

TOBERMORY HARBOUR ASSOCIATION
Annual General Meeting

Aros Hall, Friday 3rd November 2017 at 7.30pm

Minutes

1. Chairman's opening remarks/welcome.
Brian Swinbanks welcomed Members, Board and Staff present.
2. Present: 8 Board members, 5 staff and 14 members.
Apologies: Mary Phillips, Paul Hilton, Sam Jones, Andy Cripps, John Weir, Noreen Franklin, Colin MacDonald, John MacDonald.
3. Minutes of the 2016 AGM and matters arising
No questions or matters arising from the minutes.
Minutes adopted as true record.
Proposed: Richard West, seconded: Brian Swinbanks
There being a quorum present the minutes were approved for adoption.
4. Chairman's Report:
"In 2017 the THA became a Statutory Harbour Authority.
On the [12th June](#) Humza Yousaf, Minister for Transport, visited Tobermory Harbour to make the announcement of both the Harbour Empowerment Order in conjunction with the new Islands Bill.
The Minister stayed for over two hours and took the time to listen to our ideas and our concerns for the future of Island life.

Becoming a Harbour Authority has up and downs. First a big plus, the Harbour Authority has secured the bay for the community. Second, there have been changes, a new Harbour Master Robert Hemming's, more layers of paperwork and more port inspections and even more changes are required to our constitution. Last and on the down side, the costs have been difficult, more staff, new salary levels, statutory consultancy and finally substantial rises in cost, for example the insurance costs. This has all put pressure on the THA.

The Board has also had up and downs. Two board members have suffered from illnesses and we wish those who have had time out all the best and a speedy recovery. New Directors joined last year and all have stepped up. Special thanks go to Allan, Helen, Anne, Rory for all the work last year.

Retirements, Richard West our valued Finance Director has also announced that he is standing down from the Board but will continue to assist with future projects. Thank you, Richard, you have brought a new level of professionalism and sound Corporate Governance to our Board.

You cared and you gave huge amount of time and knowledge to the THA over many years. You will be missed.

Staff, there have also been staff changes. Jim Traynor our excellent Marine Manager retired. The grant funded contracts for our Project Officers, Katherine Crisp and for Marion MacLean ended and we thank both Marion and Katherine for all their work for the THA. A huge “thank you” also goes to Anne Fraser our director for HR who has delivered many new policies and looking to improve contractual staff benefits.

The Aquarium, a wonderful asset to Tobermory met all the targets set by the Board. There were difficulties, in July, very high ammonia levels in the inner harbour effected the bay and the Aquarium.. We are now regularly monitoring water quality thanks to Lyndsey, the staff and volunteers.

Projects: The THA has always been driven by the future, by projects to bring benefits to the Harbour, to our members and to our iconic town and the wider community.

Aros Park: we are still trying to purchase the pier, the buildings and adjacent land. The problem, if we are grant funded we need a viable project to justify the funding. We would welcome confidential approaches from anyone who has a viable Business Plan for the assets at Aros.

Crown Estate Scotland: the transfer of the assets from the UK to Scotland will bring opportunities for communities and for councils. The THA are in the early stages of agreeing a new Local Management Agreement for the whole Harbour. The THA are also in discussions with CES with a view to buying back the pontoons and purchasing the Solum, the old seabed, under the car and boat park. This should generate both savings on the pontoon rental and a small income to help offset the cost of the town Toilets from the Solum purchase.

Map and website: work ongoing to improve communications

Town railings: these belong to the Council but the THA is working with Mary-Jean to replace the railings and to possibly add a low wall to help protect against rising tides and short-term storm surges. We will keep you updated.

Phase 6: 3 years ago we brought a very ambitious Phase 6 project to the AGM. A huge pier, new slip, infill and much more, the cost was well beyond our reach, nearly £8m. Back to the drawing board, we reduced the size of the pier and the cost came down to £4.5m. still to much. We

have a new design at Drive Down Dock. A presentation was given on the revised project.

Finally: I have to announce that in 2018 I am looking for an exit strategy from the Chair. I have always been driven by projects and delivering all the changes that our wonderful harbour needed. Very soon we will need a Chair with sound strengths in directing the company and the staff. The era of multiple balls in air is closing and an era of sound business management will be needed. I would of course continue to help the THA with project work if needed.”

Matters arising: Ian Stevens asked for clarity on the land transfer to Argyll properties and building a retail unit. BS explained that that would go ahead most likely in 2018/19. Land adjacent to Taigh Solais has been exchanged for an extension to the Harbour Building within the new development. The new development is in the planning stage and is likely to include a retail unit and flats. Land transfer and outline plan was advised and minuted at last AGM.

