

TGDT Open Meeting Minutes 03/07/2024 – Glenlivet Hall

Tilly Smith opened the meeting welcoming everyone to Glenlivet Hall and apologising for the delayed start and that minutes for the previous open meeting weren't available.

The floor was opened to questions

Dru McPherson (DM) delivered a request for an Extraordinary General Meeting to discuss the affordable housing development. The trust board accepted the request and agreed to set the meeting up as soon as practically possible.

Mark Johnston (MJ) highlighted the issue of communication between Community Housing Trust, TGDT and residents.

Scott Ashforth (SA) asked a question about the doors that had render splatter on them, Tilly answered some of the doors would likely be replaced as part of the snagging.

Charlotte Rogers (CR) spoke of over 100 snagging items on her property and the lack of heating since October 2023. Charlotte highlighted that the properties were not affordable and that she and her 2 year old son had received electric shocks from appliances. TS said TGDT commissioned an Electrical Installation Condition Report as soon as we were made aware of the electrocutions and this came back showing the installation meets the relevant standards.

DM spoke of recent TGDT communication that referred to non payment of the maintenance fee. DM insisted that the demands for a maintenance fee were illegal as he stated the completion certificate was issued on 24th May 2024.

MJ asked the trust board what information it is that they don't have as the residents present have emailed Community Housing Trust repeatedly with their concerns.

SA asked the trust board if they have faith in CHT, TS replied on behalf of the board that yes the board have faith in CHT. DM stated that CHT had let TGDT down.

Phil Rogers (PR) asked why TGDT isn't joining the 4 property owners against CHT, Tilly responded that they are our partner in the project and have provided support throughout the project.

Crystal Hill (CH) stated that this is all residents speak about, this sentiment was echoed by CR. CH and CR urged the trust board to act on behalf of the community.

Members asked the board to convene a vote on the request for an EGM to address the multiple issues arising from TGDT's development on the former old school site, Tomintoul.

An initial statement of 'overwhelming majority' following a show of hands in favour of the motion was characterised as dismissive by CH and a count was demanded by members.

For 21 + 35 proxy votes

Against 0
Abstained 0

PR stated that the EGM should be within seven weeks according to Section 303 of the Companies Act 2006.

Karen White (KW) asked the board who they worked for? TS responded that the board are volunteers. KW went on to state the board work for the community.

DM asked what happens when a property hasn't been constructed to planning and building warrant? And stated the mortgage ombudsmen get involved. DM went on to state the TGDT board is not privy to all the information. DM insisted that CHT are not present at the EGM, the TGDT board stated they cannot agree to this.

Ellie Richardson suggested TGDT should consider its position as the 5th property owner.

PR suggested the board is being hoodwinked by its main contractor Alpha Projects.

DM suggested that if the trust folded the assets would pass to another charitable organisation with a similar remit such as CHT.

There being no other business the meeting was closed at 2005h

- - - - -

The following comments on the minute were received following their publication.

Karen White

To:info tgdt.org.uk

Thu 18/07/2024 16:01

To the Board,

Please be informed that the minutes from the meeting dated 3rd Jul 2014 are not a true and accurate reflection of the proceedings. For those reading these minutes who didn't attend, they will not have any idea of the emotion and frustrations of the members that drove this meeting and the absolute disregard for them that ensued.

There is no record of people in attendance or apologies.

There are conversations missing and some of the answers are just plain fictitious : I had stood up to ask the board who the TGDT worked for, who the board were answerable to, after TS had mentioned earlier that they were supported by CHT, and TS replied "No-one". I went on to state that they are answerable to the community, so why aren't the board supporting the community and chasing the CHT to get the housing issues sorted. I received no reply but was told to sit down with a wave of a hand. I remember that quite clearly, so why is the reply by TS written down in the minutes as "we are volunteers" when that was not said to me?

These minutes are wholly woeful and should be rewritten properly.

The AGM and Open meeting minutes from March are not much better albeit in draft form. The comments allegedly from TT were actual made by TB, and where is my "passionate" statement? That should be included in the minutes. I emailed it to Oli Giles as requested so it should be included word-for-word.

As a member of the TGDT I am disappointed with the defensive and dismissive attitudes, when the board should be pulling out all the stops to listen carefully to resolve these issues for the clearly distraught residents, especially since the board could well be in the same boat being the landlords/ 5th homeowner. There's too much reliance on CHT to do a proper job when they obviously haven't already as clerk of works.

