households that voted more than once, 1 of these were to be disqualified due to voting No, and then a subsequent vote from that household voting Yes.
- A vote had been received from Commonhill Gardens (Taylor Wimpey development). This vote was not counted as the Association is not currently active in this area.

LS and HB then counted the votes based on the number of votes received per street, and the number that were Yes votes or No votes per street. The results of the vote are attached in Appendix 1.

The result of the vote showed:

- There was a total of 169 households that voted, of which 165 were in favour of approving the Advisory Committee and thus establishing the Owners' Association formally.
- There was a total of 4 No votes, meaning the outcome of the vote was 98% in favour.
- For the Stewart Milne & Bellway 1 area, 140 households voted, surpassing the minimum number of 116. This represented 48% of the total households in this area, with an outcome of 98% in favour (137 votes for Yes, and 3 for No).
- For the Bellway phase 2 area, 16 votes were received which was short by 5 of the 21 required as a minimum. 100% of the votes were in favour.
- For the Barratt homes, 13 votes were received which was short by 27 votes of the 40 required as a minimum. 92% of the votes were in favour.

The committee agreed that the purpose of this vote was to have the Association formally established so that it could start work on addressing frequent complaints about the factor. It was agreed that it would be beneficial for the Bellway phase 2 homes, and the Barratt homes to be represented or co-opted to work with the Association and that the committee would seek to do this at a later stage soon. It was recognised that the agreement in place between these

homeowners and the factor may be different due to these homes not having their front gardens maintained by the factor – something that is not optional for homeowners in the other areas of the development. Of the No votes received, a common trend within the feedback from these homeowners seemed to suggest that further information around the purpose of the Owners' Association was being requested.

For the time being, it was recognised that the committee had fulfilled the requirements of the title deeds to be formally established and the proposed members for the Advisory Committee were successfully voted onto the committee. HB confirmed that the ballot had been verified as accurate and would ratify the count as an independent check.

#### 4) Funding & Structure of Committee

HB asked some questions around the structure of the committee, mainly around defined roles and responsibilities for committee members. The group explained that the constitution did not set out defined roles and instead provided for a Convener of a meeting. This would mean at each meeting a Convener would be appointed at that meeting by the group.

There was discussion around steadiness and providing a consistent approach to wider members and therefore defined roles and responsibilities may be beneficial. CR explained that there was previously a Neighbourhood Watch Group on the development and that group had appointed a Chairperson, Vice-Chairperson and Treasurer and that the Association could consider a similar structure.

HB further explained about opportunities for funding. The group explained that during the initial survey to homeowners of setting up an Owners' Association, there was strong feedback from members against funding, in particular if funds can be used in other areas of Hamilton where there are greater social needs. However, it was recognised that this may have been misinterpreted by members and that other groups currently exist in the development that run events such as the Christmas post box or provide communal planting. It was recognised within the group though that a small amount of funding of even £500 would be necessary if the group is to incur costs in printing and web site hosting. At present, these costs were being met by LS privately.

HB explained that she would investigate funding opportunities / grants that may be available as a startup grant for the Association to use. However, these would likely require the Association to have a formal structure with defined roles and responsibilities so that the Association could then open a bank account. LS explained that the current arrangement within the deed of conditions does permit the Association to collect funds from members and that the factor holds and manages these on behalf of the committee. It was agreed within the group though that it would be preferential to manage funds independently of the factor.

It was also discussed that at some point the Association will be required to hold an AGM. This would require the hiring of a venue suitable for members to attend and that will incur cost. It was recognised that funding or grants, even of small value, would be able to assist in the running of the Association.

## 5) Management of the Factor, Complaints & Updates to Owners

Discussion moved on to how the group intends to address feedback received from homeowners around their complaints with the factor, and in turn, how the group will present this to and manage the ongoing relationship with Hacking & Paterson (H&P).

It was discussed that while there is strong feeling within the development from some homeowners that H&P should be replaced, the objective of the Association is to promote homeowners' interests. The agreed way forward is to present H&P with the complaints and agree a resolution and to prevent recurrence of issues through regular meetings, transparency, and reporting. Should H&P fail to address issues or continue to generate vast numbers of complaints after several opportunities to put things right, at that point the Association could consider options of replacing H&P with an alternative factor at an AGM with all members.

LS explained that the factor is keen to have a meeting with the Advisory Committee to understand our objectives and to ensure everyone is on the same page of working together. The group are keen to ensure this meeting takes place but ahead of this meeting, would like to be prepared with concerns from homeowners, and suggested actions to be able to put this forward to the factor as soon as possible.

Several ideas were put forward by the committee members:

- Seek to gather specific complaints from homeowners that will then be collated into categories for reporting purposes and shared with the factor. This would help the committee to be able to recognise trends.
- To invite the factor to a walkaround to agree which areas the factor should be tending to, to agree priority areas, and remedial works.
- Request the factor to produce a 'whole development plan' to determine what are communal areas and what would be considered 'extra works'.
- To present updates on issues to other homeowners and request H&P to produce a report on standards and their actions at the next AGM. If the factor have had complaints, they must be able to set out what they did to remedy these complaints or justify their actions for not sorting reported issues. We could consider publishing a 'You Said, We Did' type of update to homeowners on an annual/regular basis.
- To set out some measurable KPI targets that the factor must meet. For instance, no more than 3% of complaints to be generated per year.
- To agree specific task lists with the factor for them to issue to their contractors detailing the very specific tasks that are expected of them.
- To consider diving the development into patches and each committee member is assigned a patch to look after. At each meeting, the member would provide an update on their patch and whether any issues need escalating to the factor for attention.

Some actions were agreed by the committee to update the rest of the committee at the next meeting. These were:

1. Chrissy will identify a list of categories for complaints for the purposes of collating information for reporting.
2. Dasha will prepare a feedback survey for owners to complete to gather their feedback.
3. Lhyam will prepare an example task list for the groundskeeping contractor.

## 6) Any Other Business

CR suggested it would be a good idea to investigate having a defibrillator installed in the estate. Although not considered urgent, this would be something that the OA could look into funding, whether grant options were available, and then consult with owners about the installation. HB explained that sometimes grants are available from the British Heart Foundation and that she could look at other Associations that were successful in their application for this. CR explained that the Westcraigs development have had a defibrillator installed and it is attached to the street light posts.

CR also explained that there is frequently a drainage run-off issue affected the Bellway 1 SUD pond but is not sure whether this is the exact problem. There was some discussion around whether this would be an issue for H&P to investigate or whether this would be an issue that would fall to Bellway for investigation. Further information is required first but the OA could assist in prompting H&P/Bellway into carrying out a proper repair.

## 7) Date of Next Meeting

The committee agreed that the next meeting will be Thursday, 15<sup>th</sup> August at 7pm, to be held at Lhyam's house – 35 Holstein Avenue.

It was also proposed that the committee should come up with a calendar for meetings to be held for the year ahead.

**Minutes prepared by:** Lhyam Sumal

**Minutes seconded by:** Dasha Chan

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