



Scottish Charity 044 698

Minutes of the 39<sup>th</sup> AGM of West Highland Anchorages and Moorings Association held in Corran Halls, Oban at 11:00 a.m. on 18 January 2025

### **Attendance**

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

### **1) Apologies**

Apologies were received from 13 people whose names are listed at the end of the minutes for the record.

### **2) Minutes of the AGM on 20 January 2024**

The minutes of the 2024 AGM were proposed by David Vass of RHYC and seconded by Willie Ferguson of Dunstaffnage Mooring Owners Association 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 Chair welcomed everyone to the AGM of WHAM.

The Chair's report was noted and there were no questions arising.

#### **b) Secretary's Report**

The Secretary's report was noted and there were no questions arising.

#### **c) Treasurer's report**

The Treasurer report was noted and there were no questions arising.

### **4) Adoption of the Accounts for 2024**

The adoption of the accounts for 2024 was proposed by Derek Wilkinson of WHAM and seconded by Willie Ferguson of Dunstaffnage MOA. The meeting accepted the accounts as an accurate record.

### **5) Appointment of the Independent Examiner**

Andrew Mead was proposed by Chris Perring and seconded by Duncan Martin of Oban Bay Community Berthing to act as the Independent Examiner for a further year. The appointment was approved by the meeting.

### **6) Election of Office Bearers**

The existing office bearers who had expressed a willingness to continue in office and were proposed by and approved by acclamation. 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 proposed by Roger Thwaites of South Shian MA and seconded by Iain Simpson of Oban Bay Community Berthing was elected en bloc unanimously by the meeting.

- Derek Wilkinson
- David Vass
- Chris Perring
- Willie Ferguson
- Boyd Holmes
- Jeremy Birnie
- PLUS, Tony Bennett (ex officio as Crown Estate Scotland Community Marine Officer)

The Chair thanked Roger Thwaites who has stood down from the committee.

## **8) Establishment of WHAM as an incorporated charity (SCIO)**

The meeting unanimously approved the new constitution for the new charity which comes into effect immediately.

It was noted that a new bank account has been set up and that shortly all funds from the old charity will be transferred to the new charity. Thereafter the old charity will be wound up in line with the authority granted by OSCR. The new charity can then change its name from West Highland Anchorages and Moorings Association 2024 to West Highland Anchorages and Moorings Association. The website will be updated to show the new charity number and otherwise the website will remain the same.

## **9) OCHDA and Oban Bay HRO update**

Noted that the HRO had received 142 responses of which 139 were objections. Only 3 objections have been withdrawn to date. A normal HRO consultation receives 10 to 12 objections.

Argyll and Bute Council responses to objections were totally unsatisfactory and were simply 'cut and paste' responses without answering specific objections of issues raised. Their consultation was grossly inadequate and failed to follow the 4 Gunning Principles for public consultation.

Transport Scotland are now determining the next stage of the HRO with the options to accept the Argyll and Bute Council submission or refer back to the Argyll and Bute Council for amendment or indeed refer to a possible public enquiry.

A meeting with local MSP Jenni Minto is scheduled for Monday 20<sup>th</sup> January 2025 at which WHAM will be represented by Duncan Tannahill and Jeremy Birnie.

Comments / questions to be taken to the meeting with Jenni Minto:

1. Had a Trust Port been created it would have supported national policy and would have gained wide community engagement and support. It would potentially have been up and running at least two years ago.
2. The Council seem to want to ringfence the profits from Oban Harbour and use elsewhere rather than in Oban. This is potentially being made easy for the Council as they are refusing to disclose open and transparent accounts information for the Oban Harbour.

3. There is a feeling that Council Officers misrepresented objections to elected Councillors. For example, one submission of some 70 pages was truncated to two pages before presentation to Councillors.
4. Safety needs to be a strong driver for the new statutory harbour authority to prevent serious accidents and it is felt that the Council lack the expertise to run a safe port facility.

## 10) CMAL HR(C)O

The proposals from CMAL to consolidate all rules and regulations across all the port areas they control is currently being consulted on. Their plan is to resolve and streamline all legacy issues.

CMAL also want to move away from direct involvement in running and licencing moorings e.g. on Coll.

It was noted that David McHardie at CMAL has engaged in the process and has been very helpful.

It was noted that Argyll and Bute Council are potentially preparing a similar consolidation order covering the 35 ports they control and bringing them under a statutory harbour authority. Tobermory is already operated as a statutory harbour authority.

