

TOBERMORY HARBOUR ASSOCIATION

Annual General Meeting

Aros Hall, Friday 8th June 2012 7.30pm

Minutes

Apologies: Jean Whittaker, Steve Barlow, Steven Godber, John Addy

Present: Mike Asher, Richard West, Rory Forrester, Mike Shilson, Pat Sands, Maggie Buchanan, John Franklin, Allan MacLean, Anne Flavell, Graham Brown, Jan Dunlop, Brian Swinbanks, Mary Macgregor, Barbara Weir, Jim Traynor, Don Mitchell, John marsh, Hylda Marsh, Grant Carmichael, Tim Williams, Nigel Hewitt, John Bidwell, Morag Henderson, Alan Parker, Rob MacDonald, Norman Quirk, Ross Laurie, Adam Wilson, Geoffrey Gallagher, Neil Morrison, A Galbraith, Alan Tomkinson, Jacqueline Asher, Paul MacKinnon, Alison Brown, James Henderson, Anne West, David Graham, Rebecca Gallagher, John MacDonald, Andrew Kirsop, Ian Purfit, Jeff Moore, Enid Morroe, Noreen Franklin.

1. Minutes of the 2011 AGM. Presented to the AGM and deemed to be a true record.

Proposed Brian Swinbanks seconded Graham Brown

2. Matters Arising

As a point of order, Alan Parker pointed out that proposer and second not recorded in the minutes for the change to the constitution to remove Cal Mac member and replace with Forestry. Chair apologised for omission. Those present agreed that the change proposed by Alison Rimell had been approved at the AGM in 2011 by the majority present as stated in the minutes and it was agreed that the change was valid.

3. Chairman's Report

Welcome to the 30th - yes the 30th AGM of the THA !

First I would like to introduce you to the THA Staff and the THA Directors.

Brian named all staff and the Board..

We have a great Team. A team who care about the company and care about the future of our iconic harbour.

How are our company, the THA managed and governed? First the Board sets the policy working under a statement of Corporate Governance. This is on the website under THE THA, for all to see. Any future projects and budgets are agreed by the Board. The day to day business is managed by the staff who in turn report to the Board once every month. The THA have also introduced a network of support and subcommittees. Directors with special skills and experience are on hand or phone or email to support the staff - Accounts and corporate Governance - Richard West, Human Resources - Mike Shilson, Building Projects and Maintenance - Allan Maclean, Harbour Maintenance - John Franklin, Health and Safety - Jan Dunlop, Grahame Brown, James Henderson. Fuel Berth - John MacDonald. Charter Boats - Mike Asher, Moorings and pontoon projects - Tony Ratcliffe and Steve Barlow. Your Directors have been superb, turning up on the first Thursday of every month - thank you all.

The THA makes a major contribution to our community. The THA provides facilities for locals and facilities (and information) for our thousands of visitors afloat. Community Enterprise is all about balance and judgment, about managing a sound company and at the same time looking to the future to provide with the approval and drive of your Directors better facilities. Facilities to benefit Tobermory and the wider community. Last year the THA visitor centre became vacant and the THA Directors chose to support an idea, an embryonic proposal from our staff and Directors to create a Marine Visitor Centre with a local focus. A Centre to provide a much needed indoor attraction come rain or shine. In a few minutes we will hear from Don Mitchell who is the project manager how the work to deliver is progressing. Long term the THA is still committed to providing a breakwater and pontoon attenuator to create a protected harbour which will extend the season and provide deep water berthing for our fishing boats and for larger commercial craft.

Have we got it right - this is the AGM and your time to tell us.

Others appear to approve. Groups from Community enterprises all over Scotland have visited the THA in 2010 and 2011. A large group even came from Norway to see and hear what we have achieved and how we manage our community company. This visit was a culture shock as I was told by the visitors that every aspect of Norwegian life is controlled from the centre, by their Government and the concept of devolution, of localism, of community control and local management is totally new. That day we were fortunate to have Mike Shilson, THA Director, who was able to welcome them in Norwegian, I have no idea what he said, but his bilingual skills were much appreciated by our visitors.

