

NORTH BERWICK HARBOUR TRUST ASSOCIATION

Registered Charity N° SC045318

Chairperson: Jane McMinn

Secretary: Bill Roberts

Treasurer: Sandy Knox

AGM – Minutes

**Monday 10 June 2019 at 7.30pm
Council Chambers, North Berwick**

Members Present:

Jane McMinn (Chair: JMcM)
Brian Anderson (BA),
Sandy Brodie (SB)
Sandy Knox (SK)

Colin Aston (CA)
Isabel Anderson (IA)
David Farmer (DGF)
Charlie Marshall (CM)
Bill Roberts (Minutes: BR)

1. Apologies

JMcM welcomed all to the meeting.

Apologies noted from Alastair Macintyre (AM), Stewart Auld (SA), Donald Wright (DW) and Sam Lowe (SL)

2. Minutes of Previous Meeting on 25th June 2018 –

The minutes were read by JMcM. The minutes were approved by IA and seconded by BA.

3. Annual Report from Chairman

The Chairman's Report was circulated before the meeting and presented by JMcM. It is attached at the end of these minutes.

4. Retirements and Appointments

There were no retirements from, or appointments to, the Association

5. Accounts

A copy of the accounts was circulated to members in advance of the meeting. SK presented the accounts

The accounts were proposed for acceptance by CA and seconded by DGF. The meeting unanimously accepted the

6. Election of Officers

Bill Roberts reported that no nominations other than for the current officers had been received:-

Chairman	Jane McMinn
Treasurer	Sandy Knox
Secretary	Bill Roberts
Officer	Stewart Auld
Officer	Donald Wright

BA proposed that the above Office Bearers be elected. This was supported by the whole meeting.

7. Declaration of Interest

All members present confirmed that there were no changes to their interests as previously declared during 2018/19.

Action: BR to confirm interests of those members not present

8. AOCB

There were no items and JMcM closed the meeting at 7.45pm.

Signed

A handwritten signature in black ink, appearing to read 'W. P. Roberts'. The signature is written in a cursive style with a large, looped initial 'R'.

Bill Roberts

Secretary

North Berwick Harbour Trust Association

Registered Charity N° SCSC045318

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Report from Chair 2018/19

OBJECTS AND ACTIVITIES

The Objects of the Trust, as set out in the constitution are:

- The advancement of citizenship and community development in North Berwick Harbour and its environs through trade and industry or otherwise;
- Providing and organising, or assisting with the provision and organisation of facilities in the interests of social welfare for recreation and leisure-time occupation with the aim of improving the conditions of life for the inhabitants of North Berwick and its environs;
- For the benefit of the public to repair, maintain, conserve and improve North Berwick Harbour and the harbour facilities in an efficient and economical manner and to facilitate the efficient and economic transport of goods or passengers by sea;
- The advancement of heritage and culture through increased awareness of and greater access to a wide range of activities and events which will be planned to showcase the harbour and its history; and
- The advancement of public participation in sport and related activities, e.g. kayaking, rowing, sailing yachts and boats.

As in past years the main activities and efforts have gone into the successful management of the moorings, dinghy park, community lease holders and events taking place, and some of the more recent activities and participation as described under *Achievements and Performance*.

ACHIEVEMENTS AND PERFORMANCE

The area under lease from East Lothian Council continues to be managed in a manner designed to achieve our objectives as a Charity. We continue to support our stakeholders and review the requirements of and priorities for the Harbour and its environs for the benefit of the whole community. Activities undertaken with others in 2018 included:

- Meetings with Councillors, officials of East Lothian Council and Trustees of the Scottish Seabird Centre, aimed at improving communication and seeking to develop an agreed vision for the Harbour Area. This resulted in our being part of a consultation exercise by the Scottish Seabird Centre in the development of a strategic review of their future plans, something with which we were pleased to be of assistance. There continues to be open communication with the Scottish Seabird Centre on a variety of issues and projects.
- East Lothian Yacht Club, North Berwick Rowing Club and North Berwick Kayak Club enjoyed successful seasons on the water. Discussions took place with the Rowing Club on their desire for additional facilities within the Harbour area. Unfortunately, this could not be accommodated in the short term. However, the three Clubs combined to take part in a successful weekend in which members of the community were able to try water based sports activities. The esplanade was given over to facilitate a Land Rover/ dingy sailing demonstration day following an approach by Land Rover to East Lothian Yacht Club. This event proved to be a great success for both participants. East Lothian Yacht Club also hosted a fireworks display for the community which was enjoyed by approximately 1500 spectators.
- Commercial activity in the Harbour area benefitted from the good weather with The Lobster Shack having another successful year and Fringe by the Sea extending their programme under their new management. We look forward to welcoming them back for 2019. Leisure boat trips continued to thrive and the Lobster Hatchery successfully continued its charitable conservation work. It was

however sad to note that 2018 was the last season in North Berwick for Sula II which now moves to inland waters.

- Beach Wheelchairs, another charity doing invaluable work within the Harbour area, has continued to extend the help it can give by extending its product range to include a motorised electric chair and they have taken additional storage space in the harbour area.

We now have waiting lists for all the facilities which we can offer in the Harbour and its environs, whether that be the rental of Beach Huts, dinghy parking spaces, moorings, storage units or other facilities. We continue to work with stakeholders to understand their future requirements to facilitate future planning.

