

NORTH BERWICK HARBOUR TRUST ASSOCIATION

Registered Charity N° SC045318

Chair: Jane McMinn

Secretary: Bill Roberts

Treasurer: Sandy Knox

Full Meeting – Minutes: Monday 11th December, 2017

Council Chambers

Present:

Jane McMinn (Chair: JMCM)

Bill Roberts (Minutes: BR)

Charlie Marshall (CM)

Brian Anderson (BA)

In attendance -Terry Denton (TD)

Isabel Anderson (IA)

Donald Wright (DW)

David Farmer (DGF)

Colin Aston (CA)

1. Welcome

JMCM extended a welcome to the members present.

2. Apologies

Stewart Auld; Sandy Knox.

3. Minutes of Meeting of 9th October, 2017

Beach Wheelchair Lease – An e-mail has been sent to chase up a response.

Action: JMCM

NBRC – Minutes have been updated to show that there was no agreement made, and discussions would go forward.

Action:- BR

A finance report has been circulated by SK.

DW spoke with Sandy Baptie regarding Safety Management.

The minutes were proposed by CM and seconded by DGF

4. Safety Incident Reports

It was decided to put the harbour mouth booms in place on Thursday morning (7th Dec) as high seas were expected. On attempting this, one boom floated and came out of the retaining channel. In the current design it is intended that all the booms sink. The boom that floated free was recovered by BA.

Action: BR to complete the report.

The insurance cover for the installation and use of the boom is to be checked.

Action: BR

A suggestion was made that the top 2 booms be replaced with heavy duty steel ones to keep the others in place. The loading of new booms will need to be checked against the certified safe working load. The motor cut out when trying to remove a stuck (wooden) boom.

Any agreed new practices will be incorporated into training procedures.

5. Declaration of Interest

There was no change from the previous meeting.

6. Finance

SK's report was discussed.

The Capital Expenses incurred re the Beach Huts has been part-funded by donations.

£3,500 has been spent on re-opening six changing rooms, and £1,500 on painting them.

IA proposed that final once final figures are reviewed in January decisions on seeking additional external funding can be made.

The letter from HMRC re VAT seems excessive at approx. £12,000. This would appear to be the full value of invoices, and it is hoped it will be reduced to 20% of the invoice totals. Whitelaw Wells are to get back to us this week, and hopefully will go back to HMRC with a reduced figure. The value of any penalty is not yet known.

Passenger Levy Fees have still to be paid - £2,000 - £3,000.

Action SK

7. HEO

The new version of the HEO which creates a Corporate Body (rather than a trust) has significant changes with sections removed and new sections added. Articles of Association will replace the section which defines the Purposes of a Trust.

This may present an opportunity to create a single entity (corporate body) rather than the current plan to create a Trust and an operating company with charitable status. This option was not previously suggested by ELC or Transport Scotland.

Members present agreed that BR should go forward with this proposal.

CM stated that Charitable Company limited by guarantee will be acceptable to OSCR.

Action: BR

8. SSC / NMC

JMcM advised that the SSC/NMC Planning Meeting Minutes are now on the ELC website. It was noted that none of the awkward questioning was recorded in these minutes; nor do they reflect what was said at the meeting.

Following the Planning Committee meeting, NBHTA (JMcM; SK; BR) met with the three local ward councillors to discuss a way forward (Jim Goodfellow JG; Jane Henderson JH; Jeremy Findlay JF). NBHTA expressed their view that the harbour should have a single vision which all users support. A critical enabler for this to succeed is a single community organisation to own and oversee the whole area. The councillors were asked to reconsider the decision made by ELC in 2012 to have the SSC land separated from the rest of the harbour.

The first step is to ask SSC to participate in a joint meeting with representatives of local organisations. This meeting has been scheduled for Monday 18th @ 3.30pm. Those attending will include Tommy Todd (NBCC), Hilary Smith (NBCAP), Hew Dalrymple, SSC, ELYC, NBRC and the Harbour Residents Association – all looking for a vision that we can all work to. Any vision will need to be subject to consultation with the wider community.

The meeting noted that Hew Dalrymple resigned as a Trustee of SSC some 3 months ago.

The meeting agreed to support “a single vision” as a way forward.