What are the THA policies - they are on the website for the world to see but I will take the bullet points

The THA is committed Local Enterprise

The THA is committed to the Devolution of responsibly back to the community

The THA will build facilities to benefit our members and promote local prosperity

The THA will encourage visitors afloat

We will preserve the integrity and the environs of the bay

We are committed to retaining a sense of community

Finally the THA will build future facilities that encourage links for pleasure or commerce across the water to other islands and peninsulas

29 years ago the founding members of the THA negotiated from the Crown Estate the right to lay and maintain moorings in Tobermory Bay. In parallel we obtained Section 34 consent for the moorings from the then Department of Transport and now from Marine Scotland. We also obtained rights to designate and mark a local Fairway through the Bay. These were and still are powerful rights and permissions but 20 years ago the outside world was miles away and now everyone wants to tell us how to manage the coast, the seas, the seabed and the fish. Marine Spacial Planning is descending all over the Islands, driven not by our community but by distant agencies - The Sound of Mull Project, Scottish Sustainable Marine Environment Initiatives (SSMEI), New Coastal forums, Special Conservation Areas (SAC).

Not many years ago Jim collected the moorings fees now Jim goes regularly to meetings on the mainland about Port Security and Port Marine Safety Codes. We are now members of the British Ports Association who meet all, over Scotland and hold their main Scottish meeting in the Scottish Parliament.

Change is arriving, CMAL have indicated that they wish to apply for an HEO in Tobermory Harbour to protect their infrastructure and the lifeline ferry route to Kilchoan. The community now needs to look to the future and secure Tobermory Bay for the Community. We have 3 options; the first is to apply for a Harbour Empowerment Order and reconstitute the THA as a Trust Port. Mallaig is a Trust Port Authority, Tarbert, Wick and Inverness are also Harbour Authorities, Oban has multiple Authorities. Representatives of the THA have met on a number of occasions with CMAL. CMAL have indicated that if Tobermory became a Trust Port, authority and ownership of the Mishnish Pier and the CMAL slip could be passed over to the new Tobermory Harbour Authority. A second option is two Orders one for CMAL and a second HEO for the THA. A third option is to do nothing and continue to manage our assets and our permissions as we have done for the past 15 years. The final option does leave Tobermory Bay open to an application from an outside authority, agency or company.

The THA have a draft report on the website under future projects and we welcome any comments, any information or experience. We need your support, your approval and your objections. This could be an expensive exercise possibly in excess of 50k and even as high as 100k but a HEO would secure the Bay for the community for the long term.

Resolution - Should Tobermory Harbour Association explore the options of becoming the Harbour Authority for Tobermory Bay?

4. Matters Arising

Resolution: “Should Tobermory Harbour Association explore the options of becoming the Harbour Authority for Tobermory Bay?”

It was agreed that Tobermory Harbour Association should explore the options per the resolution.

Proposed Graham Brown seconded Allan MacLean. No objectors.

5. Treasurer’s Report

In the financial year to 31st March 2012, the THA has recorded a satisfactory trading profit of £30,796 before accruals and tax.

The decision to convert the vacant ground floor visitor centre into the Marine Education Centre will bring an exciting and hopefully profitable new venture to the business. The success in attracting grant funding for the capital cost of this project again emphasises the high profile achieved by the THA as a sound business and a positive force in the local community.

Income at £187,237 represents a small increase in income compared to the previous year and was achieved despite an effective cut in charges due to the THA absorbing the 2½ VAT increase, and must be regarded as a positive outcome.

Expenditure at £156,441, was broadly similar to the previous year.

The project costs for the MEC are accounted for under capital expenditure and will be reported separately by the project manager, Don Mitchell.

However, as some MEC funding is conditional on match funding from THA, this liability has been included under accruals as monies to be set aside to meet these project costs from THA revenue.

Funds not required for day to day business are held in reserve against future business risk. The current position with regard to reserved funds is as follows, Reserve Fund £13,000; Asset Replacement Fund £38,050 and Emergency Fund £7,000.

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.

The Accounts record a paper loss for the year amounting to £25,045. It should be noted that the actual profit on turnover quoted as £30,796, ignores MEC costs (which are grant funded) and after making allowance for depreciation and accruals.

6. Matters Arising

No matters arising

7. Marine Manager’s Report

BOAT NUMBERS	2011	2010
	8671	8103
Cruise Ships	24	16

2011 was our best year for cruise ships as all booked ships came in, and we had a few extra who had not booked.

In 2011, the pontoon capacity was increased resulting in greater numbers of bigger boats using it. This trend continued till the end of the year. The Crown Estate financed the extension.

