

NORTH BERWICK HARBOUR TRUST ASSOCIATION

**Tuesday 30 October 2007 @ 7.30pm, Council Chambers,
North Berwick**

Minutes

Present:

Gerry Hughes Chairman
Jackie Tagg Secretary
Derek Braid
Colin Cumming
Alison Hall
Gary Lawson
David Lumbard
Jane McMinn
David Reid
Jim Sandison

Apologies:

Stewart Auld
Ken Burchell
John Hookway
Benjie Pearson
Cameron Small
Bruce Todd

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

1. Apologies

Noted

2. Minutes of meeting of 25 September 2007 and matters arising

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- the fuel tanks will be emptied by end of October. Discussion is needed about locating the tanks outside [may need planning].
- glass checks now in place

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- blockage to clack valve has now been removed by ELC
- the Community Council is looking at a common CCTV project with the ELC

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- Gerry had spoken to ELYC and they would be start paying for dinghy park spaces from next year. However the fees would be discounted by 50%.
- Gerry and Alison have a meeting on 7 November with Alastair Skinner [Vice Commodore [to discuss fees. This will include discussion about charges for about 50 Musto Skiffs in 2008 and 70 Solos in 2009.
- John Hookway had asked for an increase of funding for dinghy park to £2000. This was agreed.

- Chinese delegation – NBHTA was represented but it was embarrassingly poor organisation by ELC. The Chinese were all very pleased with their reception. Thanks officially recorded to ELYC for their help.
- Internal pontoons – Derek has passed all the work done in past to Bruce

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– Jim had had met with a water board representative with regard to the hose down area. To have a hose there must be a tank and pump. A hose cannot be run from the mains. It would be an unreasonable cost as we would have to pay for excavation of road. There was discussion about looking at drainage options from existing hose area. **Agreed to get this priced up – Gerry to ask John H and also involve residents**

-No news on old Pump Room – not sure if Cameron has now given it up yet

-The crane failed its load test so is now condemned– contractor estimates are about £3k but in any case the base of the wall is also moving. ELC have had a report from Gerry and a reply is awaited. There is no protection in harbour so it was agreed people needed to be warned and also encouraged to contact the ELC. **Gerry to arrange a notice in HM Office.** There was a question about liability in storm conditions.

-The Harbour Office door and windows were being replaced this week. Dave Berry has been asked for his support to get light and power in the office. **Gerry to check with Dave Berry on progress.**

Minutes agreed

Proposed - Jane McMinn

Seconded - David Lumbard

3. Legal Issues [David Reid]

Gerry suggested that the proposal to form a Company Limited by guarantee was not an option. Dunbar have failed to form a Trust so as soon as they applied for assistance there was a problem as the Order refers to the formation of a Trust.

David R clearly stated that we have no choice but to form a Trust in order to meet the Government requirement. There is provision in the order to protect the Trustees against liability by insisting that indemnity insurance is arranged. Costings need to be obtained later. There are still some small risks but these are minimal.

The Trust has to be formed prior to the Parliamentary order. David R advised that this Trust would not be 'live' until after the order. The NBHTA would therefore still exist. As no assets would be transferred no appointment of Trustees would be needed.

Agreed - NBHTA to complete the required documentation [draft Trust deed] to move toward Trust. David R to prepare this documentation.

Proposed David R

Seconded Jane McMinn

Vote - carried unanimously

There were questions about the Trustees. David R advised that 4 temporary Trustees must resign as soon as the Order is granted. Then new Trustees appointed. The recommendation is that there are 12 Trustees in total.

Gerry and David R to look at issue and approach existing members of the Association with regard to Trustee position.

Advertisements would be placed nearer the time.

4. Harbour Rules and Principles for Moorings and Dinghy Parking

Version 4 of all documents to be discussed had been circulated as pre reading. All items amended documents to apply from 1 June 2007. It was emphasised that the rules etc are designed to stop abuse rather than be inflexible.

There was discussion, questions and the following amendments were agreed. In Bruce's absence **Jackie would make the required amendments [version 5]. These amended documents would be discussed with ELC for their agreement.**

4.1 Applications Principles for a Mooring and dinghy parking

Item d delete the words

and used for the purpose of sailing skills development and sailing activities

4.2 Conditions relating to the allocation and use of mooring/dinghy parking bays

No amendments

4.3 Harbour Fees and Charges

Preliminary Notes Item 3 – after the word commercial insert
and fishing

Fishing Boats – delete

Where source of principal income

Commercial Boats – delete

Where source of principal income

Tender size - insert

Maximum 3.7 meters

The meeting recommended that the Fishing and Commercial Boats should be charged the same as the Recreational Boats. Although currently charged less than Recreational Boats, at North Berwick, unlike most harbours, Fishing Boats were not charged landing fees, and Commercial Boats were not charged per trip or passenger.

All documents were then agreed.

5. Finance and Controls [Alison Hall]

Not much change since last report. Accounts were given out.

ELC had been asked about a number of issues:

Alison to chase the issue of collection of fees in 2008 as the ELC had an internal disagreement.

Bank account had not been changed as the charges were too high.

6. A.O.B.

No other business

7. Date of Next Meeting

27 November 2007 19.30 North Berwick Council Chambers

Jackie Tagg

5/11/07