

CHT apologise for delays and are working to get the best result for all clients and residents, whilst appreciating the concerns that these delays are creating.

CHTs advice provided to date has been focused on reducing risk and completing a build contract with the best possible outcome for the client TGDT, the residents and home owners, this advice is based on evidence gathered and wide sectoral and legal support plus advice provided by relevant professionals that are specialists in their field.

CHT have worked closely with the TGDT staff and board and would commend them for their commitment and professional approach, in rigorous questioning and managing a project through an unprecedented time of change in the construction, material and labour market due to external factors out-with our control.

Assuming the contract is not jeopardised by careless actions on the clients side then I am confident that the contract has the required protection to complete this project to all required standards.

Questions for CHT

Following the responses to the Residents survey did you undertake any internal process to look at how concerns over communications could be improved?

We are implementing a Customer Relationship Management system to expedite the response to enquiries which was delayed through covid, the volume of emails and lack of supporting evidence provided resulted in significant investigation and fact checking being required, needing time and input from various sources meaning we had 5-6 actions for each email.

Following the various accusations at the November meeting my instruction to the team was that communication needed to be carefully checked and only responded to in detail once we were certain that responses we provide were accurate.

Who checked the Snagging Lists that were sent out on 18th August 2024 – they are a very unprofessional document which cannot be easily understood by the resident.

Agreed during a meeting with TGDT, Alpha Projects and CHT, the process now is to complete a review of snagging work on the client side, and then a joint re-inspection will be carried out to establish if we as clients can accept works and agree or otherwise signing off the contract.

Are you aware that Alpha have commented on items in the Snagging List saying they will not fix them when we have a written commitment from CHT in relation to those items.

We are not aware of the specific items you mention but if you provide details and a list we will have that checked out.

When will you respond to questions about the completion of landscaping and the recommendations of the Locogen report?

That is currently with the Architect who is investigating details required to complete planning, and Alpha who have yet to respond on elements within Locogen report.

You mention in your letter you have a catalogue of photos for reference. Can we see these please ASAP. These should include photos requested by CDMM in respect of November 2022 snagging.

We will collate photos and share from relevant parties where they are agreeable.

Why did you only hold back £60,000 of the bill to make Alpha finish the work? Surely this is the crucial part of why next to nothing of the issues have been sorted in the last 18 months since people moved in.

Retention held is as per contract,

Why has the 18mm boards been missed from the bathroom to future proof the building as per the plans which now cannot be added to allow items of weight to be bolted to wall for disability items in the future?

Alpha Projects, have confirmed that backing boards are installed. We will have this checked out on site but meantime If there is evidence to the contrary, I'd be happy to look at that

Why was the replacement Air Source Heat Pump fitted to Charlottes house in August 2024 from 2021 and 3 years old and with a sticker attached to it saying, 'Not for resale' and not like for like but working?

Answered in Samsung email of 19-08-24

Thank you for your e-mail, we apologise that the appearance of this unit fitted by Atlas Refrigeration Services does not fit yours or own standards.

We have been assured by Samsung that this unit is a temporary solution whilst the original unit is fault tested and investigated by factory technicians.

Atlas services will return on Wednesday the 28th of August at 9am to replace this service unit with the either the original unit fully inspected, and repaired or a new unit.

Once installed, the unit will be warrantied for 7 years from it's original install date, and you will receive documentation to that effect.

Please can you confirm your availability for Wednesday the 28th and please report any issues with the service unit as soon as they occur.

Why did the Builders and Clerk of Works miss so much at the end of the job that was neither rectified nor fixed before handover to leave only smaller snagging issues?

Ideally the defects list would have been smaller at practical handover, however we still have a commitment from Alpha Projects that they will complete the project as per contract. Lack of labour availability and desire to not hold occupation back further affected this.

How did the Clerk of Works, paid to check the work, miss the fact that switches in the kitchens and utility rooms that isolate electrical appliances are hidden behind appliances and not freely available to switch the appliance off in an emergency?

The architect has confirmed that it was not clear on their drawings so they are paying for corrective work on that

Why have the £1000 EDDI's that allow free renewable power to be used in the houses been switched off?