Events continued throughout the season, with the Round Mull Race and West Highland Week being two of the biggest. More foreign boats visited Tobermory than in previous years, and the THA is helping to promote the West Coast of Scotland to European and British boats alike.

BOAT PARK

Following on from last year's AGM discussion about making the Boat Park a tidier area, the boat and trailer parking area has been extended beyond the fuel tanks and the area between the pontoon and the slipway cleared. In Summer this will be kept clear to allow locals and visitors to enjoy the area overlooking the bay and pontoon. In the Winter it can be used for local boats to be kept ashore. All boats must be insured for third party liability (minimum) and be kept on moveable trailers.

CROWN ESTATE TAGS

It is important to ensure that all local moorings have a Crown Estate tag on them. Any that have been lost should be reported to me, and new ones will be ordered.

THANKS

I would like to thank all the THA team, especially Barbara Weir, who stepped in when I was temporarily indisposed last summer.

8. Matters Arising

Chair/Brian read out a letter received from Jean Whittaker addressed to the Board. The letter covered two main points. Winter use/charging of the pontoons and concerns that there may need to be security fencing. Brian replied that:

- *regarding fees to use the pontoon. The pontoon needs to be paid for, including electricity, water, damage etc. John MacDonald commented that the facility offered was fair. Norman Quirk asked what the fees were. Jim Traynor supplied figures and Norman Quirk agreed that he thought that the fee was very fair. There were no objection from those present and it was agreed that the winter pontoon facilities and prices were acceptable.*

Norman Quirk proposed maintain a charging regime in winter.

Maggie Buchanan seconded.

- Concerns that with boat park and Harbour Authority there may be a requirement to erect security fencing as there is in other harbours.

Brian said that there is no plan to put up security fences nor have they any reason to believe that it will become an issue.

9 Marine Education Centre - Project Officer's Report

MEC Overview

Funding Update.

As previously intimated in monthly MEC project report, funding and sponsorship to design, build and install the infrastructure for the MEC is in place.

Funding comes from Enterprise Growth Fund and THA funds to build the extension to house the small media / cinema room, to adapt the existing ground floor area and to design the displays and exhibits that will be shown in the MEC.

Further funding and sponsorship has been secured from the Argyll and the Islands LEADER 2007 – 2013 Programme, plus with a 5 year sponsorship deal with Scottish Sea Farms and Scottish Salmon Company.

The LEADER funding will pay for the Mainframe Display Infrastructure that will house the displays.

Extension Build

Building of the extension is well under way and will be completed during June. Jamie Peden won the contract for this work and has made good progress, helped by our recent spell of good weather. Extension is now just about wind and watertight and work on the internal walls will begin over this weekend.

Interpretation Display Design

Design and development of the interpretation boards is well under way. We have received great support from the many companies, support services and individuals that are being represented within the centre. This has been in the form of pictures, graphics, stories and artefacts that are being donated or loaned for inclusion in the centre, and also simply in the verbal support and interest shown by many of Tobermory, and Mull community.

I have been collecting and collating material over the last few months that will form the basis of the different sections of the MEC

Argyll and the Islands LEADER programme.

The manufacture of the mainframe display infrastructure will be commencing within the next week or so. The process is being governed by the Scottish Government procurement portal, through 'Public Contracts Scotland' – and has taken some time to process. However I am confident that this will be concluded swiftly with an anticipated installation beginning late June, early July to coincide with the finish of the extension and with the development of the interpretation boards. This should allow us to be open for a considerable portion of this summer season.

Zoo Licence.

On the 11th May we had our anticipated site visit by Dr A Meredith, the Government appointed specialist zoo-ologist, and by Mr. David Kerr, senior Animal Welfare Officer for A and B council.

We were joined by the Educational Officer and Volunteer co-ordinator from the HWDT, who were able to assist in explaining our processes and procedures for keeping our marine tank and touch pools stocked. Following the visit we were advised that Dr. Meredith will be recommending that our application is approved, pending documentation of our policies and procedures are supplied in advance.

Last week we were also grateful to hear that radar manufacturer Furuno are willing to supply the centre with some equipment allowing us to display radar information from marine movements in the harbour directly into the section in the MEC centre detailing navigation and technology.

