

THE BRACKENHILL PARK

HAMILTON OWNERS' ASSOCIATION

Annual General Meeting 2025

Date: September 17, 2025 6:46 PM BST

Committee Participants: Andrea Harned, Chrissy Rooney, Craig Freeland, Dasha Chan, Hazel Hutton, James McIntyre, Lhyam Sumal, William Chan

Guest Speakers: Lynsey Hutchinson for Hacking & Paterson

Apologies: Ewan Scott for Scott Building Services

Venue: Microsoft Teams Community

Duration: 95.00 mins

Quorum

- Quorum on the night confirmed with 117 eligible votes received, surpassing the 40% threshold which is 116 votes, allowing for valid decision-making on key issues. This was explained as 81 quick votes and 36 standard votes received.
- Voting was open until Friday, 19th September, 23:00 at which point the final vote count was taken:
 - 157 votes received in total
 - Of which, 122 votes were deemed as 'eligible votes' and are the votes referred to throughout this document.
 - 19 votes were received from ineligible areas and not counted
 - 14 votes were duplicate votes and not counted
 - 2 households were disqualified for voting more than once with different outcomes and none of their votes were counted.
 - 122 votes is 42% of the total membership of 290 homes.

Overview of Meeting

- Owners Association established in June 2024 due to dissatisfaction with contractors, featuring eight committee volunteers from various developments.
- Hacking & Paterson's team confirmed management changes, with Caithlyn Anderson as the primary contact for residents and Lynsey Hutchinson as the Team Manager.
- Ground maintenance complaints noted, with residents in Phase 2 reporting no services rendered for 3.5 years despite monthly fees exceeding £20.
- Payment withholding mechanisms discussed for undelivered contractor services, emphasising accountability for management failures.
- Constitution approved with majority support, introducing a modified schedule of works and enforcing a one-vote-per-household policy.
- Three factoring service options presented for resident vote, with a deadline set for 19th September to determine future management direction.
- Proposal for a two-signatory bank account to increase transparency on operational expenses and ensure accountability in committee spending.
- Wider representation initiative discussed, inviting Barratt and Bellway Phase 2 homeowners to ensure more comprehensive community participation in decision-making.
- Management fee discrepancies reported since September 2024, with ongoing pressure on Hacking & Paterson for resolution to ensure fair billing practices.
- Scott Building Services were invited to the meeting but were unable to attend due to their director travelling back from annual leave.
- South Lanarkshire Council provided a written update instead which was incorporated into the Owners' Association Overview and any subsequent questions will be followed up separately.

Owners' Association Overview

- Association formed June 2024 in response to dissatisfaction with factor and grounds contractors
- Eight committee volunteers representing Stuart Milne Phase 1 & 2 and Bellway Phase 1 developments

- Monthly committee meetings established with quarterly reviews with Hacking & Paterson, including walkarounds and acting as an intermediary for residents' concerns.
- Regular engagement with Monica Lennon MSP and NHBC regarding development issues and with South Lanarkshire Council.
- Continued ongoing contact attempts with Scott Building Services.
- Website, Facebook page, and communication systems established

Hacking & Paterson (H&P) Update

- Lynsey Hutchinson (Team Manager) and Caithlyn Anderson (Property Manager) attending on behalf of H&P
- Caithlyn designated as first point of contact for residents moving forward
- 83 homeowners identified in Phase 2 (increase from previous count) since including recent sales of Scott Building Homes. These homes as part of Phase 2 will now be included within the Owners' Association's membership.
- Phase 1 remains at 218 owners with established billing split
- Management fee billing error in Phase 2 identified in the most recent invoice and is to be corrected next quarter.
- The committee did highlight that Alastair Leitch had been invited but were disappointed that he was unable to attend the meeting.

Ground Maintenance Issues

- Phase 2 residents reported no shrub cutting or weeding in 3.5 years despite monthly payments
- Lynsey confirmed MacDonald Brothers are the contractor responsible for Phase 2, and that Clean Sweep are responsible for Phase 1
- Residents expressed dissatisfaction at paying £20+ monthly for ground maintenance services that are not being delivered across both phases of the development. H&P explained withholding payment is a mechanism available for undelivered contractor services.
- Replanting works were delayed until winter months due to seasonal constraints. Previous replanting work faced resident backlash over billing disputes. There was discussion from residents that the feeling was plants

were not previously being given attention and looked after by the grounds contractors. Winter ground maintenance season begins at the end of October for major works.

