



Scottish Charity 044 698

Minutes of the 37th AGM of West Highland Anchorages and Moorings Association held in Corran Halls, Oban at 11:00 a.m. on 21 January 2023

Attendance

27 people attended the AGM, and their names are listed at the end of the minutes for the record.

1) Apologies

Apologies were received from 32 people whose names are listed at the end of the minutes for the record.

2) Minutes of the AGM on 4th December 2021

The minutes of the 2021 AGM were proposed by David Vass of RHYC and seconded by Derek Wilkinson of West Connel MA and approved by the meeting as an accurate record.

a) Matters arising not already on the agenda

There were no matters arising.

3) Reports

a) Chairman's report

The Chairman' Jim Traynor's report was read by the Chair of the meeting as follows:

First of all I would like to give my apologies to everyone for my absence at the AGM and thank Chris for standing in for me.

My 2021 report talked of the fantastic weather throughout the summer and how much it helped get back on the water after Covid.

I wish I could report the same again, however, although the visitors were plentiful, as everyone knows the Scottish weather returned to its usual unpredictable self.

I think that people's lasting sailing memory of summer 2022 will be of spending time tied up or at anchor in harbours throughout the west coast.

Hopefully next season will see the weather improve and everyone enjoying what Scotland has to offer.

Your committee has been working hard to deliver an updated constitution to take WHAM forward for the years to come. Duncan will report on it later in the meeting.

The main reason for the AGM being moved forward to this date was to allow time for the treasurer to present the current year's accounts to the meeting.

David Wilkie has worked hard to get this done and he will present them later.

Crown Estate Scotland have produced their report and proposed fees starting in 2024. We will hear their reasoning later when they report.

Oban Harbour is also in the news with Argyll and Bute council proposing to become the Municipal Harbour Authority for Oban Bay.

I would like to thank all the committee members for all their efforts on behalf of the WHAM members and for making my job as chairman mostly plain sailing.

Roger Rhodes, who most of you know, has had to resign as a committee member due to ill health and we wish him well in the future.

b) Secretary's Report

The Secretary read out his report which was accepted without questions by the meeting.

c) Treasurer's report

The Treasurer referred to his reports for the years ending 2021 and 2022. The reports were accepted.

The amount of cash held by WHAM was queried by Gordon Macintyre of Glencoe Boat Club. The Treasurer explained that this represents a fighting fund which has been built up over a number of years which could be used to protect WHAM's interests or be lent to members as loan capital for qualifying projects.

Will Ferguson of Dunstaffnage MA asked about the £400 legal costs in the accounts. This was explained as the costs for the legal review of the new constitution.

Stuart Layton of Lochaline MA asked if associations could get a downloadable version of a sample constitution. This is available as a template from WHAM on request and the committee will consider posting on the website for ease of access. John Wilson of Balvicar MA has rewritten their constitution and is happy to share with WHAM.

4) Adoption of the Accounts for 2021 and 2022

The accounts for 2021 and 2022 were proposed by Duncan Martin of OBCB and seconded by Derek Wilkinson of West Connel MA and approved by the meeting as an accurate record and approved by the meeting.

5) Appointment of the Independent Examiner

The Treasurer proposed Paul Smyth to continue as the Independent Examiner but stressed he may step down in the future. The committee agreed to keep this under review as required.

6) Election of Office Bearers

The existing office bearers who had expressed a willingness to continue in office were proposed by Gordon Macintyre of Glencoe Boat Club and seconded by Will Rudd of Lochgair MA. The following were therefore duly elected:

- Jim Traynor – Chair
- David Wilkie – Treasurer
- Duncan Tannahill – Secretary

7) Election of Committee

The rest of WHAM committee was re-elected en bloc unanimously by the meeting.

- Derek Wilkinson
- David Vass

- Roger Thwaites
- Chris Perring
- Robert Kincaid
- PLUS Tony Bennett (ex officio as Crown Estate Scotland Community Marine Officer)

It was noted that the committee has one vacancy to be filled. There were no nominations from the floor to fill the vacancy.