We understand they are on and can divert solar to EV, albeit they can't attach to the Sunnamp as the model fitted can not take solar and a model that could was not available at time of specification.

Why did the electricians wire the EDDI's to make them look like they work when, according to their manufacturer, "they are doing nothing"?

Our understanding is that's not the case as confirmed from Locogen report they can feed EV

Why do bathroom soil pipes not have access to maintain any issues and not go up through the roof as per the plans?

Our files show on some houses they are connected to roof vents, and on some they have Durgo valves fitted due to roof layout requirements which has been amended on Building warrants

Why are all the patio doors either badly fitted, don't close or lock correctly, badly scratched, falling apart, and not fit for purpose, including being too narrow to be compliant with building standards as accessible doors?

Alpha Projects are discussing issues with the manufacturers and will be rectifying any issues that are attributable to manufacturing or fitting as part of defects

What date was the standard changed from Silver to Bronze downgrading the homes eco credentials?

TGDT and CHT agreed as part of design stage and before tender acceptance

The intention was to work towards a Silver level of sustainability for the project but as part of the value engineering exercise that aspiration couldn't be met. All the completed houses are Bronze Active. Six of the plots have EPC's of A and six are high B's.

The following link will take you to the building regulations that were relevant at the time. <https://www.gov.scot/publications/building-standards-technical-handbook-2019-domestic/7-sustainability/7-1-statement-sustainability/> You can see the details of the different levels in the link and how these are graded. Many of the requirements are not energy related and in reality we have complied with the majority of the Silver requirements but due to budget constraints weren't able to achieve them all.

The sustainability levels (Bronze, Silver, Gold etc.) don't specifically relate to the building fabric. They are more specific in relation to CO2 emissions.

All new dwellings that meet or exceed the Target Emissions Rate (TER) detailed in Section 6 of the Building Standards, will automatically meet the Silver level criteria in respect of CO2 emissions. All the houses exceed the TER with the worst (plot 1) exceeding it by 25% and the best (plots 9&10) exceeding it by 73%. The houses not only meet but significantly exceed the requirements of the building regulations in terms of insulation values of the envelope and the resulting CO₂ emissions. In fact, they exceed the Gold standard in this regard.

If we purely look at the regulations for the building fabric, the insulation envelope of all houses exceeds the requirements of the building regulations. These elements aren't scored as the sustainability levels are, but do feed into the overall sustainability level, whether it be Silver, Gold etc. The houses have been designed to achieve the following average heat loss values for the specific building elements as shown below.

External walls 0.16 (maximum allowed 0.22)

Windows 1.40 (maximum allowed 1.60)

Roof 0.12 (maximum allowed 0.15)

Floor 0.18 (maximum allowed 0.18)

Party wall 0.00 (maximum allowed 0.20)

The insulation envelope elements detailed above contribute to the buildings emitting significantly less CO2 than allowed by the building regulations.

Who decided to downgrade from Silver to Bronze?

As per above TGDT and CHT in consultation with design team worked to ensure the best possible and deliverable elements were prioritised

When did you realise the standard had been downgraded?

As per above

Do you admit that CHT worked as an Estate Agent for TGDT when not legally registered to do so?

No, as per response to Dru MacPherson in Feb our legal and industry advice is included

Dear Dru

Thankyou for your enquiry and apologies for the delay in getting the requested information back to you. We're sure you appreciate that we did have to investigate this fully.

As a not for profit charity with the aim of enabling affordable housing, as well as our partnership approach on the Tomintoul project where CHT fees to TGDT for work done were based on covering CHT costs only, with no element of commercial profit, as well as CHT retaining an interest in the sold properties via the Rural Housing Burden, we are not undertaking Estate Agency services in the course of business as defined in the Act and as such don't need to be members of one of the two redress schemes.

In view of the work that CHT may be undertaking in certain future development projects, CHT decided to take membership of The Property Ombudsman redress scheme and will be adhering to their guidance in our processes, and as such you can raise any concerns with them if you are not satisfied with CHT's complaints handling and feel that is required. CHT registration number for TPO is T10345.

