

**North Berwick Harbour Trust Association (NBHTA)**

**Full Meeting – Minutes**

**Wednesday 27 April 2011**  
**(Immediately after the AGM which started at 7.30pm)**

**Council Chambers, North Berwick**

**Present:**

Gerry Hughes            Chair  
Colin Cumming  
Alison Hall  
Dennis Kerr  
Jane McMinn  
Benjie Pearson  
Stewart Pearson  
David Reid  
Bill Roberts  
Ron Robson  
Jackie Tagg  
Bruce Todd

**1. Apologies**

Stewart Auld, Ken Burchell, Benjie Pearson

Not present: Cameron Small

**2. Welcome to New Members – Dennis Kerr, Stewart Pearson, Bill Roberts, Ron Robson**

Gerry welcomed the new members to the NBHTA.

He emphasised that the key focus for the NBHTA is to preserve the harbour area for ‘common good’ and not for any one particular group of users.

Gerry referred to the draft documents he had sent out for consideration which are attached [Chair Report, Harbour Manager’s Report, Trustees the Way Forward and NBHTA Structure: present and proposed.

**3. Matters Arising from Last Meeting (14 March 2011) and Approval**

Charitable status – No action had been taken due to other pressing issues: accounts and projects. However the status quo would be maintained. That is that the NBHTA would not commit the full Trustees to a course of action. Charitable Status and LTD Company should be left for the full Trust to decide.

However it was agreed that OSCR should be approached to ensure that they would be happy with the Empowerment Order should Charitable Status be applied for in future.

Insurance – Alison has obtained a quotation of around £3500 which will be included in the Order.

**Alison to send exact figures to Bruce.**

Page 2 Item 4 line 4 after ‘sea’ insert ‘wall’

Page 3 Item 7 2<sup>nd</sup> para after ‘Crane boom’ insert ‘lifting mechanism’.

## **Minutes Proposed by Bruce Todd and Seconded Jane McMinn**

### **4. East Lothian Council Outstanding Work List (Bruce Todd)**

Bruce reported that much of outstanding work has been completed.

The crane has been handed over for operation by NBHTA under direction of Harbour Manager/Master. The Rotation limit settings are still to be changed to 45 degrees for safety reasons. There is still some work to be done on the lighting system which will alert vessels that booms are in. **Gerry- to advise the appropriate authorities of the process.**

The dinghy park looks good with only the chains for tie downs to be installed which is expected within the next 2 weeks..

The missing rock marker in the bay [which was washed away] is still to be replaced.

Since the original list of repairs was compiled the concrete erosion at the bottom of the steps on Galloways Pier has become of concern. **Bruce is meeting with the ELC to ensure this work is included and done.**

Stewart asked about the tarmac at the commercial parking area. This was not damaged in the storm and was not included in the programme of works. **Gerry would raises this at HMT for future attention.**

### **5. Feasibility Study and Projects (Bruce Todd)**

Sea defences –Halcrow have done a study and presented their findings to 5 of the NBHTA. The Final report is expected on 28 April 2011.

The feasibility study budget is now exhausted.

The next stage will be to raise money for items that the NBHTA agrees to prioritise. Bruce suggested we look at applying for funding for a 'package of projects' rather than small one offs. The package could include:

- Raising of Sea wall
- Pontoon outside harbour wall
- Galloway's Pier improvement for low tide use
- Pontoons inside the harbour
- Controlling traffic on to esplanade
- Build of a more suitable HM office in a central position.

**Bruce would set up meetings with Dunbar Harbour to seek advice on potential funders/grant applications.**

Dennis circulated pictures of pontoons being used in some areas especially Scandinavia that are small and neat.

**Gerry would put a team of 4 together to look at the feasibility study and projects for the future.**

**Gerry handed a schematic diagram of NBHTA projects to Bill for him to circulate to all members.**

### **6. Legal - Towards Trust Status (David Reid)**

David gave a background of the legal process [empowerment order] and progress so far for the benefit of new members.