Action: JMcM

9. North Wall Update

CM received a letter confirming the NB Common Good Fund have agreed to donate £5,750 toward preliminaries. Any further applications will be looked at on an individual basis. The preliminaries will now be instructed.

David Narro Associates will be given the go ahead, on receipt of ELC approval. A revised plan will be produced after their findings.

We should be telling more people what we are doing, and future projects that we would like to consider.

The Common Good Fund may support a further application to undertake urgent works; we have to explain exactly what this would entail.

Action: CM

10. Safety Management System

The initial audit to test our compliance against our PMSC has been confirmed for 2nd February, 2018; DW and BR will be present along with the Harbour Master.

On the question of a 'Competent Person' – DW has been approved as a competent person by our Designated Person.

The 1st draft of the Emergency Plan has been circulated – thanks to the people who replied giving input.

An inventory of the emergency equipment should be carried out. Access, keys etc., people should be made aware of this.

IA will seek external assistance to review life-saving equipment.

BA advised that barriers (to prevent the public from approaching) are required when the crane is in operation.

Inflatable lifejackets are going to be tested every year by a competent person. (CA will be attending a course).
Action: BR/IA/BA/CA

11. Funding Applications

Charlie was thanked for his work with NB Common Good Fund.

CA asked the question what effect BREXIT would have (if any) on funding applications. CM listed a few bodies which require having their grants spent before BREXIT in 2019. These include FLAG & LEADER who receive applications from Mid and East Lothian. There would appear to be in the region of £1-3m to be allocated.

The meeting approved the principle of joint applications with The Beach Wheelchairs presenting a immediate opportunity

CM has identified several opportunities for funding and expressions of interest need to be lodged by mid-January. Options suggested included wheelchair access up to the higher areas of the harbour; disabled toilets; RNLI slipway; making the harbour more accessible to all. We have to decide which project(s) to move forward at the meeting. If funders can see a clear vision, we may have a good chance of being granted funding.

Projects can have 5-6 elements, provided they are compatible.

Bring ideas to next meeting – or e-mail CM or BR.

Crowd funding may be used where there is a requirement for match funding.

The meeting agreed to proceed with an application to LEADER & FLAG and to consider crowd funding to raise any matching element

The meeting noted that FLAG monies not yet received for Beach Huts.

The meeting agreed to submit a new planning application for the Pond Master's area of the Esplanade.

Action:-BR/CM

12. North Berwick Coastal Area Partnership

NBCAP meeting noted that the town is growing but many pieces of infrastructure were not in place. ELC is being approached for answers.

The NB Business Association now only represents accommodation providers and not traders. The association may be relaunched. The meeting agreed to join the Association for one year.

13. GDPR (General Data Protection Regulation)

Simple guidelines for compliance have been issued the regulation applies to all data – electronic and paper.

We are required to create a Data Privacy Policy. This will identify what data we hold regarding our members and justify why we are holding it. Access to data will be limited to those who need it

We must ensure that information is kept up to date and decide how long we need to retain it. Our policy will include procedures to govern archiving; deletion; sharing; etc.

Current documentation will need to be reviewed for compliance to include our procedures on the rights of applicants to view stored information.

No registration is required – although we may still have to pay a fee.

The next step is organise a working party to list what and how we hold our Data – before 28th May, 2018.

Action: DGF

14. NB Rowing Club Update

BR wrote to John Irvine (JI) to document the discussion at the last meeting.

JMcM and BR met with JI (and Sandy Wallace) today. NBRC's current plans are a reduced footprint but for NBRC to fund it they require a longer lease (i.e. security of tenure) for at least 5 years. A 5 year term would reduce our flexibility in utilising the space. A break clause with say 6 months' notice may be an option; or a 3 year lease with year to year extensions.

Options need to be generated; reviewed by our solicitors and proposed to the principals of NBRC.

15. NBHTA Membership Increase

The meeting agreed to advertise for people to join the Association. A newspaper advert and our own social media will be used

16. AOCB

Investigate the parking at the harbour quayside and consider a "Pay & Display" policy. **Action: JMcM**

17. Date of Next Meeting

The next meeting will be held on Monday 15th January, 2018 at 7.30pm in North Berwick Council Chambers.

Signed



Bill Roberts

Secretary

North Berwick Harbour Trust Association

Registered Charity N° SCSC045318

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