

**NORTH BERWICK HARBOUR TRUST ASSOCIATION**

**FILE NOTE**

**19.30hrs – 22 September 2014**

Full Trust Meeting – North Berwick Council Chambers

Present: G Hughes (Chairman)  
I Anderson  
J McMinn  
B Robertson (Secretary)  
D Fortune (Treasurer)  
Y Darling (Admin/Bookkeeper)  
E Reeder  
S Auld  
D Wright  
C Aston  
B Todd  
J McCarter

1. Apologies

S Hopkins.

2. HMT Meeting Update

Trust Member - GH confirmed Colin McCrory has stood down from the Trust. We thank Colin for all his help.

Booms - GH advised the quote for the booms was £6.5k. No other quotations have been obtained.

HM Team Meeting – GH advised that this meeting is open to all members.

Wash Down – GH advised that quote for the wash down area is £2.5k. This item has been put on hold.

Electrical Power Problems – A major electrical revamp has been requested by the ELC engineer. Surveys are being carried out at the moment.

Leaking Roof – The roof is leaking above the seating area. The contractor has claimed they were not contracted to fix this. This item is on the outstanding work list.

Galloway Pier – This item is already on the agenda.

Bylaw – IA asked WR for a copy of this.

Press – GH advised we should not be talking to the press at the moment.

Equal Opportunities Program – IA is working on this at the moment and will circulate a copy as soon as possible. We need to adopt this document when the employment of the Harbour Master transfers to NBHTA from ELC. The Harbour Master's employment terms and conditions cannot be changed. This was proposed by DW and seconded by JM.

### 3. Finances

DF produced and circulated a copy of the half yearly accounts. There is an element of seasonality in the figures as a large part of the income does not come in until the second half of the year (Lobster Shack).

Income is up from this time last year, but so are our expenses. We have received most of the mooring and dinghy park income. Binocular income is up since we now have two sets of binoculars at the harbour.

The professional fees stand out significantly. This represents the architect fees paid. GH confirmed there will be no more professional fees for the time being although the expenses in relation to the changing rooms will continue.

DF and YD will be monitoring expenses and a more robust procurement system will be put in place going forward.

GH advised that one of the project accounts will be ring fenced for specific jobs such as the Sea Defence project. We intend to transfer 20% of the harbour fee income from the main account and put this into the project account to boost the balance.

DF advised that we will be appointing Whitelaw Wells as our Independent Examiner. DF and YD met with Kevin Cattnach and we have now received a quote for £725 plus VAT for this service. Whitelaw Wells have provided a price for additional services, such as VAT advice. However, it was acknowledged that we would not be registering for VAT at this point. YD will write to Whitelaw Wells (copy to DF and GH).

It is intended that the Harbour Master's Office will be tidied and painted. YD should choose a suitable colourscheme.

DF acknowledged the work YD has carried out to date.

### 4. Minute of Agreement

GH and JM attended a meeting with ELC regarding item 16 which limits the Trusts liability for matters such as water damage, toilet maintenance, harbour cleaning, Harbour Master wages and insurance. ELC re-wrote this clause in a manner which was acceptable to them. GH was

of the opinion that the wording of this clause will not change and that we will have to accept it too. While it was acknowledged that ELC cannot guarantee funding indefinitely, it does provide us with some security. BT agreed to update the outstanding work list. The matter was proposed by JM and seconded by BT.

5. Lease Review

A copy of the interim Lease Agreement was produced. Once we received a response from ELC the agreement will be circulated again. We acknowledged that the only time constraint appears to be the 42 day for consultation following an application. No details were available regarding the professional fees due.

6. Galloway Pier

BT advised that the completion date for the project should be Friday 17 October 2014. GH suggested that we mark the opening of the pier with plaque and that we should arrange for someone to open it. Suggestions as to who should open the pier were invited.

7. Funding Update

JM advised that we received an offer from Viridor for £323,994 funding towards the breakwater and walkway. This money is from their special legacy fund and is subject to:-

- a. Entrust approval for the project. (JM advised that an application was sent to Entrust last Tuesday and that we should receive their reply soon).
- b. Signing of Funding Agreement.
- c. The contribution of a third party payment of 10%. (JM and GH met with ELC and we are hopeful that ELC will make a professional contribution).

No money can be drawn down until all three conditions have been met.

JM advised the group that Viridor have imposed very strict guidelines as to how and when the money can be awarded and spent. It is worth mentioning that we asked for £600,000 for the breakwater, walkway, toilets and units. Viridor will only provide funding towards the breakwater and walkway. They will not fund the toilets or units. We hope to apply for funding elsewhere to assist with these projects. We also need to start spending the money within 12 months of the offer.

JM also advised that Viridor require us to appoint a marketing company. As a result, David Booth from Creative Designs will be appointed. GH confirmed that we must get approval from Viridor for any marketing and press releases.

Viridor will be visiting the harbour on Monday 29 September. JM will be taking them on a tour of the property. JM/IS and GH will then be attending an award ceremony on the evening of Monday 29 September. JM will be making a 15 minute presentation on the project.

Although the funding may be public knowledge, it is vital that nobody mentions that we have been successful in securing funding from Viridor at the moment. GH will ask Viridor for guidance as to how and when to tell people.

JM advised that the Viridor funding includes VAT. Therefore, when obtaining quotations for the work, it should be noted that we only have £279,000 to spend. GH thanked JM for all her hard work.

However, we are still looking for funding for the toilets and units. IA confirmed that most organisations will not offer any funding unless you have Charitable Status. GH asked for volunteers to help BT. ED, CA and SA will be involved.

#### 8. Sea Defence Project

GH advised that we received a quote from Halcrow Engineering which seemed quite high. We have also received a quote from Fairhurst based on Halcrow's design. The Fairhurst quote is a cheaper option. We have also considered approaching Andersons (who are currently working on Galloway's Pier) for a quote.

As we have no experience awarding contracts, GH has approached Ray Montgomery at ELC for help. RM has suggested that we squeeze Halcrow for a more realistic quote.

There are two quotations necessary, one for the wall (profile B) and another for the wall and rock armour (profile E). GH advised ELC will pay the costs of checking whether the rock armour is required.

The Seabird Centre previously asked if we could extend the wall round the corner (profile B). There was a question regarding whether we should ask the Seabird Centre for a contribution and whether they should be included in the discussions. JM confirmed that we should talk to the Seabird Centre about the project although they should not necessarily be involved in the proceedings.

#### 9. AOB

IA would like comfort that the legal costs of the lease will be met by ELC. WR will continue to liaise with ELC.

CA would like to make sure that any PR in relation to Galloway's Pier is attributed to NBHTA and not the Seabird Centre.

DW raised the issue of CCTV. This is not an easy piece of equipment to put in place. It will be put on hold for the time being.

IA reiterated the need for confidentiality in relation to the Viridor funding.

#### 10. Date of Next Meeting

The next meeting will be held on Monday 20 October 2014 at 7.30pm.