8) Adoption of the new constitution

The secretary explained the background to the development of the proposed new constitution and the work that had been conducted in the previous year to develop the draft that is before the AGM for consideration. It was noted that legal opinion had been sought from Alan Eccles, Partner of Bannatyne Kirkwood France & Co in Glasgow to ensure that the constitution met the requirements of OSCR in all respects.

There being no discussion, the meeting was asked to approve adoption of the new constitution. A vote was held by show of hands which was unanimous in favour of adoption the new constitution.

9) Discussion to establish if WHAM should become an incorporated charity (SCIO)

A discussion was held on whether WHAM should become an incorporated charity through the setting up of a SCIO. The secretary explained the principle benefit would be to indemnify the committee and members from liability. The indicated legal cost for a lawyer to set this up is in the order of £1,000 + VAT.

Comments we made from the floor that it is possible to set up a SCIO without the cost of legal input but rather using OSCR to advise and guide through the process.

The discussion on the risks of litigation that WHAM is exposed to was judged by the meeting to be very low. It was noted that we do not carry insurance cover for such eventualities.

The view of the meeting was that the topic should be referred back to the committee to review and discuss further and then act as appropriate.

10) OCHDA update

It was noted that the draft Harbour Revision Order (HRO) prepared by Argyll & Bute Council has been submitted to Transport Scotland in late December 2022 for approval and thereafter the establishment of a new Harbour Authority to be run by the Council. There were no changes made to the HRO that was presented at a Council meeting on 23/12/22.

The roads department of the Council will oversee the proposed new harbour authority.

Further comments must now be made to Transport Scotland.

It was noted that the Council have made no provision in the HRO on how the 240+ moorings and related infrastructure in the Oban Bay area will be managed. The Harbour Authority could remove moorings without consultation based on the proposed HRO.

David Vass noted that it appears that consultation recommendations have not been followed or incorporated and that the Harbour Master will have unlimited powers.

It was noted that fees for using the harbour can be spent anywhere in the Argyll and Bute Council area and not just for the benefit of coastal areas.

It was noted that Transport Scotland will come out with a further consultation and WHAM and others must make their concerns clearly known at that time.

WHAM will advise all members as soon as the Transport Scotland consultation becomes live so that comments can be timeously made.

11) Crown Estate Scotland update

On behalf of Crown Estate Scotland (CES), Tony Bennett, updated the meeting on a range of relevant issues.

He explained the process that had been undertaken for the review of mooring fees which included an independent valuation review of all moorings in Scotland (private, mooring association and commercial), together with a separate Socio-Economic Review that was completed in parallel. This resulted in detailed reports being presented to CES in August 2022.

There are approximately 8,000 consented moorings in Scottish waters (rest of UK = 10,000). Some 3,700 are in mooring associations. There are 325 private moorings in Argyll, together with more than half of the 123 mooring associations. Tony noted that the Clyde and the Oban Area have very high demand for moorings. 98% of all Scottish mooring association capacity is currently utilised. It was indicated that there is potential for new mooring associations in Loch Melfort, Tiree and Coll.

The valuation office looked at market led pricing i.e. higher fees in areas of high mooring demand versus a flat rate model. The flat rate model has been adopted by CES and the fees set at £110 and £55 for private and mooring association moorings respectively. It was noted that the fee year will run from April each year as opposed to January, so quarter one of 2023 will be effectively a grace period. The new fees come into effect 1/4/24. Mooring Association invoices for the year starting 1/4/23 will be issued shortly and are due for settlement by 1/7/23. These will be issued at the current fee level of £80 and £40.

Future reviews of fees will be made every five years based on inflation and then a full market review every ten years.

It was noted that the income generated by mooring users is currently approximately £190k p.a. in Scotland, and that this will rise to approximately £260k as a result of the rent increase in 2024.

Tony advised that income across the whole of the CES marine estate is significantly higher than that which is generated from the moorings. All the operating profit is passed to the Scottish Government who in turn distribute it to the local authorities; approximately £1.4million pa is currently passed on to Argyll and Bute Council. He detailed the number of people working to manage the marine estate, particularly the moorings, and described the general structure including the relationship with Bidwells.