I can also confirm that CHT are members of the Scottish Association of Landlords, which provide guidance and support in managing our rented stock as well as the stock we manage on behalf of other landlords. Our SAL registration number is 31579. In order to provide letting agency services CHT are required to register with the Scottish Letting Agent Register. Our registration number is LARN1906024.

I hope this is helpful and we're happy to discuss any concerns you may have as required.

Ronnie, you mention in your letter that the 'electrical installations were safe and indeed were of a good standard of workmanship'. Can we ask who confirmed they were? The explanation you

give is too loose and doesn't give the full details. Can we have all the where, why, when and what on the situation rather than just your thoughts on the matter as noted above?

The Electrician that carried out subsequent EICRs from RW Bell confirmed the original EICR findings and commented that the installation was of a good standard.

You mentioned faulty appliances and wet hands. When the incident happened there were no wet hands and no faulty appliances plugged in by the residents. Where has this come from, given that the electrician confirmed on site to the owner that the switch was indeed faulty.?

The electrician has confirmed that they could find no faults that were likely to cause a shock apart from a small crack in one socket which they felt would not cause a shock, they did change sockets to provide piece of mind given the circumstances. These factors were used as examples of "various ways" shocks can occur out-with the electrical installation, and were not intended to be an exhaustive list and was based on certified EICR being carried out.

Ronnie – you question the residents when they say the houses are unfordable to heat. You say 'costs are in line with what we would expect'. Again, please explain in detail what tests were carried out, who looked at each property, what was their qualifications and when did this take place? Also, what do you expect the bills should be as you have compared what you expected to what they are currently using as a property so what amounts of KW and costs can you tell us?

A basic calculation carried out during Locogens work, based on limited information available from residents and their findings were in line with current industry expectations. Detailed assessments can not be undertaken until all EDF issues have been clarified and usage is clear.

Each property wants a full set of plans?

Plans have been available on the planning portal but can be arranged for those that want them

Looking at the Clerk of Works credentials online from their website do they conduct lots of work like this as we have struggled to find anything in the CDMM portfolio of work other than projects that specifically mention they are MECHANICAL and ELECTRICAL ENGINEERS?

CDMM have confirmed they have over 25 years experience as clerk of works for Local Authorities, RSLs, CHT and Communities and various other partners in education and health etc

All the water supply pipes have not been insulated where they enter the building. Why is this the case and why did the Clerk of Works not notice this?

We understand water supply pipes are as per requirements and were checked by CoW and Scottish Water on site

Normally the main parties on a large job like this would be the Builder, the Quantity Surveyor and the Architect. How much involved and which meetings did the architect attend? Did CHT or someone else take the responsibility of the architect in any meetings?

This was a Design and Build so architect worked for contractor. This project was warranted by ICW (not architect supervised) and Clients agent (Ralph Ogg also QS) CHT and CoW were working for the client (TGDT)

If you are not at fault with the overall breakdown in communication and the diabolical condition of these new houses, then who is at fault, and will you help fix all the issues?

CHT have consistently apologised for not meeting expectations with regards to communications. As per above I've made clear given the nature of previous correspondence CHT have had to revise how we communicate which has slowed things down and we apologise for that.

Whilst defects period has not been completed as yet I am confident that if allowed to complete defects as per the contract the houses will meet all required standards but will look at any evidence to the contrary

Do you have a process for dealing with damage caused by contractors during snagging?

Defects inspection before signing off, I would recommend dilapidation records/photos if concerned about issues

When do you plan to complete required works to move lamppost blocking footpath and install barriers to prevent vehicles driving down the footpath from Cults Drive into Auld School Close, i.e. Moray Council Transportation Department's snagging list?

Moray Council are to move the lamppost and provide the barriers for Alpha to fit. Unfortunately Moray Council had requested the barriers be omitted from RCC drawings and there was a delay in obtaining quotes from Moray Council for the lamppost.

When will the approved landscape plan on the CNPA website, also provided to each resident by USB stick after moving in, be fully implemented?

Architect is working with CNPA to finalise and Alpha are also dealing with this as part of end of defects where required