

# NORTH BERWICK HARBOUR TRUST ASSOCIATION

## Minutes of Meeting with Legal Team Wednesday 31 May 2006 @ 7.30pm at Clubhouse, ELYC

**Present:** Bruce Todd Deputy Chairman  
David Robertson Legal Team  
Derek Braid Secretary

**Apologies:** Gerry Hughes Chairman  
Donald Wright Legal Team

**Circulation:** As above plus NBHTA Web Site ([www.nbharbour.org.uk](http://www.nbharbour.org.uk)) and NB Library

### 1. Introduction

The purpose of the meeting was to provide a progress report.

### 2. Security Issues

David has met with Donald Wright to discuss security issues. It was agreed that it would be premature at this stage to look at security without specific plans. If there are no initial physical changes, then there is not a significant contribution that Donald can make. It was noted that East Lothian Council (ELC) are looking at possible CCTV locations, in particular to identify crime hot spots. The harbour is not a crime hot spot.

### 3. Legal Issues

#### 3.1. Constitution

David considered it important for the Harbour Association to have a constitution. Although at this stage, of investigation and co-ordination, it is perhaps not required, it would be better to create a constitution now, in anticipation of future activity. **David has created a draft constitution and he will send it to Derek for circulation to Gerry and Bruce for comment and approval.** Thereafter, the constitution will be passed to the NB Harbour Management Committee (NBHMC) and to ELC for information.

#### 3.2. Ownership of Harbour Area

Initial investigation has been done but is inconclusive. It may need professional paid legal work to make real progress. However, identifying the area that a Trust would own/control is a vital requirement and it was agreed that we should write to ELC asking then for this specific information and asking for copies of the title deeds. If a Trust is formed, this is work that ELC would have to undertake anyway. **David will draft a letter for Derek to send to ELC.**

#### 3.3. Formation of Trust

It was important that the NBHTA knows what is involved in setting up a trust and what has to be done. It is also important that we understand how the initial appointment of trustees should be administered and the basis for a management structure to run the harbour. **David will provide a list of issues and task that must be addressed to form a trust.**

#### 3.4. Trust Articles of Association etc

David already has a copy of the Dunbar Harbour Trust Articles of Association and Derek provided a copy of the Elie Harbour Trust's document. **David will compare the documents and advise the differences and comment on which may be better.**

#### **4. Next Stage**

The next major milestone is the full meeting of the NBHTA on 28 June. **David will provide a progress statement before that meeting.**

*Derek Braid*  
6/6/06