



Time: 7:30pm

THA Board Meeting

Date: Wednesday 9th December 2020

Location: Online Zoom Meeting

Apologies

Steve Littlewood

Minutes

Mary Macgregor

Present

Brian Swinbanks, *Chairman/Director*

Rory Forrester, Helen MacDonald, Anne Fraser, Jan Dunlop, Rob Macdonald,

Allan MacLean, Vic Linneman Rob Macdonald, John MacDonald

Description	Action
<ul style="list-style-type: none"> ○ Apologies ○ Draft minutes and matters arising from 6th October meeting. ○ Matters arising. Duty holder training done ○ Minutes approved BS seconded RF ○ AGM 6th Nov 2020 any matters arising. R Macd confirmed that he is consulting with Ron Bailey and PUG, and communicating with NLB re the requirement for a light at Calve per a question raised at AGM. ○ Confirmation of Board positions following AGM. Brian Swinbanks was confirmed as Chairman for the coming period following his re-election at the AGM. ○ Sub-groups reviewed and confirmed. SL to join Remuneration sub-group. MHM and BS to be sub-group for Argyll Properties Development. ○ Brian asked that the sub-groups make decisions and bring the resolutions to the Board meeting. This is especially important at this very busy time. 	<p>Staff to call on sub-groups on an ongoing basis to get decisions made as matters arise.</p>

- Harbour Report
 - Safety Review: Accidents, Incidents, near misses.

There is 1 near miss to report. A boat being launched on the slipway broke free from the towing vehicle and rolled down the slip into the sea. Still to speak to the vessel owner regarding this incident, but I will update the report with recommendations and lessons learned.

- No incidents and accidents
- **PMSC Audit.**

The port marine safety code requires the designated person to monitor review and audit the risk assessments and safety management system on a regular basis. This ensures that we are Compliant and running the Harbour in a safe manner, it is also reassurance for the duty holder.

Last month we had our audit carried out by Ron Bailey over Zoom. Overall, it's a very positive outcome, copies were circulated to the Board by email. The summary of Ron's report was circulated and discussed. Statement from Ron's report:

"It is my professional opinion that THA comply with the Port Marine Safety Code and I recommend that the Chair write to the MCA by March 2021 confirming such compliance. I will however require to see the action points that I have identified acted upon by June 30th 2021, particularly the OPRC plan submission and Crime Policy.

Further internal discussions are required as to what performance standards THA sets itself for 2021, such as zero major accidents, less than 5 near misses etc etc. This can then be measured against actual cases and reported upon at the next AGM." Rob Bailey

We can send off our letter of compliance, which has to be done every three years and is due March 2021.

Marine Team to tackle other items highlighted over the next few months, the main one being the oil spill response plan and the crime policy.

Chair to write to the MCA by March 2021 confirming compliance.

R Macd to attend to the matters highlighted for actions in the Audit report

Finance Report Mary Macgregor

- We commissioned Chiene and Tait as VAT advisers on the Solum purchase and we have submitted an “option to tax” request to HMRC for the Solum.
- Cashflow report was circulated and discussed.
- I was involved in providing information to inform Ekosgens report for Visit Scotland webinar last week. The meeting showed that Visit Scotland and the Scottish Govt have the will to make a platform to bring together Cruise business in Scotland so that the visitors, ships, tour operators, ports and destination businesses have a central point and a more cohesive system for a collaborative effort to make the Scottish Cruise experience the best it can be.
- Finally, I will send out an email to ask each Board member to confirm the status of their “Conflicts of Interest” to refresh that following the AGM.

Marine and Taigh Solais Report R Macdonald

- Close 3 days at Christmas and 3 days at New Year to allow Nettie (Cleaning Company) to have some time off.
- Discussion regarding the Fresh Water Collection Proposal at Aros. A report on this matter was circulated and Rob asked all Board to read through the notes that Douglas Ingram had sent. Sub-group meet via zoom next week armed with all this information and make the decision.
- **Proposal re long term berthing.**
A proposal and report was circulated and discussed. The aim is to provide accessible berths for people who struggle with health and mobility. We will provide be providing a maximum of four berths. Members will get favourable rate.

What are the benefits:

1. Benefit to our members, maybe enabling them to use their boats for longer.
2. We would be mainly looking at the inside berths that aren't used by visitors that often.
3. Resulting in some additional income.

Board will each get an email to ask to confirm their “conflict of interest” statement following AGM

R Macd and Sub-group to Zoom meet to come to decisions in the coming week to move this forward

Approved to proceed with the long term berthing proposal

- North West Marine invoice/quotation has been received and it is much higher than we had expected. It could be as much as £30k this year. Roughly half of that is chain/materials for replacements the rest is boat days. Rob has spoken to Jim Traynor who said that spikes in asset replacement do occur but the issue seems to be Jiffmar/NWM way of working and additional H & S adding to costs. Significant is the day rate for the boat when in fact they only do part of a day then the workers go away for a ferry. They are also charging for travel. J MacD reminded Rob that he has a significant amount of chain available for sale which could amount to a saving but it is not galvanised. Anne said the contract should go to tender following the procurement policy.

