

TOBERMORY HARBOUR ASSOCIATION

Annual General Meeting

Aros Hall, Friday 3th June 2011 7.30pm

Minutes

Apologies

Allan MacLean, Jan Dunlop, Richard West, Mike Asher, Rob Barlow, Iain Erskine, Moray Finch, Jean Whittaker, Mike Asher, Tony Ratcliff, Vic Linneman, Noreen Franklin, Jim Traynor

Present

Graham Brown, Alison Brown, John Marsh, Hylde Marsh, Pat Sands, Anne Flavell, Tim Williams, Debi Williams, R. Macdonald, C. MacDonald, Alan Parker, WMK Eastwood, Jeanette Gallagher, D. MacGilp, M. MacDonald, N. McDonald, Lydia Hosdell, P. Gallagher, John Drake, Ruth Molloy, Rhoda Drake, Ewan Miles, Florence Kirsop, John Franklin, Jayne Burns, John Addy, Ruth Abernethy, Matthew Moghadam, Richard Thorne, Phil Siddall, Maggie Buchanan, John Macdonald, Mike Shilson, Iain Malcolm, Clare Gibson, Robin Harrowsmith, Sheila Barnard, Gordon Chalmers (Councillor Argyll and Bute Council), James Henderson, Iain Stevens, Gus Stewart, Brian Swinbanks, Barbara Weir, Alison Rimell.

1. Minutes of the 2010 AGM

Passed as a true record proposed BS seconded Anne Flavell

2. Matters Arising

No Matters arising

3. Chairman's Report – Brian Swinbanks

BS started his speech by going over the history of Tobermory – demonstrating that the harbour created in 1800 – the infilling, ferry boats and fishing – is the harbour of today.

His speech continued.....

“Fast forward to the 1980’s and once again the Tobermory benefits from an absentee landlord, not this time British Fisheries Society, not the Duke of Argyll who for all the criticism did build the road to Salen and plant forests. No this time the distant landlord is the Crown Estate. The Crown wanted to charge for moorings. At first we and many others questioned and challenge the CE right to charge for moorings, moorings that had been free, not always the case in the early 18th century when boats were charged in the Bay.

Yes moorings were free but they were totally unregulated a mess - signing mooring agreements with the Crown Estates brought two major benefits to the harbour.

Firstly, granting Mooring Associations the right to lay and maintain moorings on the seabed, devolved responsibility to the community and empowered communities to install facilities for visitors afloat.

Secondly registering moorings, through association brought order to an industry which was evolving fast, in a totally unregulated manner, across the west coast of Scotland.

From 1990 the THA evolved a partnership approach with the Crown Estate and other with authorities and funders to deliver the first new infrastructure in Tobermory Harbour since the Mishnish Pier was completed in 1862. The project reclaimed the seabed at Ledaig and delivered the first phase of our program to deliver ‘facilities for all’.

This project was then followed by projects to reorganize all the moorings in the bay, to clear a fairway, to clear a free anchoring area, to install pontoons. To build facilities ashore at Taigh Solais. The Crown Estate played a role in achieving and funding these projects

In my opinion the Crown Estate have quietly and with very few staff brought order to a rapidly evolving marine leisure industry which has delivered massive benefits to our coastal communities.

Facilities are now being developed, Loch Aline is a new example, which will deliver our vision of steeping stone ports of refuge where yachts will await weather windows to sail west and bring

benefits to even more remote communities on other islands and peninsulas but we need to do more to make this happen.

Your THA Directors have now identified the following new development opportunities in Tobermory

1. Alongside berthing for bigger boats through the Purchase of Mishnish Pier and subsequent conversion for commercial use.
2. Installation of a breakwater with alongside berthing to enable further extension to the existing Pontoons with the option for winter berthing.
3. Creation of a boat slip and an onshore boat repair and storage facility.

Discussions have now been held with a number of prospective partners and stakeholders to assist in bring these projects to a successful conclusion

Opportunity 1 - Alongside berthing for bigger boats through the Purchase of Mishnish Pier and subsequent conversion for commercial use.

Talks were held in Oban on the 23 of December 2010 with Lorna Spence of CMAL owners of the Mishnish Pier.

Conclusions

CMAL have no intention of selling the Mishnish Pier.

CMAL will apply for a Harbour Enforcement Order around the Mishnish.

