

# NORTH BERWICK HARBOUR TRUST ASSOCIATION

Wednesday 28 March 2007 @ 7.30pm, Council Chambers,  
North Berwick

## Minutes

### Present:

Gerry Hughes	Chairman
Jackie Tagg	Secretary
Stewart Auld	
Derek Braid	
Ken Burchell	
Alison Hall	
Gary Lawson	
Jane McMinn	
David Reid	
Jim Sandison	
Bruce Todd	

### Apologies:

Colin Cumming  
John Hookway  
David Lumbard  
Benjie Pearson  
Cameron Small

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

### 1. Apologies

Noted

### 2. Minutes of meeting of 7 February 2007 and matters arising

Public Toilets at Harbour– Bruce reported that the ELC were not doing much with regard to the public toilets. Disabled access from Anchor Green had been considered but rules out due to practical difficulty.

However ELC had entered an agreement with the Scottish Seabird Centre [SSC] allowing disabled members of the public to use their disabled toilet. A notice to this effect had been put up at the Harbour.

It had been noted that notices baring Jet Skis had been put up in the Harbour area. Gerry reported that this was a decision taken by the Harbour Management Committee. Kenny questioned this on the basis that it had not been agreed with ELC formally. There was general discussion and concern raised that this action might not be helpful to the NBHTA as it

may be seen as our action. Gerry agreed this might need to be looked at once the NBHTA is running in parallel with the ELC.

**Minutes proposed: Kenny Burchell**

**Minutes Seconded: Stewart Auld**

### **3. Report on ELC Cabinet Decision (Gerry Hughes)**

Gerry reported that Cabinet had agreed to the proposal that North Berwick Harbour should be transferred to a Trust. Also agreed - that the first stage be to have parallel running with the NBHTA.

It was noted that Cllr Rankin had been very helpful and had spent time in discussion with some members of the NBHTA to fully understand the proposal.

The Core Team was congratulated by the rest of the meeting.

### **4. Report on ELC Meetings (Bruce Todd)**

The following meetings had been held:

1 March 2007

Tom Shearer, Head of Community Wellbeing, ELC with Gerry, Bruce and Derek

19 March 2007

Bill Axon, Principal Officer SportsPlus, ELC with Gerry, Bruce and Derek

The Discussion topics were the same at both meetings.

### **Land and Titles**

Bruce reported that the Land and Titles to be passed to the Trust had generally been agreed. Details are with the ELC Legal Department and a response is awaited

There is an issue with the land on which the SSC stands. The SSC does not wish for the land to be transferred to a trust.

It had been agreed that Tom Shearer will facilitate a meeting with relevant parties to discuss the issue:

Jess Turner/Alan Forsyth [Property Management, ELC]

SSC representatives

and NBHTA representatives

Bruce hoped that this would be early April.

The NBHTA position remains that land on which SSC sits on should be part of lands transferred. The same applies to the Sun Lounge land.

### **Fabric**

The list of items that NBHTA would require to be put right prior to Trust Status was again revisited. Generally there is agreement about this list but detailed discussions are still required.

Murray Hutchison Consultant Engineer for ELC is the person that needs to be involved. NBHTA had been trying to arrange a meeting via Bill Axon with Murray and Members of the Fabric team.

### **SportsPlus ELC**

This section of the ELC, which is currently responsibly for Harbours is moving towards a Trust itself. However Harbours will continue to come under the jurisdiction of the ELC and not be part of the transfer. The new organisation will be headed up by Eamon John and Helen Bruce.

### **Harbour Masters Office**

Bill Axon had given the NBHTA authority to use the old office. ELC would arrange telephone, E,L&P and also to provide a sign.

Jane McMinn would take a lead on making the office fit for purpose [see item below]

### **Management Agreement**

The NBHTA are still awaiting formal response from the ELC. Bill Axon reported that the ELC legal team had raised a few small points. Generally though there was agreement and Bruce was hopeful that this might be signed soon with some minor changes.

It was noted that there may need to be an addendum so that the SSC issue does not hold the agreement up.

The 1 April target would not be met. ELC felt 1 May might be possible.

Derek commented that he had not circulated the notes of the ELC meeting of 19 March, but would do so as soon as ELC agreed them.

Fees – ELC saw no problem with collecting fees and then handing them over to NBHTA [possibly in June].

Grant – ELC have awarded us a grant of £500 for the next financial year. Alison is setting up the bank account.

Bill Axon agreed to speak to Harbour Master about the Management Agreement to clarify the position. He would also arrange for one or two of the NBHTA to be present at part of the meeting. Bruce had not yet had confirmation that a meeting has been arranged or details of the dates.

Bill is still waiting for the H&S report from Rab Pillans

Harbour Master's Office – Jane had offered to lead co-ordinate the activity needed to smarten the office up [even if the power has not been arranged]. She would seek the Harbour Master's involvement. The aim would for it to be up and running for mid April. Gerry will organise a bulletin for the window. Everyone in the Harbour Management team and the Harbour Master should have a key [new lock will be needed].  
Thanks to all those who volunteered to help.

## **5. Report back from Harbour Management Team (Jane McMinn)**

Main priorities have been covered in the item above - Harbour Master's office. No movement can be made with regard to Harbour Masters hours, reporting etc until the Management Agreement in place.

The ELC would advise the Harbour Master to move to the office.

ELYC Regattas -charging for launching.

NBHTA have no authority for charging at present and indeed would not wish to present charges where none had previously without discussion and warning. However it would be sensible to start a dialogue with the ELYC for the future. When there is full trust status then things will be reviewed in line with the Constitution.