To improve the support that CES can provide to WHAM and mooring associations, he asked that any issues and / or concerns be advised as soon as possible as it is usually easier to resolve at the outset and not further down the line.

CES recognise and thank all mooring associations for the work they do and in turn the support that they give to CES; this was recently endorsed by the full Crown Estate Scotland Board.

It was noted that CES do not have statutory powers and only Marine Scotland and Harbour Authorities have such powers.

Noted that CES working with Demonstration and Research Marine Protected Areas (D&R MPA) to promote and develop best environmental practices such as that being developed

in Loch Craignish, but also ensuring that the interests of recreational users are understood and respected.

It was suggested in the recent Socio-Economic Assessment report commissioned by CES that a best practices group / publication is established to support mooring associations. WHAM will discuss at committee level.

12) AOB

- a) There was a brief discussion to alert members on the growth of seaweed farms and it was recorded that WHAM and others are involved to comment on such developments to ensure boat users interests and navigation interests are understood and accommodated in such developments.
- b) The meeting agreed to a suggestion that WHAM, RYA and CES should set up a process to share information on regular basis. The committee will examine and report back in due course.

The meeting closed at 12:35pm with a vote of thanks to the Chair and the Committee.

The following people attended the AGM:

1. Chris Perring – Crinan Harbour Assoc. (Chair for the AGM)
2. Duncan Tannahill – WHAM Secretary
3. Hamish Loudon – Fort William AMOOA
4. Stewart Layton – Lochaline MA
5. David Wilkie – WHAM Treasurer
6. Rob Adam – Bidwells / CES
7. Tony Bennet – Bidwells / CES
8. Duncan Martin – OBCB
9. Derek Wilkinson – West Connel MA
10. David Vass – RHYC
11. Will Rudd – Lochgair MA
12. Margaret Rudd – Lochgair MA
13. John McArthur – RYA Coastal Watch
14. Gordon Macintyre – Glencoe Boat Club
15. William Ferguson – DMOA
16. Graeme Stones – Luing MA
17. Pamela Jowett – Ardentallen MOA
18. John Wilson – Seil Sound & Balvicar Bay MA
19. Ian Gibson – SSMA
20. Colin Scott – CBMA
21. Robert Hill – Kames Bay MOA
22. John Loxham – Achnamara MA
23. Peter Tosh – Oban Port Users
24. Geraldine Deighton – Achnacree MA
25. Alasdair MacLeod – Achnacree MA
26. Alastair MacLeod – Lerigoligan MHA
27. Andy Know - RHYC

Apologies have been received from:

1. Roger Thwaites, WHAM
2. Jim Traynor, WHAM
3. Robert Kincaid, WHAM
4. Peter Bazeley, Loch Aline MA
5. Colin Corlett, Moidart MA
6. Graham Russell, RYA Scotland
7. John Clayton, Airds Bay MA
8. Peter Holmes, Lochcarron MA
9. Alison Symon, West Connell MA
10. Logan Brown, Achnacree MA
11. Andy Grant, Achnacree MA
12. Marion Austin, Achintore MOA
13. Hamish Lawrie, Badachro MOA
14. Irene Murray, Connell Bridge MA
15. Rick Shone, Sound of Sleat Community MA
16. Robert Widdows, Shieldaig MA
17. Duncan Kennedy, Roshven MA
18. Nick Mawkinney, Sound of Ulva MA
19. Peter Douglas, Northern Lighthouse Board
20. Paul Bancks, Crown Estate Scotland
21. Duncan Rogers, Castle Sween MA
22. Iain Matheson, Stein MA
23. Brian Gallacher, Airds Bay MA
24. Ian Fleming, Roshven MA
25. Chris Pendlebury, South Sleat Community MA
26. Bill Faerestrand, Crinan Harbour Association
27. Andrew Duns, Mid Kerrera MA
28. Fiona Stephenson, Balvicar Bay MA
29. John Kent – Crown Estate Scotland
30. Eilidh Moyes – Crown Estate Scotland
31. Stewart Ritchie – Salen Bay MA
32. Derek Cooper – Ardentallen MA