CMAL could be interested in future partnerships to access grant funding.

CMAL have no plans to enhance the Pier facilities in Tobermory.

CMAL have no plans for new links to Coll and Tiree.

CMAL are in early discussions with the companies planning the Tiree Array

Cruise Liner Market

The closure of Torosay Castle to visitors and the sale of the associated Railway has removed a major tourist attraction for Cruise Liners.

Conclusion

Providing alongside berthing for Medium sizes cruise liners is now dependent on new attractions being developed on Mull and the roads to Iona from Tobermory being improved.

Offshore Renewables

We are meeting with the company that is progressing the Tiree Array next Wednesday and yes Tobermory could potentially provide a port of refuge for the CAT servicing vessels but Industrializing the north side of the bay around the Mishnish Pier could have a negative impact on the iconic visual impact of Tobermory as a 'must see' tourist destination for visitors afloat

Opportunity 2 - Installation of a breakwater with alongside berthing to enable further extension to the existing Pontoons with the option for winter berthing

In 2010 Jim Traynor and Brian Swinbanks met with Callum MacDougall of Varis Ltd. The THA also consulted with North West Marine,, the THA Marine Consultants. Both organisation confirmed that the aspiration to deflect the waves and provide a safe harbour within the existing pontoon system would be technically possible.

Opportunity 3 - Creation of a boat slip and an onshore boat repair and storage facility.

Discussions with local boat owners and the THA Marine Manager has identified the need for a new slip and an increased area for the safe maintenance and storage of boats as an extremely high priority. This is a straightforward engineering project which could easily be handled by local contractors. The downside is that the revenue return on these facilities is limited and consequently new and creative solutions must be found to pay for this needed infrastructure

A way forward to extending the facilities at Ledaig

As Opportunity 2 and Opportunity 3 are both adjacent and located at Ledaig it is recommended that both projects are combined to create a new, major multi- faceted project to secure a sustainable

future for Tobermory's iconic Harbour and at the same time retain all the features associated with the 200 year old Harbour front.

As stated, funding of these projects would be a burden on the THA alone. It is recommended that the THA combine with other partners. Combining the project to build facilities for all with a private sector commercial project would allow the THA to gain huge benefits during the construction phase.

As you all know the Main Street has major problems for parking and delivery and for many years a major store located in the centre of Tobermory has indicated that they need more space to deliver a greater and cheaper choice of food products.

I have now met with senior representatives in Glasgow. We are at a very early stage in a long process but I can tell you all that in principle the store does not want to leave the harbour and relocate out of town. The store needs 7000 square feet of space and 35 to 40 car parking spaces. The company recognises the iconic architecture and historic location. On the wall are three possible locations showing the foot print of any possible retail space.

4. Matters Arising

Discussion followed about the Ledaig and sea development. ME suggested that the retail outlet could move out of the main street and up to Balisgate. BS confirmed that the company has confirmed that it will not be moving out of the main street. Also there is a feeling amongst the main street shops that it would adversely affect businesses if it did. This sentiment is currently mirrored nationally with incentives being given to supermarkets to stay in the town centres. IS asked if a traffic flow survey should be carried out. GC said that was a good idea. BS said that there could be opportunity for a one way system around the Masonic lodge which would alleviate the danger currently experienced by pedestrians at the exit to the car park. AP asked if there had been consultation with MacGoghans and Distillery. BS replied that the idea was in too early a stage for consultation as there were issues of privacy for the retail outlet. AP was concerned that any development would be architecturally sensitive. JM said that a supermarket on Skye had successfully shown design sensitivity so it was possible. BS reassured the meeting that this would be central to any project. MB asked about the size of the new retail outlet. BS replied that it would be bigger but that it would bring prices down. The car park would have to be enlarged. Comment from the floor was that it would be important that the retail outlet would not undercut the other main street shops. GC said that could be addressed once the partner retail company was secured. JD asked how the community would be consulted. He pointed out that information is not traditionally disseminated through meetings in Tobermory. It was by word of mouth. BS replied that the idea was in very early stages. The meeting with the retail outlet had only been a matter of 4 weeks previous to this meeting. Nothing has been decided and bringing the ideas to this AGM was the start of getting the dialogue with the community open. He encouraged everyone at the meeting to go out and talk about it. PS asked how the planning consultation had gone so far. GC said it was too early as it hadn't gone to planning but that all views would have a chance to be heard as part of any planning consultation. BS said that neighbouring businesses could be the most active contributors to the discussion as they have most direct interest. The process of development is open and the development itself is not fixed. The THA meets monthly on the first Thursday of the month and the Members Forum is on every agenda. JD asked how THA Facilities for all were addressed in this development. BS said that by driving this forward THA would expect to gain benefit for the slip, pontoon protection and boat maintenance area – strengthening the level of facilities for sea users which in turn benefits the town. AP said that all councillors must be notified. GC said that THA's approach of getting gain for its own project through the development was, in his opinion, the right way to go. AP said that the fundraising for bay THA infrastructure and strengthened sea walls etc. should be pushed for. SB asked if THA was going to put in any more local moorings allow more space on the pontoons for locals? BS replied that most people on the waiting list were accommodated in some way. ME commended Jim Traynor for all the efforts he made to get people who had boats onto some mooring or other and to help them out. SB said that short term solutions didn't help as you still had a boat when that solution ended. BS said it was a problem of spacing and that the trots were rearranged last year but that there must be care taken as boats were too near each other. BS said that CE did give THA allowance for up to 120 moorings in the bay and that THA would look into the possibility of more local moorings.