I wholeheartedly hope that the advice given by Drew McPherson to contact the mortgage and home insurance ombudsmen to get an understanding of the concerns being experienced by the homeowners is being followed up and not being fobbed off with an offhand and disrespectful remark by a particular director.

Please understand I want the board and the Trust to succeed but currently feel you are failing in your responsibilities to the community and particularly the residents of your housing project.

Yours sincerely

Karen White

Ellie Richardson

To:info tgdt.org.uk

Thu 18/07/2024 14:10

Hi Oli

I know I have raised this many a time before, but the minutes MUST accurately reflect the discussions that take place at meetings, especially a general meeting of such importance. I have a number of comments / observations on the minutes from the general meeting of the 3rd July where further information must be included to reflect what actually took place:

- As a public meeting, a list of attendees should have been taken and any apologies given. This should be included in the minutes that have been sent out, especially as an important vote was taken at the meeting.
- At the start of the meeting I asked for a commitment on when the outstanding minutes from the previous general meeting and AGM would be available. None was given. This should be in the minutes. (I appreciate these are now published)
- When Dru McPherson delivered the request for an EGM the minutes need to reflect that the board were unaware of the process to be followed and stated that they would defer to Alistair Sharp's legal expertise. Alistair requested time to review the legal position in relation to the Companies Act 2006. I also suggested looking at what provisions are made in the Articles of Association.
- The minutes do not pull out the actual issues discussed, only give a one line summary which does not allow people who can't be present to understand what was raised at the meeting. Updates required are:

- the actual issues with the properties that was outlined by Dru McPherson must be detailed;
- the communication issues that Mark Johnson raised must be detailed,
- Scott Ashforth did not just mention render splatter on Hunter and Chloe's door, he also mentioned that David Tuvee stated that they would need to be replaced. Instead an Alpha contractor was sent a year later to 'scrape' the door with a Stanley blade and then agreed a new door needed to be installed. This still hasn't been done.
- what is the significance of the completion certificate being issued in May 2024 that makes the request for maintenance fees illegal? Dru explained this in detail but it is not documented.
- Members commented on the adverse impacts that this is having on their lives and this is not brought out in the minutes, especially the feeling of anger and being let down by the Trust.
- Mark Johnson and Crystal Hill highlighted that they had an independent survey carried out on their property but this is not detailed.
- The minutes do not reflect that 2 board members stated that they were unaware of the issues, Sam Robinson and Alistair Sharp, and the board were challenged by owners and tenants why this is the case when so many emails have been sent to the TGDT outlining the issues. It was asked why board members were unaware.
- Crystal Hill raised her disappointed in the Chair who appeared to be smirking when members were talking about the issues and stress that are experiencing. The Chair apologised if that was people's perception.
- When Dru McPherson offered some advice to the Board, Robert Mintram, a Director stated 'no thank you'. I had to personally call this out as inappropriate behaviour as none of the Board did.
- Phil Rogers actually stated that according to the Companies Act 2006, Directors are required under section 303 to announce the date of the requested EGM within 21 days from the date on which they become subject to the requirement, and it must be held on a date not more than 28 days after the date of the notice convening the meeting.
- When Karen White asked who the board worked for, Tilly also stated that they worked for the TGDT. This is what prompted Karen to say state that they work for the community.
- Dru McPherson called out that an Alpha contractor has been making inappropriate comments in the local hotel
- The conclusion of the minutes is incorrect. There was no opportunity given to discuss any other business as the Chair brought the meeting to a close. This fact should be noted.

I am happy to discuss any of these points.

Kind regards

Ellie Richardson

From: Martin Richardson
Sent: 18 July 2024 12:13
To: oliver tgd.org.uk <oliver@tgd.org.uk>
Subject: TGD Meeting minutes

Hi Oli

I am writing to you with regards to the minuets of the last meeting as I believe they do not reflect the meeting. If I hadn't attended the meeting i would be unaware of all the problems with the houses. There seems to be a lack of concern by all the directors and employee about this situation which to me is very concerning.

There is no mention of all the issues that Dru McPherson raised especially the issue with a 65amp fuse blowing in one of the houses which could be a major fire risk.

