



TOBERMORY HARBOUR ASSOCIATION Annual General Meeting

Aros Hall, Friday 2nd November 2018 at 7.30pm

Minutes

1. Chairman's opening remarks/welcome.
Brian Swinbanks welcomed Members, Board and Staff present.
2. Present: 4 Board members, 6 staff and 12 members and 1 non-member
Apologies: Rory Forrester, John MacDonald, Andy Cripps, Richard and Liz Airey, Chris Cotton, Robert N MacLeod, Moray Finch, Iain Erskine, Andrew & Sue Penny, Tim & Sheila Barnard, Janet MacDonald, Mike Shilson, John Weir, Colin MacDonald, Jan Dunlop

3. Minutes of the 2017 AGM and matters arising
No questions or matters arising.
Minutes of the AGM 3rd Nov 2017 adopted as true record
Proposed: Richard West, seconded: Barbara West

Minutes of the EGM 13 Aug 2018 to approve new Articles and matters arising
Chairman read out the short minutes
No questions or matters.
Minutes of EGM 13 Aug 2018 adopted as true record.
Proposed: Brian Swinbanks, seconded: Helen MacDonald

There being a quorum present both sets of minutes were approved.

4. Acting General Manager (Anne Fraser)

Anne explained the board and staff structure as there have been quite a few changes.

The Member Board: Currently 10 positions on the board however, under the new Articles of Association, that now reduces to 9.

Don Mitchell stepped down earlier in the year. The THA extends thanks to Don for the work he did over the years, both on projects and on the Board.



The Executive Committee: Made up of staff directors (i.e. executive directors) who are appointed by the Member board. There are 2 vacancies at present and a third position is now available under the new Articles to allow us to bring in specific expertise if required.

Also on Executive Committee, 2-3 members of the Member board, currently Brian Swinbanks, Rory Forester and Anne Fraser. With the retirement of Richard West from the board and a request from Brian to step back from day-to-day business, it was decided at the beginning of the year that the executive would delegate day-to-day responsibility to Acting General Manager. As the company has grown there was a need for greater leadership to bring together and oversee all the different activities within the company. Anne Fraser was tasked to take a more active role. Anne is currently in the role of Acting General Manager on a temporary basis pending a decision by March 2019 as to whether this will become a permanent position.

Marine team

Harbour Master- Robert Hemming - is responsible for Harbour Management, including safety management within Tobermory Harbour, compliance with PMSC and port security. Robert has a wealth of experience that has helped THA navigate through the requirements of Harbour Authority Status.

Trainee Harbour Manager - Rob Macdonald – early last year THA realised the need to strengthen the marine team. Fraser Corbett left his role as facilities officer in December last year and the opportunity arose to create an exciting new role for someone to combine facilities and marine activities. THA advertised for a Trainee Harbour Manager at the beginning of the year and Rob Macdonald joined the team. Rob is responsible for the building and other land-based assets, the pontoons and moorings.

Jim Traynor: Still helps out on cruise ship days and with holiday cover, his knowledge and experience is greatly appreciated.

Marine Assistant: Corrie Mackenzie joined us for summer 2018 as the seasonal marine assistant. THA put him through his Powerboat level 2. THA is pleased to have given a young local man experience which has helped him as he moves to a permanent role with another Company.

Maintenance: Bernie Edwards comes in early most mornings to test alarms and sort out the change.

Finance Officer – Mary Macgregor looks after the finance for the business.

Aquarium Manager- Lyndsey McLaren is currently on maternity leave planning to be back to work in January 2019.



Acting Aquarium Manger – Grace Lambert stood in as Aquarium manager in March covering for maternity leave.

Visitor Experience Assistants – Joe, Jenny & Chole all work hard to deliver a full programme of events and give our visitors a great experience.

Process Improvement Officer – Murray Beattie joined THA in March this year as part of the Scotgrad programme, on an IT based placement to deliver improvements to IT systems, social media and customer engagement.