- Conservancy and charging policy – Anne Fraser

Marine Conservancy Policy

Tobermory Harbour Association (THA) will maintain, improve, protect and regulate ~~the~~ navigation and facilities provided for the use of local vessels operating from the harbour and vessels visiting the harbour.

The THA will implement the THA Environmental Policy to protect the flora and fauna of the harbour to maximum extent commensurate with the powers granted by the Tobermory Harbour Empowerment Order 2017.

These services will include: -

- Provision and maintenance of navigation aids.
- Surveying of the harbour on a quinquennial cycle.
- Removing wrecks and obstructions as required.

THA charges will include for the provision of these services.

Terms and conditions of the policy were circulated and discussed. Full details will be advertised and directly advised to those Harbour Users directly impacted prior to implementation.

- General Manager Report – Anne Fraser

Staffing:

- Well done to Joe who has now completed his Port Operations NVQ and level 4 oil spill course. That is Joe

Rob to speak to Tony Ratcliffe and investigate the methods of recording asset replacement. Also, to ask Tony if the divers can stay over rather than travel every day to try to reduce cost.

Further work to do on looking at going to tender. Mary has added the additional spend in to the cashflow projection.

Anne to progress this policy with a view to advising customers and charging from 1st April

completed all the training set out in his 2-year development plan.

- Aquarium – Lindsey is taking her full maternity leave entitlements and will not be returning until May, Aquarium unlikely to open until then. Grace is potentially due to return then as well, although she could decide to take longer, it's too early to confirm.
- I'm not doing full appraisals this year, as it would be unfair to ask staff if they have met their objective, given the circumstances, we will meet however and discuss how the year has gone and set new goals for 2021.
- I've applied for 2 kickstart positions through Inspire Alba, one for the marine team and another for the aquarium. Both placements will be grant funded up to 25hr p/w for 6 months. we have been approved and just await specific details.
- One of the outcomes for the 6.2 project is to hire a Business Administrator, as we didn't replace Jenny, we hope to rehire in the new year. This will be an important role that will cover data management and communications, as well as cross train on some of Mary's tasks. We hope to grow this person into a business manager and I'm looking to access training funds to support this role. Plan is for full-time however part-time will be considered for the right person. A good team fit is essential for this role.
- I will write a report for the remuneration committee next week, on the salary bands etc for next year.

Other news

- Webinars galore the last few weeks, we have tried to spread them between the 4 of us, Adventure tourism and cruise ships have been the most informative. My presentation went well, and I made some connections off the back of it, good PR for the company.
- Funding – restart tourism grants are due to be announced in the coming weeks. That could help with costs of recommissioning the moorings and reopening the aquarium.
H MacD asked timescale on recruitment...AF said hopefully advertise January with a view to start in March when hopefully we can actually be in the office rather than at home

- Project: Solum Anne Fraser
Further impediments to the land transfer have arisen and the lawyers are working through them but it will impact on settlement date.

Project: Phase 6.2 B Swinbanks

- Brian reported that the Argyll and Bute Council planning permission is well though the process and we hope to be notified before Christmas of the decision.
- Crown Estate are looking at the request for permission to proceed but we are not clear when that will get a response.
- Marine Scotland has indicated that it is adding the new license to the existing license which runs out in 2023.
- Brian is working with Koronka and confirmed that the contractor is working hard to pull the sub-contractors together now that we are ready to get plans done and assets ordered.
- Koronka and Inland and Coastal are having a site meeting to pull together the project requirements next week.
- Anne confirmed that the first instalments had been paid to Inland and Coastal and that the first claim submitted for HIE funding
- FLAG will settle whenever we have an invoice from Koronka.
- AF will do some PR and advise the people who gave letters of support that things are going well.
- Matters requiring Board Approval
- Any “conflict of interest” changes to report
- Any other business
- Argyll Properties planning is through. Agreement needs to be refreshed on what the agreement is with THA. We need to make sure the room has the facilities we need by way of utilities etc. Also need to look at the legal side and timeline.
- There was discussion about the possibility of a film crew coming to the Harbour. Pros and cons were discussed but in general there was not much appetite for the project.

MHM to send emails asking for confirmation of changes to conflict of interest following AGM

BS and MHM to look at original agreements/Head of Terms and arrange to meet Calum MacLachlainn to progress.

AF to tell them that THA not interested in being involved due to pressure of work.

There being no other business the meeting closed at 21.55