Key to the Harbour is the maintenance and preservation of our Harbour itself and during the year much work went into the commissioning and understanding of engineer's reports on the work required for maintenance of the fabric of the Harbour and Sea Walls. Work is now proceeding in an effort to secure funding to allow the necessary work to be undertaken at an early date.

FINANCIAL REVIEW

During the year the Trust received income of £69,253 (2017: £64,805) from normal operating activities and incurred costs of £66,563 (2017: £66,500). Investment income of £24 (2017: £31) was received as interest from bank deposits. Included in restricted funds brought forward is the book value of improvements to the harbour wall, which was funded from restricted grant income and capitalised in 2015. The cost is being depreciated over a 20 year term and depreciation of £15,091 (2017: £15,091) was included in expenditure this year. In addition, the amount of £10,000 from East Lothian Council relating to the architectural plans and costs for storage units and a disabled toilet has been brought forward. These funds have been spent in the year.

As at the year end the Trust held funds of £462,654 (2017: £459,964), of which £245,241 (2017: £260,332) comprised the net book value of the harbour wall improvements and £27,995 (2017: £25,106) the net book value of other fixed assets. Other restricted funds amounted to nil (2017: £13,475), leaving unrestricted general funds of £189,418 (2017: £161,051).

Reserves Policy

The trustees' policy is that the unrestricted funds not committed or invested in tangible fixed assets ('the free reserves') should be sufficient to cover unforeseen emergency expenses and potential staff redundancy cost in the event of a significant drop in funding. A prudent reserves policy is also necessary in the case of stormy weather. The trustees intend to try to keep approximately £100,000 in case of dramatic weather consequences, in order to recover in the short term. As at the year end the free reserves amounted to £189,418 (2017: £161,051), which the trustees consider to be sufficient.

It is recognised that the cost total cost of the work necessary to the North Wall cannot be met solely from the existing resources of the Trust. Accordingly, it is recognised that a structured plan for funding of this and other development work in the Harbour area will require grant assistance and work is ongoing in the preparation of a funding matrix.

Risk Management

The trustees have assessed the major risks to which the Trust is exposed, in particular those related to the operations and finances of the Trust, and are satisfied that systems are in place to mitigate exposure to the major risks, based on our experience of running and managing the harbour on behalf of the Council for many years.

The Trustees have addressed the issues of risk management and taken advice wherever possible. Clearly, in terms of managing the Harbour area, weather, and its impact on the buildings and structures in this area, is a major concern. Work is ongoing with our Insurance Brokers to try to obtain a quote for insurance cover for the Harbour buildings on a replacement cost basis. This is looking to the future as we benefit

from the security of insurance cover provided by East Lothian Council at present. Other insurances, advised by our Insurance Brokers, including indemnity insurance for Trustees, are in place.

The Trustees are also of the view that risk management would be improved if management activities were conducted by a company, limited by guarantee, rather than under the existing Trust structure. Accordingly, discussion has taken place with East Lothian Council and others to facilitate change and legal advice is being taken.

We have continued to work on compliance on all aspects of the Harbour as laid out in the Good Governance Guide for Trust Port Authorities and also continued to be compliant with the Marine Safety Management System including Navigational Risk Assessments.

PLANS FOR THE FUTURE

The Trustees plan to continue to develop their plans, taking account of the availability of resource, both human and monetary, in accordance with what has been outlined above. In determining plans for the future, it is important to understand the requirements of Stakeholders and Harbour users alike and to plan accordingly. Current matters under review include:

- The Trustees continue to work towards the transfer of the harbour authority to the Trust under the terms of a Harbour Empowerment Order submitted by East Lothian Council and we continue to work with East Lothian Council, Transport Scotland and others to achieve this core objective.
- Succession planning. This is vital to ensure continuity in the management and culture of the Trust.
- The North Wall project continues to be the most important issue facing the Trust and the funding and management of this project are vital.
- The redesign of community units as detailed in the report last year remains an integral part of future long term planning.
- Ongoing monitoring and implementation of work required to maintain and improve the facilities offered in the Harbour and its environs, all in accordance with our charitable objectives.

STRUCTURE, GOVERNANCE AND MANAGEMENT

The Trust is unincorporated, originally established under its constitution dated 18 December 2006 and revised on 20 October 2014. The Trust was awarded charitable status by the Office of the Scottish Charity Regulator on 29 December 2014, charity number SC045318.

The members of the Trust are the trustees for the purposes of charity law. Membership is open to all residents of the town of North Berwick, surrounding area and elsewhere who are over the age of 18 and who are interested in furthering the objects of the Trust and taking part in its activities, and who have completed the necessary application form as may be determined by the trustees. There shall be a maximum of twenty members.

Trustees are recruited by one of two means; an advert in the local press (East Lothian Courier) followed by an interview with two existing trustees; or word of mouth locally, with a similar interview. The latter tends to involve individuals who are known to have an interest in the harbour, and whose identity is known to existing trustees.

As mentioned in our achievements we have published our compliance with the Good Governance for Trust Ports recommendations for Safety Management Systems, and are looking to building on our standard operating procedures. We are continually reviewing and developing the recommended approach on all aspects of managing the harbour area.