Key Achievements:

First full year as a harbour authority, a huge body of work to get THA to the first official Audit in March 2018 and the THA's first letter of compliance to the MCA. More work to do in terms of audits, review and reporting and this will all be in place for our next audit in March 2019.

Harbour Authority status has been a huge jump for THA in terms of our responsibilities and the team have done a great job in stepping up. September 2018 visit from the MCA to conduct a 'health check' received excellent feedback.

Drimin Community broadband – THA have been working to help set up a community broadband facility across the water in Drimin. It is a great example of communities working together to improve lives in remote areas.

Compressor: The Aquarium were concerned about the lack of divers coming to Tobermory due to no longer having a compressor on site. Lyndsey pulled together a proposal and we were able to quickly purchase a 2nd hand compressor and get it installed and serviced before the season started, this is an excellent example of how our team work together to solve problems. The compressor is a new income source, ensures divers keep bringing creatures into the Aquarium and finally attracting divers to stay in Tobermory has far reaching benefits to the community, for accommodation owners, shops, restaurants etc.

Aros Park waterfront: the Scottish Land Fund awarded THA 90% of the cost to purchase land at Aros park, (the buildings and land around the shorefront). The award includes funds to engage architects and engineering reports. THA will be moving forward with the purchase with further consultation and funding required in order to develop the site.

Purchase of the Solum: THA was successful in gaining stage 1 funding from SLF for this project. Currently having the land valued and then we will complete the work required to go for stage 2 funding in the next few months. If successful, this will provide 90% funding towards the purchase of the land. This is the land underneath the carpark and not the carpark its self.



Purchase of pontoons: SLF would not consider pontoons as a land-based asset and therefore would not fund the purchase. THA have decided to go ahead and purchase the pontoons through self-finance. The pontoons are an important asset of THA and it makes sense to own them and not the crown estate.

5. Finance Report (Mary Macgregor)

The THA continue to use the services of R A Clement Associates in the preparation of the accounts.

The financial accounts show a satisfactory surplus of £8,558 for the financial year to 31st March 2018. It was a challenging year which saw the introduction of the Harbour Empowerment Order and the additional costs that brought with it. In a year with minimal grant funding for salaries it is good to see that the jobs created through the Coastal Communities Fund have proved sustainable.

Payroll is of course a major cost for any business. With the changes to step up to Statutory Harbour Authority came the requirement to introduce greater control of the business as well as the skills sets to meet the Statutory requirements.

A lot of work has gone into re-structuring of the staff and an ongoing training programme is now in place to ensure succession in the key rolls. Thank you Anne Fraser for all your hard work.

Inspection, repair and renewal of the marine assets is the next biggest cost and this needs to be carefully planned to ensure that year on year replacements and repairs are spread. This ensures safety and quality of the pontoons and moorings for users.

Marine Insurance cover has been significantly increased to meet the requirements of a competent Harbour Authority and after much research we engaged the services of Clark Thomson Brokers who placed the cover with Royal & Sun Alliance.

Assets purchased in these accounts include the final payment of the Passenger Landing Platform which was fully funded from THA available cashflow and will now form part of the latest Phase 6 development for this winter 2018/19.

The Aquarium purchased a further tank to replace a damaged one.

The compressor facility was advertised to attract a new provider but there were no takers. THA decided that this facility was important to visiting divers and its loss would result in fewer (or no) dive groups making Tobermory their base. After much research the compressor was purchased, training done, marketing carried out and regulations met. Unfortunately, a breakdown at the busy time of year resulted in both loss of income and significant additional cost. Hopefully the teething problems are behind us and bookings are already coming in for next year. This is an important facility for the Harbour and Joe and Grace in particular are to be commended for their hard work in bringing this to fruition.



What next?

