

Minutes of the Extraordinary General Meeting held on Thursday 16th August at 12 noon.

Meeting held at Kings Heath House, Kings Heath Park

Following the receipt of a petition from the members the sole business of the meeting was to discuss and vote upon **“The dismissal of Brian Holmes as a trustee of the Moseley and Kings Heath Shed”**

Two resolutions has duly been proposed to be heard at this meeting, as follows:

Resolution 1: that resolution 2, below, is conducted using a secret ballot

Resolution 2: that Brian Holmes is dismissed as a trustee of Moseley and Kings Heath Shed with immediate effect and not allowed to become trustees again for one year from the date of the dismissal.

Attendees: Martin Mullaney (Chair), Belcher Michael, Belcher Carol, Branch Richard, Brown Sylvia, Brown Paul, Corcoran Eileen, Currell Peter, Finn Malcolm, Galatia John, Ghinai Saeed, Goggin Michael, Holder Mark, Holmes Gill, Holmes Brian, Jay Stephen, Mashood Jalil, McNally Sandra, David Nicholls, Olley Chris, Oldham Ingrid, Penhaligon Richard, Potter Larry, Price Fred, Ray Jennifer, Spears Anne, Stokes Les, Shortland-Webb Sue, Stokes Sue, Travis Peter, Treadwell Rob, Tyrell Paul, Wain Michael, Williams Fred, Williams Stef

Apologies Nigel Gleaves

The Chairman Martin Mullaney (MM) welcomed everyone to the meeting and informed them of the format of the meeting.

Brian Holmes (BH) raised several objections which included

1. Stating that the petition had been vexatious, defamatory and malicious
2. Not all members had been notified of the meeting and failing in keeping members records up to date
3. Notification methods not acceptable and not within the constitution or guidance notes from the Charity Commissioners.
4. Also in accordance with the guidance from the Charity Commissioners that the Chairman had not brought a copy of the constitution of Moseley & Kings Heath shed to the meeting.
5. Petition was not legally sound

Objections were also received from Gill Holmes (GH)

These objections mainly concerned around the fact that her notice in respect of the EGM was not received within the timescales laid down in our constitution.

MM confirmed that we do not hold email addresses for 11 members and the notice for the EGM had been posted to them.

Resolution 1

BH raised the following concerns

1. Our constitution does not include any procedures in respect of conducting ballots or polls. That in fact our constitution is not complete
2. BH had not been consulted regarding the wording of the resolution.
3. No agreement had been sought in respect of who was going to oversee the ballot to ensure impartiality

Michael Belcher offered to oversee the ballot and BH and GH were happy for him to undertake this role.

The Chairman then asked for a show of hands in respect of taking the vote on Resolution 2 as a secret ballot. Passed by a substantial majority

The Chairman then gave the petitioners and BH an opportunity to address the meeting. Each party being limited to a maximum of 5 minutes.

The petitioners were represented by Sue Stokes (SS).

1. SS acknowledged BH contribution to the shed and stated that he could remain as a member of the shed.
2. SS stated that the trustees had already contacted the Charity Commissioners and had been advised to hold an extraordinary members meeting.
3. SS described BH's disruptive behaviour including instances of throwing boxes and intimidating behaviour. Members were staying away from the shed
4. Disrupting trustee meeting preventing the ordinary business of the shed to be transacting.
5. Undertaking changes in the shed without consultation ie the siting of the tool sharpening equipment and the fitting of a compressor.
6. The petitioners refuted a lot of the claims in the statement which BH had circulated.
7. The issue was all about trust and if BH could be trusted as a trustee.

BH statement to the meeting

1. BH highlighted that he was a competent member of the shed and cited that a bandsaw blade had been fitted incorrectly by someone.
2. BH criticised the paper submitted with the EGM notification headed up 'Brian must go'. In particular, the fact that he was accused of being sexist. He also stated that being called an enthusiastic worker was demeaning.
3. BH reminded the meeting of the work which he had undertaken on the fabric of the building including the fitting insulation, assisting with the rewiring etc.
4. BH also reminded the meeting of his technical expertise particularly in respect of the filtration system fitted.
5. BH questioned if other trustees were sufficiently physically fit to be supervisors
6. Similarly, if some of the supervisors were sufficiently experienced and competent.
7. The problems which had arisen with Tools for Africa were the root cause of the current problems.
8. BH accused the membership secretary of not keeping members data private.
9. BH accused CB, LP & SMcI of stopping business being completed at a trustee meeting by walking out and which resulted in not having a quorum.

The Chairman then called for any comments from the members

GH addressed the meeting

1. Why had Martin Mullaney been brought in as Chairman?
2. Members had not given BH an unbiased hearing
3. Trustees had not sought mediation when it had been suggested by BH
4. The trustees, by bringing this action, were deflecting attention from their own incompetence
5. No reasons had been given for the dismissal
6. Everyone was aware of BH's mental issues and he had been hospitalised with a panic attack the night before the meeting
7. Why had the trustees already stopped him from being a supervisor.
8. GH also reminded the meeting of the amount of money that BH, GH and PT had raised for the shed.

Statement from PT

1. PT stated that he had been ordered to resign as a trustee when he also had received a similar petition to BH as he is a serving police officer
2. He is not workshy and has undertaken a lot of work at the shed when others had not come forward to help.
3. No effort had been made to get mediation
4. Trustees need to look at the objectives of the shed and ask themselves if they are fit to take these ideals forward
5. As well as the fund raising previously mentioned PT had also been responsible for getting work done at the shed at a reduced rate through his personal contacts ie the electrical rewiring undertaken by a professional electrician had cost the shed £200 whereas the commercial price should have been £2,000.
6. He had built up contacts with local businesses ie Stan Hems and Davis Timber

Statement from Fred Price

1. FP started by reminding the meeting that the shed had been set up for lonely people like himself.
2. FP detailed the aggression he had encountered from BH one Saturday morning whilst he was working at the shed. As well as a lot of shouting three toolboxes had been thrown in the direction of him and other people in the shed. One of the toolboxes would have hit him had he not moved.
3. FP stated that the shed should be a place of refuge and a supportive environment.

Statement from Steve Jay

SJ confirmed the details of the incident as described by FP. He described BH as the aggressor.

BH response

1. BH commented that the bandsaw had been left in an unsafe condition and that is why he was shouting
2. Only one toolbox had been slid towards FP not three as stated.
3. In fact, SJ had intimidated BH

The vote

For the motion 28

Against the motion 5

Spoilt ballot papers 2

Blank papers 1

The motion was therefore passed that Brian Holmes be dismissed as a trustee of Moseley & Kings Heath shed.