10 Matter Arising

No matters arising

11. Business Administrators Report

I took over in the office at Taigh Solais in March after a comprehensive and much appreciated hand-over from Alison Rimell during February. Whilst Alison was employed in a full-time Management position, my title is Business Administrator and I work on a part-time basis equating to 24 hours per week. I am responsible for Taigh Solais. Maintenance, cleaning staff, tenants, billing, ordering, finance and pretty much whatever crops up. In addition to her Relief Harbour Manager work, Barbara Weir now does 10 hours per week in the office and is responsible for the clerical work for all things marine eg billing the moorings and pontoons. She also looks after the paperwork associated to the cruise ship visits.

Taigh Solais

Taigh Solais is a lovely building to work in and we aim to maintain a clean, fresh and efficient environment for all users.

Rental occupancy has been maintained at 100% for the first floor offices.

Boardroom rental income in 2011/12 showed good 112% increase in income

Facilities

Toilets income down. This is partly because the moorings and pontoon users paying fees are given the code for the turnstile. Aros Hall open to the public in summer 2012.

Showers income steady

Laundry income down. Only one washing machine available in winter and also new Laundry open at the other end of the street.

In the laundry we invested in a new commercial washing machine which will hopefully give a good service to all laundry users.

Jim and I are working on the perennial issue of Waste Management. We seek a workable, efficient and cost effective way to manage the waste and in sharp focusrecycling. Costs rose by nearly 50% between 2010 and 2011 and if we didn't do something differently in 2012 we were looking at over £7000 just to get rid of waste. Whilst some of that can be accounted for in increased visitor number (and we are not complaining on that front), transport and landfill costs have risen hugely this year. Jim and Barbara are

working hard to encourage visitors to sort and recycle. Our aim is to keep down costs but we must avoid overflowing bins.....its a juggling act. Talking rubbish is one thing, juggling it is much more challenging.

I work with Richard West on matters financial and liaise with Jack MacDonald the Accountant to deliver reports and annual accounts when required.

I look forward to the opening of the new Marine Visitor Centre. It will bring a fresh and exciting new chapter to Tobermory Harbour Association and Taigh Solais.

12. Matters Arising

Brian re-inforced recycling message.

13. A.O.B.

No other business raised

14. Nominations for the Board

The present Board all stood down and the meeting was handed over to Mary Macgregor.

Mary read out the list of Appointed Directors and the Member Directors (with proposers and seconders)list for 2012.

There were 7 nominations for the 4 positions on the Board to represent the public.

The nominations were;

- Mike Shilson proposed B Swinbanks seconded V Linneman
- Graham Brown proposed T Watt seconded S Proud
- Neil Morrison proposed A Maclean seconded J Henderson
- James Henderson proposed B Swinbanks seconded I Noble
- Norman Quirk proposed M Asher seconded M Buchanan
- Nigel Hewitt proposed A Thomison seconded C MacInnes
- Geoffrey Gallagher proposed Phil Higson seconded Chusi Morrison

15. Elections

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

- Graham Brown
- Mike Shilson
- Geoffrey Gallagher
- James Henderson

Mary thanked all who put their names forward for election and reminded them that as members they are always welcome to come along to Directors meetings on the first Thursday monthly at Taigh Solais and that THA are always grateful for assistance and participation in the running of the business.

The new Board is as follows;

Appointed Directors

Fishermen's Association	Allan MacLean
Community Council	Rory Forrester
Yacht Club	Pat Sands
RNLI	Anne Flavell
Forestry Commission	Jan Dunlop
Beach Committee	Richard West

Member Directors

Commercial Divers	Steve Barlow
<i>proposed R Barlow seconded S MacFarlane</i>	
Fish Farmers	Grant Carmichael
<i>proposed S Barlow seconded Innes Weir</i>	

Commercial Boat Owners	Michael Asher
<i>proposed M Buchanan seconded P Gallagher</i>	
Mooring Holders	John Franklin
<i>Proposed M Asher seconded R MacDonald</i>	
Small Boat & Running Mooring Holders	Brian Swinbanks
<i>proposed J Whittaker seconded Dr S Jones</i>	
Shops, Hotels & Adjacent Landowners	Rob Barlow
<i>proposed J Fenoulhet seconded K McKee</i>	
Transport Operators	John MacDonald
<i>proposed J MacKay seconded S Godber</i>	
The Public	James Henderson
The Public	Michael Shilson
The Public	Graham Brown
The Public	Geoffrey Gallagher

Caledonian MacBrayne	Iain Erskine (non-voting representative)
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As there was no other business raised Brian welcomed the new Board and asked them to stay after the AGM for a short meeting. He thanked all present for attending and closed the meeting at 21.05