- Income streams and costs have changed as a result of the Harbour Empowerment Order. In particular the Insurance has doubled. New charges have been introduced for things like commercial anchoring and Harbour conservancy. These will show through in the current financial year and help to mitigate the additional burden of cost on the THA.
- We carefully manage the spending over the winter as the repairs and renewals in respect of the marine and land-based assets. With the building now over 10 years old there are a number of issues to resolve this winter.
- There will be significant work to do over the winter 2018/19 to finalise the purchase of Aros land, purchase the pontoons and also to deliver the new Phase 6.1 project.
- Financial accounts to 31st March 2018 were circulated at the meeting. Members asked for some time to peruse the documents. Approval at item 11. below.
- **Matter arising: No matters arising.**

6. Harbour Master Report (Robert Hemming)

HM Report

A variety of classic vessels visited this year from a Viking Long boat to the sailing pilot cutter 'Alpha' used in the Bristol Channel, last century.

This was the era of Telford, Brunel and the Bute family. Many other enterprising business people were investing in the construction of Docks and Harbours.

Last year's report introduced the Port Marine Safety Code and how it acts as a guide to Harbour Operations.

Prior to this Code, Docks and Harbour Companies operated under the remit of the 'Harbours, Docks and Piers Clauses Act of 1847' and local bye laws.

In 2016, the opportunity for around 40 Ports, to modernise these Bye Laws came with the passing of the Marine Act 2013. This superseded the 1964 Harbours Act and resulted in the introduction of Harbour Directions instead of bye laws.

The timing of our new HEO in 2017, meant that we have bypassed this antiquated legislation, enabling us to start with a clean sheet.



Once you become an 'Authority' – quite rightly things will change. However, as a small maritime community, THA must be wary of making too many hurried alterations.

Progress during 2018 :-

- 3 Stakeholder Engagement / Port User Group (PUG) meetings.

Following on from the Action comments – A PUG is just that, a representative of users – those who would be affected by harbour development.

- A 'Local Port Service' at Taigh Solais to monitor traffic movements within Harbour Limits.
- 2 Notices to Mariners and Navigation Information has been circulated.

Management of the waterway in relation to Conservancy and Enforcement, both subjects highlighted in the PMSC, are in the pipeline to be introduced.

- The first annual 'Table Top' exercise was carried out with Emergency Responders in March.
- Contingency Planning for Oil Spill Response and other Emergency situations, under the Civil Contingencies Act, continue to be reviewed.
- Security, Health and Safety :-Department for Transport inspected management of Port Security
- The Health and Safety Executive (HSE) carried out an inspection in March to look at management of the pedestrian / public / vehicle interface.

Matters arising: no matters arising

7. Marine & Facilities Report (Rob MacDonald: Trainee Harbour Manager)

This new role within the company is to manage the facilities at Taigh Solais, to manage the local moorings, visitor moorings and pontoons.

Taigh Solais has been open 10 years this year.

The showers, toilets and laundry get used a lot by members of the community, crew from our visiting boats and other visitors to Tobermory.



From 2018 THA have sub-contracted the cleaning to Dust2Shine, which has been very successful with some very positive feedback.

Renewal work over the winter to the toilets and showers is required to keep them up to a high standard and enabling easier cleaning.

THA is involved in facilitating the Drimnin Community Broadband scheme.

The community of Drimnin have never had access to internet (other than dial-up). THA have worked with the community group (and Scottish Sea Farms) to introduce a broadband system that services the village and gives them the ability to connect to superfast internet. 50 users in Drimnin now have access to this and it is of huge benefit to that rural community.

THA hosts the cabinet and router at Taigh Solais, and from an antenna on our building a narrow signal is beamed over to the mainland, this is then bounced back to a mast at Ardnacross and from there a 120 degree sector antenna spreads the connection to the subscribers in Drimnin.

This has been possibly life changing to the people within the Drimnin Community.

Scottish Sea Farms also benefit from this getting the service to their sites; The network allows SSF to remotely feed and monitor sites during foul weather or extended feeding periods as well as providing a reliable internet connection.

HARBOUR

The figures for the harbour show a healthy number of boat visits. It was a slow start to the season, but it picked up pace.

We had some cruise ships cancel due to weather this year and are still receiving good feedback on the PL Pontoon.

Over the winter continue to review the moorings and a rolling program of maintenance on the pontoons. This includes replacing some of the decking and renewing some of the electrics on the original section of pontoon.