## **6. Report back on Commercial Boat Owners Association (Gerry Hughes)**

There had been an informal meeting in The County Hotel last Monday. About 20 Commercial Boat Owners attended along with Gerry, Derek and Bruce. It seemed a favourable meeting and people seemed positive and some ill feelings were put to rest.

There had been concerns about maintaining the number of commercial boats when full Trust takes over. Gerry had reassured the members that maintaining a working harbour was a priority.

The future of the Fishermen's stores was also of concern. The position is that this area is part of the lands and titles that will be transferred as far as the NBHTA is concerned.

However it would remain an area to be rented for workshops/stores [commercial as opposed to residential]. ELC have no disagreement that the Stores will come over to the Trust.

Currently the Council pay the electricity bills for the stores, but this would change when full Trust status achieved.

The main concern was about rents going up to a prohibitive level. NBHTA reassured the Commercial boat owners that this would not be the case. It was emphasised that the NBHTA wanted to encourage and support Commercial ventures.

H&S will remain the responsibility of the ELC until full Trust status achieved. It was confirmed that the ELC were aware of diesel storage.

Gerry further reported that the ELC are aware that Commercial Boat Owners Association exists but have had no formal approach.

## **7. Finance and Administration (Alison Hall)**

Alison and Jane had met with Dunbar Harbour Trust which is actually a PLC Limited by Guarantee. There are no share holders only Directors with limited liability. Dunbar is also VAT registered.

There was lots of discussion about PLC?? versus Trust. Alison would circulate a document outlining the differences.

It was agreed that we need to clarify our preferred process. **David Reid would look at all the legal issues.**

Dunbar financials take about 1 to 2 days work per month and are done on a voluntary basis by a local accountant.

There is £15k per year income from landing and fishing dues. Dunbar charges an angling fee. HM hours are determined by tide and are five days per week. There is however lots of

flexibility both ways in order to achieve Harbour objectives and meet customer needs. The Harbour Master runs his own fishing boat.

Dunbar recently installed diesel tanks and the rate is very competitive.

Alison suggested that the Quick Books software [max £300] would be a good package for the NBHTA to use for harbour fees. Harbour Master wages can be done free using the good Inland Revenue web site.

Alison, Jane and Jackie would be looking at a developing a procedures manual. It was also suggested that NBHTA look at maximising the dinghy park space.

Alison and Jane suggested that fishermen could legally advertise sale of lobsters from the store.

Alison and Jane would be meeting with the Elie Harbour Trust on 6 April.

### **8. AGM and Constitutional Requirements (David Reid)**

David confirmed that because we had recently been constituted, there was no need to hold an AGM in March 2007, and that the first AGM would be in March 2008.

### **9. Review of Schedule of Actions (Bruce Todd)**

Bruce would update and distribute.

### **10. Galloway's Pier and Boat Spaces (Kenny Burchell)**

Kenny gave a brief history of the Pier. It was built in 1887 in order to facilitate the use of passengers Steamers in the Forth. It had three tiers to enable maximum operation regardless of tide. These services ceased during World War 1.

It was put up for sale in 1919, but there were no takers. How it became to be owned by the Crown Estates is not clear but the ELC have the responsibility for repair.

Kenny had taken some photos of Galloway's Pier and the repairs. He also had a short video on DVD. Gary would make several copies to circulate.

The physical state of the pier seemed poor. Recent repairs did not seem, to the unprofessional eye, satisfactory. Use of the pier was limited by: season, sea state, tide and tourist preferences.

Kenny summarised that the pier seems to be a huge potential liability with little revenue advantage.

Kenny suggested that if NBHT did take on Galloway's pier then we would need a written statement to say the pier is safe. He suggested that this would be needed every year.

It was confirmed that ELC had been made aware of NBHTA concerns and had seen previous photographs. NBHTA has asked for sight of the engineers reports.

**Boat Spaces** – Kenny produced a sketch showing ways of increasing the number of spaces. He suggested that there should be dinghy's from the white gate all away along as well as filling the gap in the middle [with the proviso that arrangements would be made to continue to

run the Life Boat fete from there]. About 130 spaces could be provided which is about an extra 50 boats [and associated revenue].

Parking could be removed from the side of the harbour [six spaces] to provide more dinghy spaces.

There was concern about temporary spaces which are at half rate. However it was thought that generally people would not be unhappy about a change to permanent spaces.

In the long term future Kenny suggested extending the harbour in to the present dinghy park. Then in future space could be made for dinghy parking beyond the back of the SSC.

There was general discussion about the ideas which are very forward thinking. Initial, we will look at extending the dinghy parking spaces in the existing area, and not along the harbour wall which would reduce car parking spaces..

Gerry reported on the Harbour Management Committee meeting held the previous evening. The Harbour Management Committee were concerned about the state of the Harbour so had arranged a 'walk about' on 2 April. This could be a good time to suggest increasing the number of dinghy park spaces to ELC. Gerry to write to ELC to ask for increased mooring points and for flag poles to be removed.

The kayak club and their needs were also discussed. This club presently use the old changing rooms.

Vote of thanks was extended to Ken for his work and ideas.

#### **A.O.B.**

The role of members of the NBHTA and the Harbour Management Team was raised. It was agreed that it was important that members 'live' the spirit of the constitution and this means contributing to meetings, activity outside meetings and being welcoming to harbour users at all times.

#### **Date of Next Meeting**

30 April 2007 7.30 p.m. Council Chambers North Berwick