It seemed to me that some of the board where unaware of a lot of issues and did not know how to answer some of the questions. It looked like they have been with held the information.

There is no mention of the chair smirking in the minuets.

Also there is no mention of Robert Mintrums comment when Dru said about he was just trying to give you advice and he rudely said NO THANK YOU this is not a comment I would expect from a director.

Mark Johnson said he had a private snagging inspection before he moved in and that very few have been sorted out of all that where reported and I believe it was over 100.

You say at the end of the minuets that there being no other business the meeting was closed at 2005. We were not asked if there was any other business as the chair shut the meeting with out asking.

If we had been asked if there was any other business I would of asked why I have not had a reply about the lack of maintenance at the hostel. This again is just the lack of communication that us members have to put up with.

As a member I have not been receiving emails. Could you please ensure this email address is added to your circulation list.

Kind regards

Martin Richardson

From: Whisky Castle Sales <sales@whiskycastle.com>

Sent: 16 July 2024 16:41

To: oliver tgdt.org.uk <oliver@tgdt.org.uk>

Cc: tilly@cairngormreindeer.co.uk <tilly@cairngormreindeer.co.uk>;
helmuthforboskone@outlook.com <helmuthforboskone@outlook.com>;
alastairsharp@asmediation.com <alastairsharp@asmediation.com>

Subject: Open Meeting Minutes

Hi Oli

As per my email last Friday after I read the meeting minutes from the Open Meeting, I am confident in saying these DON'T accurately reflect the meeting.

The following are points that need to be added to the minutes. There are a number of others who will also be sending you notes. I am wondering if you were present in this meeting based on the minutes you published. You didn't really say a thing so you have no excuse on this one, it MUST reflect what happened in the meeting and it didn't.

Overall issue - the minutes don't accurately reflect the feeling in the meeting with the members present, the renters and owners of the houses all showing sadness, anger and shock at how badly the houses have been left with regard to construction and the lack of work undertaken by any party to address the issues.

Other Points Missed

Mark and Crystal stated they had their property independently surveyed before they moved in and mention their number of snagging issues but they have only mentioned Charlottes.

Scott Ashforth clearly stated that at least 2 of their board members (Scott pointed to Alastair Sharp and Sam Robinson) were not being told the full story with Sam stating he knew nothing of the electrocution. SA asked was it the case that Oliver Giles knew the whole story of all the problems and emails but these were being held back and not passed on to the directors. No other comment was made from the board on this.

Dru listed between 15 and 20 different issues with the houses and these are not in these minutes.

The incident with the Chair of the meeting smirking is not stated and questioned by Crystal.

Robert Mintrum who is a TGDT director or was a director heard Dru state he was only trying to give advice and he stated in the room in the meeting 'WE (as in the board) don't need your advice'. No-one including the Chair corrected Robert but a former Director, Ellie Richardson, on her next point started by saying that Roberts behaviour was inappropriate. Again, no comment from the Board.

Overall the board and member of staff Oliver Giles struggled to answer any questions or give any valid reasons and solutions to the terrible situation.

Scott Ashforth (SA) asked a question about the doors that had render splatter on them. SA stated that on the first day that Hunter Ashforth and Chloe Sim moved into their property David Tuvee a current Director of the Trust stated that the door would need replaced as it was covered in cement render. A year on Alpha Projects sent Skye to scrape the door with a stanley blade only to agree that the house needed a new door and it still hasn't been replaced from (March 2023).

Tilly Smith said that about 50% of the snagging had been completed and everyone in the meeting who had one of the homes confirmed that next to nothing had been completed on their snagging list. The board then didn't comment.

Barry Payling raised the issue that the people fighting to get things resolved were not going to get much out of it as the Trust had no money. No-one on the board corrected Barry.

Oli, I assume you recorded the meeting and if so, please return to the recording and accurately state what happened in the meeting.

If you need any further information, don't hesitate to contact me.

Kind regards, Scott

Scott and Sam Ashforth

andrea campbell
oliver tgdt.org.uk
Hello Oliver,

I am writing to you today, in regards to the minutes of the last meetings. The minutes I have read, from both of the meetings in the Glenlivet hall and the Green hall. In no way do I believe they reflect what was said, on the nights they took place.