Matters arising: B Weir asked about the Cruise Ship numbers which seem to be down on prior years. Response that income is up on last year so maybe a different reporting method explains the numbers.

8. Process Improvement Officer (Murray Beattie)

Murray introduced himself and explained what his ScotGrad Placement for young graduates entails. The funding is supported through HIE who also fund training at ScotGrad workshops.

The “Process Improvement Officer” job remit entails research and development of new and existing IT systems to provide a streamlined and efficient approach.

- Development of new website design and functionality to improve ease of use.



- Implement POS system allowing ease of pay.
- Manage social media including Instagram, Boat of the week and Twitter.
- Surveys – Destination and Cruise Ship.
- Database – Creating and developing a relational Database for company records.

Matters arising: no matters arising

9. Mull Aquarium Report (Grace Lambert)

Overview

2018 at a glance showed a 13% decrease in visits + 57% decrease in season pass visits. The better weather at the beginning of the season resulted in visitors doing more outdoor pursuits.

Educational events

129 School children visited, 39 Educational Events, 5 Private parties
50 college students and students visiting from over seas.

The educational events include the half day ocean discovery sessions and feeding time.
Visits from Danish MPs and other dignitaries.

New for 2018

Breathing Air Compressor, Expansion of kids clubs into new venues and the very popular “Joke of the week”.

Air compressor resulted in: 9 visiting dive groups, 11 individuals and regular commercial users such as M.Dive and Northwest Marine. In total 552 bottles.

What's next

Plans for minor alterations within the aquarium, and the possible creation of some out-side learning space.

Grace thanked the volunteers, George and Jamie who are doing Duke of Edinburgh and a huge thanks to Andy (Professor Plankton) Tait for all his help through the year.

Matters arising: no matters arising

10. A.O.B.
Brian gave a brief summary of other matters



- Staff team. Reported that the Board were pleased with the new team and looked forward to it going from strength to strength
- Pontoons. Purchase of the pontoons from SCE will increase the asset base of the THA
- Ledaig and Boatpark Solum. Work ongoing to secure the purchase through SLF
- Purchase Aros Waterfront and buildings. SLF stage two work under way with purchase. Some interest from business's who may be interested in the development
- Phase 6.1. Good news that EMFF have come forward with a sum of grant funding which will allow THA to proceed to place an extended platform of wave attenuators out from the PLP. This however must be achieved by financial year end which means a lot of work which already under way. HIE have also come forward with some match funding. We are grateful to the funders.

11. Accounts to 31st March 2018 for adoption by the members present. 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. Proposed: R West seconded: B Weir

12. Nominations for the Board.

Anne Fraser explained the process of the board elections

- The member directors can serve for a period of 3 years, after which they must step down, but can stand for re-election.
- After 9 years on continuously service, they must have a year off before re applying.
- This system was introduced in 2015, therefore any directors who have been elected on that date and not stood down in the interim years, must now step down.
- Helen MacDonald, Rory Forrester, Alan MacLean, John MacDonald and Anne Fraser are the Board members who must step down at this AGM.
- Four directors are willing to stand again but Anne Fraser will stand down and continue on as staff until the board reach a decision on the permanence of the General Manager role.
- The number of positions on the board is now 9
- There are no new nominees standing for election
- Unless there are any objections the 4 directors standing down can be re-elected without a ballot.
- There will therefore remain one vacancy within the board.
- The board can elect an interim board member at any time during the year, pending approval at the next AGM.



Therefore, the membership now must vote to re-elect the following members;

Helen Macdonald

Rory Forester

Allan Maclean

John Macdonald

Unanimously carried by show of hands from the members present therefore the four are re-elected to the Board as Member Directors.

Matters arising: No matters arising

13. Closing remarks:

There being no other business the meeting closed at 20.50.

These minutes were presented to the Annual General Meeting on 8th November 2019.

There were no matters arising

Adoption of the minutes was proposed by Brian Swinbanks and seconded by Barbara Weir.

Brian Swinbanks

Chairman

8th November 2019