- Scottish Water vesting process not yet completed for SUDS basin maintenance.
- There was a question from members about drainage on the roads that were resulting in weeds. The committee explained this will be relayed back to the Council and to request assistance from Monica Lennon MSP's office to expedite the process of road adoption by South Lanarkshire Council. Lynsey has also offered to chase a contact at the council to follow-up the drainage matter.
- A question was received from members about planters that were added by the Community Connections group but require attention. It was explained that these planters are the property of the Community Connections group and therefore not subject to the factoring agreement but the Owners' Association will attempt to make contact with the Community Connections group to identify further steps. Lynsey from H&P also offered to contact the group, and it's noted that this was actioned the following day by e-mail. Should contact be unsuccessful, it will be a question later for members to decide whether these planters should be uplifted or maintained but members will likely incur additional cost.
- Lynsey confirmed that she will meet with McDonald Brothers before the end of September regarding weeding and shrub cutting issues, as well as clarifying weeding methodology with both McDonald Bros and Clean Sweep.
- Lynsey did offer to invite committee/residents to attend the meeting with grounds contractors. The committee explained that a representative can attend as a minimum.
- Members were presented with a modified schedule of works to incorporate minor changes to the current schedule that is presented to grounds contractors.
- Since voting ended on 19th September, a total of 122 votes were received in favour of approving the modified schedule of works, with 0 votes against.
- **The modified schedule of works was therefore approved with 100% of members voting FOR.**

Constitutional Matters

- The Constitution has been drafted in accordance with a model constitution document from All Under One Roof. This was drafted in support and with guidance from TIS (Tenant Information Service).
- Single vote per household rule enforced with conflicting votes cancelled
- It was explained that the constitution offers protections for homeowners by identifying the key provisions in the Deed of Conditions that establish the Owners' Association and its powers to hold the factoring scheme to account.
- The Constitution document was submitted to members for approval.
- Since voting ended on 19th September, a total of 120 votes were in favour of approving the constitution, 2 votes were against.
- **The constitution was therefore approved with 98.4% of members voting FOR.**

Factoring Services Decision

- It was recognised that members are dissatisfied with the factoring service and with the service of the contractors on-site. This option is presented to members as the committee is seeking a resident mandate for future service direction.
- It was noted that the conduct of contractors is not managed and there are frequent complaints about swearing, loud noise or not taking due care.
- H&P did explain that these complaints were not forwarded to them for investigation.
- It was confirmed that the current contractors have not been tendered and residents questioned how the contractors are managed by H&P.
- Three options were presented to members:
 - a. remain with current factoring arrangements, which would include H&P plus the current grounds contractors
 - b. remain with current factoring arrangements but appoint new grounds contractors, or
 - c. investigate new factoring arrangements with an alternative factoring provider.

- Since voting ended on 19th September, 1 vote was received for option (a), 3 votes were received for option (b), and 118 votes were received for option (c).
- **The outcome of this vote was therefore: Investigate new factoring arrangements with an alternative factoring provider with 96.7% of members voting FOR this option.**

Bank Account and Governance

- It was explained that the committee can apply for community grant funding of small amounts to cover operational expenses.
- The committee are currently self-funding website hosting, leaflets, and operational costs and to date have spent £164 to ensure the viability of the committee.
- Two-signatory bank account proposed for operational expenses
- A Treasurer position and auditing requirements will be established, should this motion pass with expenditure transparency commitment with full audit trail which members can view or request at any time.
- Since voting ended on 19th September, a total of 119 votes were in favour of approving the opening of a bank account, and 3 votes were against.
- **The opening of a bank account was therefore approved with 97.5% voting FOR.**

Wider Representation Initiative

- Bellway Phase 2 were previously invited during the formation of the Owners' Association in May 2024, with only 16 households voting (needed 21 for 40% threshold)
- Barrett homeowners were not previously contacted but have now been included in new expansion proposal
- Members are being asked to vote for approving the extension of the Owners' Association to represent these two wider areas as this would require a Constitution amendment upon successful representation expansion.
- It was also explained that the committee will seek new volunteer members from each of these areas to elect to the committee on behalf of these areas.

- The two nominated areas were voted upon by members separately and since voting ended on 19th September:
 - 118 votes were received in favour of representing Bellway Phase 2, with 4 votes against - **96.7% of votes in favour.**
 - 117 votes were received in favour of representing Barratt Homes, with 5 votes against - **95.9% of votes in favour.**
- **The option to represent the two wider areas was approved therefore the committee will approach the residents within these areas to request whether these areas wish to join the Owners' Association.**

Management Fee Discrepancy Issue

- It was highlighted that different management fees are being charged across development phases.
- This is an ongoing unresolved issue with Hacking & Paterson despite committee pressure since September 2024 and should be a one-off fee structure.
- Lynsey explained that she will have an internal discussion with Alastair Leitch (a director at H&P) regarding a resolution to the management fee discrepancy.