Martin Eastwood proposed that the meeting approve the proposed harbour developments and the method of partnership funding as part of the bigger development outlined in the Chairman's report (see para 3 of the minutes)

Voting results: 33 for the proposal, 0 against and 5 abstentions.

5. Treasurer's Report – Richard West

In the financial year to 31st March 2011, the THA has recorded a satisfactory trading profit of £24,257 before accruals and tax.

Earnings from Taigh Solais increased by 17% and those from marine operations by 5% compared to the same period in 2009.

A higher level of cleanliness/quality was experienced by customers in the building over the summer. This was achieved by increasing the cleaner/maintenance hours for the period June to September by 18%. In addition Sealife Survey staff assisted the THA by maintaining a good level of service support for our customers in accordance with the terms of their renegotiated rent agreement. We received many positive comments about the facilities.

Boat numbers were very similar to the previous year. The Clyde Cruising Centenary celebrations brought in 200 visiting boats in July- the largest number of boats to be accommodated since the pontoon facilities were installed.

Overall customer satisfaction was high this year due to more continuity in mooring staff hours, better working practice for the fuel berth, parity of free turnstile access for all sea customers, increased information via the THA leaflet, tidier boat park, improved facilities for rubbish and an overall feel good factor on the water.

The Board has agreed to accrue for the replacement of the local mooring blocks, planned for 2020. The estimated amount for renewal has been estimated to be £70,000 in today's money and will be subject to inflation going forward. This year for the first time, a proportion of the fees charged to mooring holders has been designated as a replacement fee, generating £1,525. The company annual accrual will, as a minimum, match that generated from the membership. The company maximum will be agreed annually depending on the profits of the company and this year has been set at £7,000. The annual accrual for asset replacement commenced in 2007 and had generated a reserve of £29,525 to date.

As a community based organisation, it is a key objective of the THA to minimise profit through the judicious re-investment of excess funds in the business.

Growing the asset base of the THA by investing annually in projects gives a positive message to grant bodies and investment funds and will assist the THA to gain access to funding for the future major projects such as alongside berthing, pontoon breakwater etc.

The accrual policy has resulted in a zero tax payment.

The post-tax unallocated cash position at year end March 2011 will be £6,987.

6. Matters Arising

NM asked if there were any costings for the harbour developments. BS replied that there were none yet.

BS then brought forward the Draft accounts passed by THA directors for the approval of the AGM.

These were unanimously approved by the meeting.

7. Business Manager's Report - Alison Rimell

This year has been another successful year of consolidation for the THA. Throughout the year, THA has continued to strive to attain excellence in its facilities and service. Recognition was given for this with Tobermory winning first in the "place" category in the Academy of Urbanisation 2010 awards and THA being awarded runner up in "best practice in community regeneration - place" by the Surf 2010 awards. This year, THA and The Crown Estates have committed to extend the pontoon to address the opportunity identified by capacity pontoon usage in 2010.

In my job, I work in partnership with Jim and the Directors in the Sea Areas and have full responsibility for managing the day to day running of the Harbour Visitor Centre. Rental occupancy continues to be at 100% with further work to be done to maximise the boardroom letting. Use of the facilities was up on the previous year.

