

# **North Berwick Harbour Trust Association (NBHTA)**

## **Full Meeting – Minutes**

**Wednesday 31 August 2011**

**Council Chambers, North Berwick**

### **Present:**

**Gerry Hughes (GH) Chair**

**Dennis Kerr (DK)**

**Colin Cumming (CC)**

**Jane McMinn (JM)**

**Stewart Pearson (SP)**

**David Reid (DR)**

**Bruce Todd (BT)**

**Jackie Tagg (JT – part time)**

**Bill Roberts (BR) Minutes**

### **1. Apologies**

GH welcomed all to the meeting.

Apologies from: Kenny Burchell, Alison Hall, Jackie Tagg (Late arrival), Ron Robson

### **2. Legal - Towards Trust Status**

GH introduced the meeting by explaining the rationale behind the single item agenda and the status of the HEO submission.

The final draft of the HEO had been received from East Lothian Council (ELC) on 13<sup>th</sup> July 2011. After reviewing the final amendments and approval by a full meeting of NBHTA on 21<sup>st</sup> July 2011, the next day DR gave ELC endorsement to proceed with submission to the Scottish Parliament.

BT received a phone call from ELC (Helen Bruce) on 27<sup>th</sup> July to advise him that ELC had now excluded the areas currently leased to the Scottish Seabird Centre (SSC) from the definition of the Harbour in the HEO.

This is a major change to what was envisaged and understood. The most recent meeting with ELC had confirmed that there would be no postage stamp areas excluded.

GH and BT had since had a meeting with ELC (Helen Bruce and Eamon John). ELC presented two letters from SSC to ELC written and received in April 2011 (12<sup>th</sup> – 14<sup>th</sup>). The letters contained SSC's objections to the transfer of the SSC leases and supporting arguments from their solicitors. Our principal contact with ELC throughout the past five years, Helen Bruce, was unaware of these letters and was unable to explain who or how the decision to change the definition had been made. Up to 27<sup>th</sup> July 2011 there had no dialogue between NBHTA and ELC regarding changes.

The Officers of NBHTA then met and agreed to respond to ELC asking that they revert to what NBHTA regard as the status quo and to provide clear reasons as to why there should be any changes. A meeting with ELC has been arranged for 13<sup>th</sup> Sept 2011 with the proposed attendees from NBHTA being GH, BT, DR and BR.

### **3. Discussion**

BT told the Association that at a meeting with ELC in Jan 2011, ELC had re-emphasised their intention to handover all of their interest; they were not in favour of forming oases. ELC said they intended to proceed with the handover of all their interests.

JM commented that NBHTA needed more of a policy regarding their approach to transfer of ELC assets.

GH added, ELC reported “no final decision has been made”.

BR said that he believed the transfer of leases was in the best interests of SSC.

CC was keen for a better understanding of the impact of the change. BR commented on the requirement to manage the area as single entity with a single set of bye-laws; especially the Esplanade. GH said that all parties had been embraced and contacted through meetings and published reports (on several occasions). He thought that a full explanation had been provided.

DK viewed the SSC legal team to be passive.

### **4. Agreed Actions**

The proposed team should go ahead with the scheduled meeting with ELC to understand why and how the change had come about.

The team should not preclude the option of meeting with SSC.

A strategy for moving forward should be prepared.

### **5. Date of Next Meeting**

Tuesday 20<sup>th</sup> September 2011 at 7.00pm in the Council Chambers.

**Bill Roberts**