Election of Committee Members

- All current committee members were stood down and it was explained that the current committee members were seeking re-election.
- The committee members for election are: Andrea Harned, Chrissy Rooney, Craig Freeland, Dasha Chan, Hazel Hutton, James McIntyre, Lhyam Sumal and Will Chan.
- Any new members expressing an interest in joining the committee are asked to e-mail owners@brackenhillpark.org.uk.
- Since voting ended 19th September, there were no majority objections to any of the committee members seeking election. No new members expressed an interest at this point.
- **Therefore all 8 members were elected to the committee.**

Closing Matters

- Members and guest speakers were thanked for their attendance and participation in the meeting.
- Members were reminded to cast final votes by Friday, 19th September. The results of all votes will be published via the web site and circulated to members.
- The first post-AGM committee meeting is scheduled for Wednesday, 15th October at 7:00 pm should any new members wish to join.
- The committee will vote for office bearers within at this next meeting.

Voting Results

- A grand total of 157 votes were cast via the online voting methods.
- Only 122 votes were considered as 'eligible votes' due to:
 - 19 votes were excluded for being outside of the current represented areas (both Stewart Milne phases and Bellway phase 1).
 - 14 votes were duplicated and these were discarded but the household was still counted as voting was the same.
 - 2 households were disqualified from the voting as more than one vote was received and votes were different.
- Out of 290 homes, 122 votes were counted as eligible which represents 42% of membership.
- 86 votes were by 'Quick Vote' and 36 votes were by 'Standard Vote'. A quick vote is where members approve the committee's recommendations, and a standard vote is where a member votes on issues individually.

Breakdown of Votes by Street

STREET	No. of Votes Received	% of Participants
Brackenhill Crescent	13	11%
Dairy Gardens	10	8%
Guernsey Place	12	10%
Harrowslaw Drive	17	14%
Holstein Avenue	24	20%
Jersey Lane	5	4%
Meikle Earnock Road	5	4%
Randall Drive	5	4%
Shorthorn Terrace	6	5%
Whitecraigs Crescent	19	15%
Whitecraigs Gardens	6	5%
TOTAL	122	100%

Approval of the Constitution

- Members are asked to vote FOR or AGAINST the constitution. The committee's recommended vote was FOR.
- 122 eligible votes counted
- 120 votes FOR - 98.4%
- 2 votes AGAINST - 1.6%
- **Outcome: Approved**

Approval of the Modified Schedule of Works

- Members are asked to vote FOR or AGAINST the modified schedule of works. The committee's recommended vote was FOR.
- 122 eligible votes counted
- 122 votes FOR - 100%
- 0 votes AGAINST - 0%
- **Outcome: Approved**

Approval of the Opening of a Bank Account

- Members are asked to vote FOR or AGAINST the opening and operating of a bank account. The committee's recommended vote was FOR.
- 122 eligible votes counted
- 119 votes FOR - 97.5%
- 3 votes AGAINST - 2.5%
- **Outcome: Approved**

Approval of Representing Bellway Phase 2

- Members are asked to vote FOR or AGAINST representing Bellway Phase 2. The committee's recommended vote was FOR.
- 122 eligible votes counted
- 118 votes FOR - 96.7%
- 4 votes AGAINST - 3.3%
- **Outcome: Approved**

Approval of Representing Barratt Homes

- Members are asked to vote FOR or AGAINST representing Barratt Homes.
The committee's recommended vote was FOR.
- 122 eligible votes counted
- 117 votes FOR - 95.9%
- 5 votes AGAINST - 4.1%
- **Outcome: Approved**

Vote on Provision of Factoring Services

- Members are asked to vote on the options for the provision of factoring services:
 - remain with current factoring arrangements, which would include H&P plus the current grounds contactors - received 1 vote (0.8%)
 - remain with current factoring arrangements but appoint new grounds contractors - received 3 votes (2.5%)
 - investigate new factoring arrangements with an alternative factoring provider - received 118 votes (96.7%)
- The committee's recommended vote was: investigate new factoring arrangements with an alternative factoring provider.
- 122 eligible votes counted
- **Outcome: Approved for investigate new factoring arrangements with an alternative factoring provider**

Election of Committee Members

Member	No. of Votes Received For	No. of Votes Received Against	% of Approval
Andrea Harned	122	0	100%
Chrissy Rooney	121	1	99.2%
Craig Freeland	122	0	100%
Dasha Chan	121	1	99.2%
Hazel Hutton	121	1	99.2%
James McIntyre	121	1	99.2%
Lhyam Sumal	121	1	99.2%
William Chan	121	1	99.2%