The areas of consolidation that I have worked on have been physical jobs such as re-levelling the shower floor areas, replacing problematical taps, providing water access in work areas for cleaners, working to resolve the electricity usage problems, introducing a change machine in the foyer,

upgrading the handrails and skirting board and working to get the wi-fi working efficiently in the building.

In the area of personnel, consolidation has taken place in managing the building staff team consisting of 3 cleaners, a maintenance worker and Sea Life Surveys visitor centre staff, so that better communication is received by all. All these people work in isolation in disconnected shifts and I hope to have enabled sharing of information, with the help of Jim and Barbara, and also have responded to requests for equipment to improve efficiency.

In January I became full time and have been in a better position to identify weaknesses and work towards providing THA with a firm base to move forward on.

To this end I have initiated the strengthening of systems and procedures as follows:

In the building, in addition to the existing systems, we now have

- a heat source pump Service agreement
- a working annual maintenance tasks schedule
- a clear procedure for building staff.
- a clear procedure for tenants
- Detailed records of electricity and water usage
- Clearer recording of staff time/hours usage.
- Continued monthly reporting to the Management group of directors and meetings at least every quarter.
- In March Jim and I undertook training on H&S and as a result I have re-designed the H&S procedure and reporting documentation for the THA.
- Waste management has come strongly into focus over the past year. THA has continued to invest in its commitment to customer service in waste management. The volume of waste being brought in by customers is ever increasing and the organising of the waste into recycling categories is growing in sophistication. As Argyll and Bute council concurrently reduces its level of service, THA has sourced collection services from other providers. Waste management is now a more demanding and costly area of THA business. For this season we now have a good working system in place for recycling and general waste involving 3 different contractors. We are continuing the focus by beginning to look at the efficiency of using a compactor and perhaps taking on further kinds of waste such as boat oil and batteries. Partnership with Green Blue, a sea environmental organisation with focus on the seas, is evolving.

In the office I have:

- introduced a database system,
- started finance training – to be completed with a consultancy in mid June – which will result in THA having a financial structure and reporting system fit to take it forward in its new projects.
- Worked In partnership with Jim to support his management of the boat park and sea areas.
- continued with strong reporting
- tried to act as a hub to strengthen the communication between directors including the dissemination of any information that might be helpful or of interest.
- provided backup support for Directors' Projects.
- Part of my daily work is to promote the ethos of THA at every level and I also have represented THA locally at the Chamber of Commerce meetings and given a presentation at a big Lottery event in Glasgow

Many of the above activities are ongoing. However, this coming year, I would like to work with Directors to introduce a clearer system for the annual staff review. In addition, as the stability of 2010 – 2011 has created confidence in the board for new projects, I am looking forward to facilitating the developments in the visitor centre and the wider bay projects

I would like to say big thank you to my fellow workers - Jim, Barbara, Nikki, Bernie, Sandra, Tim and Lydia and Jane from SLS for all their great work and to the directors, in particular, Brian, Richard, Anne and Allan who are always available – however small the problem!

8. Matters Arising

No matters arising

9. Marine Manager's Report – Jim Traynor (read to the meeting by Barbara Weir)

Overview

Boat Numbers	<u>2010</u>	<u>2009</u>
	7424	7273
Cruise Ships	16	25

In 2010, Tobermory was again an important venue for organised yachting events; Clyde Cruising Club held its centenary anniversary in the bay with 200 boats taking part from all over the world.

West Highland Yacht Week was again a successful event with good racing enjoyed by all.

The Round Mull Race continues to attract more entries year on year and in excess of 50 entrants is now the norm.

Cruise ship numbers were slightly down in 2010, however Tobermory is continuing to attract new and repeat business.

Tobermory continues to be THE place to visit, and every season is attracting more yachts from other parts of the UK.

Matters for attention

Crown Estate tags have been fitted to all moorings – green this year.

If you do not have one, please contact Jim Traynor who will provide a replacement. Without the tag being visible a mooring could be deemed to be unlicensed.

Boat Park

Owners whose dinghies are at the top of the slipway are again asked to identify their dinghies as the area at the anchors is a space which needs to be kept tidy.

Boat owners in the Boat Park are reminded that boats and trailers should be able to be moved easily and safely.