It baffles me that the board can sit there and act shocked at the issues that were pointed out, as for the last year this has been mentioned time and time again. Not only at meetings but also via E mails, it's even been in the news.

The lists of issues Dru Macpherson mentioned, can I ask exactly where this has been documented?

The emotion and distress of both Charlotte and Crystal, it seems is not worthy of a mention in your minutes? As there is no mention of this. I can't even tell you their surnames. Which should have been included in your minutes.

Are toddlers being electrocuted? Not important enough for minutes either?

There is no mention of the chair or you smirking in the minutes. Which as people in charge of TGDT, not only I but the community deserve better.

Also when Dru MacPherson explained he was just trying to give you advice, then Robert Mintrums rudely said "NO, THANK YOU". This is not a comment I would expect from a director, it definitely should not have been left to Ellie Richardson to speak up about this.

Mark Johnson said he had to have a private snagging inspection before he moved in, that very few have been sorted out. Of all that were reported, I believe it was over 100. This should not be swept so easily under the carpet. People are having to live in their homes with these issues, TGDT have got to take responsibility and ensure that all these issues are corrected sooner rather than later.

It states at the end of the minutes that there being no other business the meeting was closed at 20:05. We were not asked if there was any other business, as the chair shut the meeting quickly and without asking people in attendance if there was anything else people wanted to bring on the agenda.

These minutes are in my (and others) opinion not factual at all and are very misleading to members who read this and did not attend the meeting on the night.

This again is just the lack of communication, that members have no choice but to put up with.

At other meetings I attend minutes are recorded to ensure factual information is published. At this point, I assume this is not the case with TGDT as your minutes are simply fictional and do not reflect what actually happens during meetings.

Andrea & Kevin Campbell

Sent from my iPad

From: Mark Johnston

Sent: 21 July 2024 11:32

To: oliver tgd.org.uk <oliver@tgd.org.uk>; Tilly Smith <tilly@cairngormreindeer.co.uk>

Cc: Crystal Hill; Lewis Featch <lewis.featch@parliament.scot>;

richard.lochhead.msp@parliament.scot <richard.lochhead.msp@parliament.scot>;

planning@cairngorms.co.uk <planning@cairngorms.co.uk>

Subject: Fw: Open Meeting Minutes

Hi both

(Mr Lochhead and team, and Cairngorms Planning copied in for information)

Having taken time to read through the published minutes of the Open Meeting, of 03/07/2024 at Glenlivet Hall, we do not think they accurately reflect all that was raised and that there are several key omissions:

- **Mark Johnson (MJ) (*please note my name is spelt Johnston*) highlighted the issue of communication between Community Housing Trust, TGDT and residents.** This was in response to Tilly saying the board should have received notice that this issue and the request for an EGM were going to be made. My point was we had previously requested a meeting to raise these issues and had been asked by Oli to allow 14 days. After the 14 days passed no meeting was forthcoming and we were eventually informed by CHT that we would not be granted a meeting. I also

raised the fact that there are hundreds of emails between residents and TGDT about this issue so none of it should be a surprise.

- Scott Ashforth clearly raised the point that it appeared at least two members of the board were not aware of the extent of the issues . This was not denied by the board - this does not seem to be recorded in the minutes.
- There were several instances where members felt the board were being dismissive or worse - Crystal Hill challenged Tilly on this and Ellie Richardson challenged Robert Mintram too. Robert's behaviour in particular was not befitting at such a meeting when people had clearly stated the detrimental affects these issues have had on them. This leads on from our meeting at the end of last year when employees of CHT were rolling their eyes and making exacerbated noises at residents. Once again I want to clearly state these issues are having serious impacts on peoples mental health and are spreading into general village life. Therefore, I think it is appropriate to record in the minutes where residents feel that TGDT have not been reacting in a professional manner that reflects the seriousness of the issues.
- *Charlotte Rogers (CR) spoke of over 100 snagging items on her property and the lack of heating since October 2023.* At this point we stated that we had paid an independent Snagging Contractor who returned a list of over 140 items. This should be recorded in the minutes.

I would appreciate the minutes being updated to reflect these interactions or an explanation as to why you think it isn't appropriate.

Could I also ask when we will have a date for the EGM?

Regards

Mark & Crystal, 8 Cults Drive, Tomintoul.