

Minutes of Meeting

NORTH BERWICK HARBOUR TRUST ASSOCIATION (NBHTA)

Date: Wednesday 4 October 2006 @ 7.30pm

Place: ELYC Clubhouse, North Berwick

Present: Gerry Hughes Chair
Bruce Todd
Stewart Auld
Ken Burchell
Jim Sandison
John Hookway
Alison Hall
Gary Lawson
Colin Cumming
Derek Braid Secretary

Apologies: Jane McMinn
David Lumbard
David Robertson
Jackie Tagg

Circulation: As above plus NBHTA Web Site (www.nbharbour.org.uk) and NB Library

1. Minutes of Meeting of 23 August 2006

Proposed: Bruce Todd Seconded: Ken Burchell

Matters Arising

Application for Grant – we have asked Tom Shearer of ELC and he advises that there are no funds available at present

Bank Account – Alison has still to arrange change of contact details

Perception of NBHTA – Ken advised that there had been comments indicating a perception that the NBHTA was seen like being a ELYC committee. Ken pointed out that 3 members of NBHTA were not ELYC members which reflected the proportion of users of the harbour. However, Gerry advised that later in the meeting we would be discussing proposals that would help correct the perception.

2. Future Preparation of the Agenda

Gerry advised that in future, the NBHTA would be asked by email before the meeting if there were any agenda items they wished raised.

3. Meeting of Core Team with East Lothian Council (ELC)

Gerry confirmed that Bruce, Derek and himself had met with Tom Shearer of ELC on 2 October and Derek handed out draft minutes of that meeting. The various sections and the reaction from Tom Shearer were summarised as follows (NBHTA members had been previously circulated with the documents presented to Tom Shearer at the meeting on 2

Oct)

Bruce referred to 'Lands to be Included' paper and advised that Tom Shearer saw no problem in principle to the proposals although more detailed discussions would be required. The onus was now with ELC to prove ownership of the various lands being proposed. Alison Hall referred to item 6 referring to car parking privately owned by residents and asked if item 6 could be amended and the words 'of the Granary Building' removed. This was agreed.

Bruce referred to the 'Financial Principles' paper and advised that Tom Shearer could see no difficulty with any of the items and he recognised that there were existing management costs which should be included in the grant to the Trust. Jim Sandison asked whether we should ask ELC to contribute towards the cost of insurance. Although we expected to arrange our own insurance, Bruce agreed that this should be negotiated with ELC. Ken Burchell asked for clarification about item 7 – 'All property within the trust to be zero rated' and whether this referred to Rates or VAT. This point remains to be clarified.

Bruce referred to 'Summary of work that should be carried out by ELC prior to setting up a Trust'. Tom Shearer warmed to our proposals but as there was currently no budget, the points would need to be negotiated. A commitment to undertake agreed work in the future would be sufficient. It was also noted that we are aware that ELC have already looked at Item 1 (SW Pier). We also obtained agreement from Tom Shearer that the NBHTA would now be involved in any investigations or work being carried out by ELC.

Gerry referred to the 'Proposed Management Structure' which was based on the Dunbar model. Tom Shearer agreed with the proposals.

Gerry referred to the 'Proposed Harbour Master Duties'. It was agreed that this would require further discussion, although it was made clear that the current Harbour Master would be TUPED to the new Trust unless the present incumbent requested redeployment within ELC.

We agreed that ELC would undertake a Health and Safety Audit of the Harbour and this is to be arranged as soon as possible and would include involvement from the NBHTA. It was agreed that John Hookway and Stewart Auld should represent the NBHTA.

Gerry advised that Tom Shearer had suggested that the new Trust could manage the harbour in parallel with ELC from 2007, in a similar way to the Dunbar experience.

Gerry suggested this was a great opportunity for the new Trust and it provides a risk free introduction to running the harbour. The meeting supported this view.

4. The Way Forward – Proposal from the Core Team

Gerry advised that he had discussed the outcome of the ELC meeting with Bruce and Derek and proposed the following:-

The preference would be to start parallel running as a Trust, but it seems impractical in the timescale. We considered that Spring 2007 would probably be a likely start date for parallel running. Therefore it is suggested that we set up a properly constituted association along the same lines as the Trust Ports Model. In this way, the Association

could then be migrated into the new Trust once the legal work to set up the Trust had been completed. The Trust Port Model also ensured openness, transparency, and a broad cross section of trustees, which did not represent particular interests.

Gerry, Bruce and Derek have already spoken to Malcolm Baker about the suggestion to disband the NB Harbour Management Committee at its next meeting on 22 November, and Malcolm agrees with the principle, subject to agreement of its members at the next meeting.

As there is no past chairman to initiate the advertising, interviewing and selection of the 12 'Trustees', Gerry asked permission for the core team of Gerry, Bruce and Derek to undertake these tasks. Gerry advised that he hoped that most of the members of the existing NBHTA would apply to be 'Trustees'. It was also noted that that effectively Gerry, Bruce and Derek would become trustees, as they could not interview themselves. The meeting suggested that the Core Team should be joined by one non ELYC member and it was proposed that Jackie Tagg should be nominated. This suggestion was formally proposed by Gary Lawson and Seconded by Stewart Auld and carried unanimously by the meeting.

Gerry will report back to the NBHMC on 22 November prior to commencing advertising for trustees. However, preparation to undertake the procedure will commence before then, and the NBHTA will be asked to approve the advert at the next meeting on 29 November.

Bruce advised that he was setting up a meeting with Bill Axon of ELC, to ensure that the Harbour Master is fully informed, as soon as possible, of the proposals for parallel running in 2007.

5. **The Way Forward – Other Actions**

The following other actions were proposed and agreed.

Accounting and Fee Collection – Alison, Jane and Jim to investigate and set up an accounting and fee collection system

Harbour Master Duties – all members to consider and suggest suitable duties for the Harbour Master. Derek provided copies of the current North Berwick Harbour Master Duties and the Dunbar Harbour Master duties. Responses should be sent to Derek by Friday 13 October.

Harbour Rules – all members to consider and suggest suitable rules for the harbour under the new management arrangements. Derek provided copies of the Current NB Harbour Management Rules and copies of the Dunbar Harbour Trust Bylaws. Responses should be sent to Derek by Friday 20 October.

Secretariat – formal arrangements for a Secretariat were required and it was agreed that Derek and Jackie should attend to this.

Funding – there was a requirement to set up a team, say of 3 people, to look at identifying and obtaining potential funding. This will include Bruce, and two other people need to be identified. The advert for Trustees may identify candidates.

6. Trust Objectives

At the last meeting, members had been asked to provide suggestions for work or projects to be undertaken in the first 1 year, 3 years and 5 years. The suggestions from Jackie, Bruce and John were circulated and Ken added his suggestions. It was agreed that Derek should consolidate and circulate the suggestions, plus any others received within the next day or two, for consideration.

7. AOB

Ken and Stewart complimented the core team on the progress made.

John suggested that we should have a development plan which could then be considered for funding. It was agreed that the list of suggestions (Section 6 above) would form the basis of that plan.

It was noted that we would hope to obtain approval to use the NB Council Chambers for future meetings after the NBHMC had been disbanded.

8. Next Meeting

Wednesday 29 November at 7.30pm at ELYC Clubhouse.

Derek Braid
5/10/06