5. Financial Report

Richard West spoke about the accounts to 31st March 2017 and the various performances of the business areas. He outlined the projects under Coastal Communities funding and HIE funding for consultancy and project work

RW went on to explain that the changes to the Articles of Association which were previously agreed allowed for payments to be made to Executive Directors. He confirmed to the meeting that in 2017 a payment was made to the Chairman and the Finance Director.

2017/18 will be a more challenging year with much reduced benefit from grant income. Company may in fact record a loss in the year of transition to HEO. The Passenger Landing Platform was a significant cost in the last financial year and reserves were used for that purpose.

Stumbling block for the funders has turned out to be the new wording of the Articles of Association. The funders want the Articles to open out the wording to be less “restrictive and specific” in its selection of Directors. This is not a significant change but will be required to meet the criteria for major funders. At this time the major funders are working towards a “joined-up” strategy to ensure that they are all looking for the same criteria and we await advice on the matter before THA makes further change to Articles of Association. When wording is agreed the THA will call an Extraordinary General Meeting to ratify those changes hopefully just into the new year 2018.

Any questions or objections to adoption of the Financial accounts to 31st March 2017

Show of hands from the membership, of which there was the required quorum, resulted in a majority in favour of adoption.

The accounts are therefore adopted.

Matter arising: No matters arising.

6. Marine Report: Harbour Master

Robert Hemming introducing himself. He spoke about the Statutory Harbour Authority which is needed as a result of the increase in marine traffic in the UK in recent years. He spoke about the accident involving the Sea Empress and the impact on the environment. That was the event that prompted the Port Marine Safety Code and Guide for Good Practice. Every port and harbour is required to follow the code to protect the harbour in the event of incidents. This is not a compulsory code, but it is advisory as there can be implications and fines by the MCA if procedures are found to be wanting. The new Passenger Landing Platform has helped with following much of the requirements for port security and safety.

Tobermory Harbour has a mix of maritime traffic both commercial and leisure. Large vessels can also use the bay for safe haven in the main anchorage areas.

The THA is a member of the British Ports Association from which advice and information can be sought. They are useful for lobbying Government.

In early December the first Port User Group (PUG) will be held and will give stakeholders a chance to be involved and meet to discuss Harbour operations.

Civil Contingencies Act, before start of season an emergency response drill/exercise will be held.

Matters arising: Mike Wagemakers asked how any stakeholder would be able to know where/how to raise any issues they have through a stakeholder representative. He has concerns about the Cruise ship and its interaction with the THA.

ACTION: The THA needs to advertise how the PUG (Port Users Group) will work and for members to understand how they can feed into that. Mary also stated that the THA is always open to questions from members either through the office, speak to a Director or request a spot at the monthly Board meeting.

7. Facilities Officer Report

Fraser Corbett: Fraser presented some interesting statistics about Taigh Solais facilities.

The Electrical testing has been completed and so has the Fire Risk Assessment. Actions from the reports have now been completed. These have been costly but need to be done to meet health and safety requirements.

The 2017 season the front door access was made 24/7 and that was well received. New moorings tickets were also successful.

Changes to all the coin operated machines to accept the new notes and coins was an additional cost.

Fraser now does the cruise ship paperwork.

Drimnin Community are working with THA to get facilities for superfast Broadband. 50 users in Drimnin will initially benefit from the service with the aspiration of 150 users before long. This is an important facility for the Drimnin community as they work to make it a more attractive place for people to live and work.

8. Mull Aquarium Manager Report

Lyndsey McLaren spoke about the 2017 season and the visitor numbers.

Recorded thanks to Andy Tait for volunteering on the plankton station.

Various clubs and volunteering opportunities for young people from Aqua tots for little children to volunteering for teenagers.

Next year Lyndsey will be on maternity leave. Grace Lambert, who has been working for 2 years will cover maternity leave from March.

No matters arising

9. A.O.B. no other business.

10. Nominations for the Board. Information on present Board and nomination forms from a prospective Board member was available for those present to study before the meeting started.

The constitution states that 3 members of the board step down at each AGM and they can stand to be re-elected.

This year Brian Swinbanks, Richard West and Andy Cripps stand down.

Brian Swinbanks and Andy Cripps have indicated that they are willing to stand for re-election. Richard West has indicated that he does not wish to stand for re-election. One new applicant, Steve Littlewood, has come forward to indicate his willingness to stand for the election and he has relevant skills sets to contribute to the work of the THA. With the existing 7 members of the Board, Brian and Andy re-elected and Steve Littlewood accepted as a new Board member that will make up the team of 10 Board members.

11. Vote to elect Board Members: Not required as there are no contested positions. There were no objections to the election of BS, AC and SL to fill the three positions on the Board.

12. Closing remarks: There being no other business, Brian thanked everyone for attending and closed the meeting at 8.55pm.