He hoped that the draft bill would be available for the next meeting.

It is hoped that the NBHTA should be able to endorse the draft by the end of May.

Bye Laws – David Lumbard has spent a great deal of time drafting the by-laws. These will be circulated to all members for consideration. It is the Trustees who will have to submit these not members of the Association. Until then the ELC bye laws apply.

A question was asked about liability of Trustees – David reported that insurance would cover the Trustees. Also the wording of the order does indemnify individuals up to £50k [assuming actions taken in good faith]. In event of major catastrophe the harbour would revert to ELC ownership.

The final document with regard to the legals is the Minute of Agreement which covers other items such as the amount of the annual grant and any outstanding items of repair.

The area which is coming over to the Trust is identified by a plan which was shown to the new members]. **Bruce to send out plan to new members.**

Galloways Pier is 50% owned by the Crown Commissioners and Bruce is trying to facilitate the land to be gifted to the ELC in order that it can come over to the Trust.

**All relevant documents will be circulated prior to the next meeting.**

Gerry thanked David and his team of Bruce and David Lumbard for taking on this arduous task.

With regard to timescales David reported that we could possibly become a full Trust by November 2011.

**7. Letting of Buildings** (*Gerry Hughes*)

There has been no 'proper' process for letting of buildings. ELC have used a 'bidding' system which has now ceased.

Vacant stores will be advertised on the ELC web site so all interested parties can apply. ELC and NBHTA will discuss and agree allocation.

There has been some interest in the old changing rooms. The meeting agreed that interested parties should approach the ELC in the first instance.

**8. Accounts** (*Alison Hall*)

1<sup>st</sup> quarter accounts will be ready for next meeting.

**Alison will write to remind ELC about old debts [2008 and 2010].**

**9. Administration** (*Jackie Tagg*)

Inevitably the invoices for the dinghy park were late this year as we were awaiting the repair work to be well under way. However most people have paid their fees [full fees this year]. Just a few are outstanding which will be followed up next week.

The spaces were allocated on a first come first served basis, unless there were reasons to give specific spaces eg size or type of boat. Obviously this has meant advising everyone of space numbers. There is a note on the window of the office and the ELYC have e mailed all members. Now concentrating on the annual return to HMRC and setting up accounts with suppliers for various items.

Bank Account – Jackie proposed that Derek be removed as signatory and Ron, Dennis and Bill be added. This increase in the number of signatories will help Jackie as it often difficult to get 2 signatures for cheques in a timely manner.

Lobster Shack – 3 memorial benches had to be moved but this has been done with the full agreement of the families.

**Alison to circulate signature financial limits to new members.**

**10. Health and Safety**

No issues at present.

The Harbour Master needs to ensure the crane is moved once per week. **Gerry to arrange. The process for accessing the crane key to be discussed at HMT meeting.**

**11. Harbour Manager's Report – (Gerry Hughes)**

The current members have served for some time and Gerry proposed to look at the make up of the HMT. The meeting agreed with this proposal.

**12. A.O.C.B.**

**Web master – David Lumbard has agreed to continue to update the web site for the present.**

Charges for passenger landings by Dunbar boats – **HMT to deal**

Bicycle ice cream seller at the harbour – **agreed that she should be advised to approach the ELC for the appropriate permissions.**

Parking on the esplanade – there has been several instances of abuse and there is concern about the lack of compliance. It was suggested that the HM be given some more 'teeth'. **Agreed we should look at withdrawing dinghy facilities or other actions where people persistently offend. HMT to pick up this issue.**

**Commercial parking and processes also to be looked at by HMT as there are now 2 major tour operators plus other commercial/fishing vessels .**

**Date of Next Full Meeting  
1 June 2011 19.30 hours**

**The meeting ended at 21.10 hours**

Jackie Tagg