Pontoons

Last year uncared-for dinghies on the pontoon were less of a problem, however owners are urged to take them out of the water if they are not going to be used.

The south leg of the pontoon will be extended to give 12 extra berths.

Conclusion

Tobermory Bay was very busy in 2010 – organised events were well attended and visiting boat numbers were up on the previous year.

Despite the general economic gloom, people are purchasing boats, be it dinghies or large yachts, and Tobermory has much to offer visitors afloat.

Thanks, as always, are given to everyone who assisted in the smooth running of the 2010 season.

If anyone has any questions about the moorings or pontoons, please contact Jim Traynor or Barbara Weir.

10. Matters Arising

JF said that the boat park is still not tidy enough. It is one of the first things that visitors see. He said that Jim Traynor was stuck in the middle THA wants boat park tidy but the users get angry if he tries to enforce it. Stronger direction is needed from the members.

JF suggested

1. That THA should identify the owners of the boats, trailers and any other equipment left there, contact the owners and get them removed.
2. That the infill should be levelled at the far end of the boatpark to make an area for storage of boats,

The meeting, in general agreed. Suggestions were made of notices being put on the offending items warning that they would be removed if they were not collected. SB suggested an article in round and about would be more fair as not everyone might have a chance to see the notices before the items were removed. THA would have to look into the legality of this action. GS said that there was no signage of rules so it was unclear what was allowed. Where would THA put them when they are removed? Possibly, a notice of intention to remove them and dispose of them by auction.

Proposal by John Franklin, seconded by Phill Sidal

1. That The THA makes robust efforts with owner identification, letters and notices to get the surplus boats, trailers, other equipment out of out of the boatpark. Boatpark signage is also required.
2. That the THA levels the infill at the far end of the boat park to provide more area to put these items

This was passed unanimously by the meeting.

11. Special Resolution to amend the THA Constitution to include a Director from the Forestry Commission

“Caledonian MacBrayne is to be removed as a Constituted Group with an Appointed Director and to become a Co-opted Stakeholder in an advisory capacity without voting rights.

The Forestry Commission, as an adjacent landowner, is to replace Caledonian MacBrayne and become a Constituted Group with an Appointed Director”

AP wanted to add MICT. JM said that there would have been discussion about that before it could be put forward. AR pointed out that due to procedure it could not be put to the AGM without discussion and notice.

The resolution was passed by the majority of the meeting.

12. Nominations for the Committee

All the committee stood down and the meeting was handed over to AR. She explained that all those standing for the directorship were uncontested

(* see list below) - except for The Public.

There were 5 nominations for the 4 Public positions.

The nominations were;

- Mike Shilson
- Graham Brown
- Maggie Buchanan
- James Henderson
- Tim Williams

13. Elections – if required

There followed an election with ballot papers and the following were nominated:

- Graham Brown
- Mike Shilson
- Maggie Buchanan
- James Henderson

The new committee is as follows;

Appointed Directors

Fishermen’s Association	Allan MacLean
Community Council	James Heggie
Yacht Club	Pat Sands
RNLI	Anne Flavell
Forestry Commission	Jan Dunlop
Beach Committee	Richard West

Member Directors

Commercial Divers	Tony Ratcliffe
Fish Farmers	Steve Barlow
Commercial Boat Owners	Michael Asher
Mooring Holders	John Franklin
Small Boat & Running Mooring Holders	Brian Swinbanks
Shops, Hotels & Adjacent Landowners	Rob Barlow
Transport Operators	John MacDonald
The Public	James Henderson
The Public	Michael Shilson
The Public	Graham Brown
The Public	Maggie Buchanan

14. A.O.B.

None

The AGM meeting ended and general members left the room. There followed a meeting of the new committee

Committee Meeting

Present:

Brian Swinbanks, John Franklin, Pat Sands, Mike Shilson, John Macdonald, Graham Brown, Anne Flavell, Maggie Buchanan, James Henderson and Alison Rimell

AR led the elections for the office bearers and the results were as follows. Each nomination was uncontested.

- Chair Brian Swinbanks proposed MS, seconded AF
- Vice chair Allan Maclean proposed BS, seconded MS
- Vice chair John MacDonald proposed PS, seconded JH
- Treasurer Richard West proposed PS, seconded JM

BS then took over the meeting and the next date for the Directors meeting was set for 7 July 2011

The meeting closed at 10.20pm