Also discussed was the new Port Marine Safety Code which will be expanded to include all structures that have public access and may impact mooring associations who will require to comply. See links to the code here:

<https://assets.publishing.service.gov.uk/media/5f63874d8fa8f51069100621/port-marine-safety-code.pdf>

## 11) Peel Ports conservancy fee proposals

Peel Ports are consulting on the introduction of a conservancy fee covering the whole Clyde Port area which extends to 450 square miles.

The proposed fee for vessels between 6 and 24 metres in length is £100+VAT per year with a lower summer season rate and a visitor rate.

They have the power to make such a charge under their harbour authority as granted under legislation. At the moment the Cross Party group in the Scottish Parliament which cover recreational boating is involved with and objecting to Peel Ports proposals however it appears that the government are not engaging as they have no statutory authority to do so.

WHAM are concerned that Councils on the west coast who control ports may view this as a good money making scheme and introduce similar charges in the future.

### **Public petition:**

Please see below press release and public petition that has been launched from Stuart McMillan MSP's office calling on Peel Ports to abandon their conservancy fee plans: <https://chnq.it/bHbVBsSZKV> Please sign the petition.

## 12) Crown Estate Scotland update

Tony Bennett updated the meeting on various Crown Estate Scotland (CES) issues:

- Carolyn Murphy will now deal with mooring associations and private mooring. She is based in the Bidwells Perth office.
- Annalee Gill is the new CES aquaculture lead.

- New tags are about to be issued for attaching to moorings to show they are correctly licenced. This year they are blue in colour with pre-fix letter 'A'. 7,000 are about to be issued.
- The Coastal Team at CES are noted as being very receptive to enforcement issues concerning poor condition or unlicenced moorings.
- The Moorings Association handbook is still to be completed and is making slow progress.

### **13) Mooring inspection diver capacity**

North West Marine Ltd have advised that they are withdrawing from mooring inspection work and servicing of moorings. They are concentrating on larger Europe wide contracts. This announcement effectively reduces the capacity for mooring servicing work.

The only company now offering a service is KMASS – see WHAM website for their details. KMASS also support fish farms and marinas with diving support and therefore demand is high for their services. The sector is not highly profitable and very capital and manpower intensive.

It was suggested that mooring associations need to work together to secure service support when KMASS are operating in an area. Each individual mooring owner, however, must be responsible for their mooring and its condition to ensure that insurance cover is not invalidated by lack of maintenance.

Fort William MA noted that KMASS had refused to service their c. 50 moorings.

### **14) AOB**

There were no matters arising.

The meeting closed at 12:46pm with a vote of thanks to the Chair and the Committee.

The following people attended the AGM:

<b>Name of organisation</b>	<b>Category / source</b>	<b>Role</b>	<b>First name</b>	<b>Surname</b>
WHAM	Committee	Chair	Jim	Traynor
WHAM	Committee	Member	Chris	Perring
WHAM	Committee	Member	David	Vass
WHAM	Committee	Member	Willie	Fergusson
WHAM	Committee	Secretary	Duncan	Tannahill
WHAM	Committee	Web Master	Derek	Wilkinson
WHAM	Committee	Member	Boyd	Holmes
Achintore	Member	Moorings	Hamish	Loudon
Achnacree (North Connel)	Member	Chair	Logan	Brown
Achnamara	Member	Secretary	John	Marsden
Balvicar Bay	Member		Chris	Dugdale
Connel Bridge Moorings Association	Member	Chair	Colin	Scott
Craignish Lagoon	Member	Secretary	Niall	Campbell
Gigha Trading Ltd (Ardminish Moorings and Pontoon)	Member	Office Manager	Shona	Bannatyne
Lochgair and Minard Mooring Group	Member	Chairman	William	Rudd
Lochgair and Minard Mooring Group	Member	Secretary and Treasurer	Margaret	Rudd
Oban Bay CB	Member	Chair/Treasurer	Duncan	Martin
Oban Bay CB	Member		Iain	Simpson
South Shian	Member	Sec/Treas	Roger	Thwaites
South Shian	Member		Ian	Gibson
Bidwells LLP	Stakeholder		Eilidh	Moyes
Coast Watcher	Stakeholder		John	McArthur
Crown Estates	Stakeholder		Tony	Bennett
Crown Estates	Stakeholder		Rob	Adam

Apologies were received from:

<b>Name of organisation</b>	<b>Category / source</b>	<b>Role</b>	<b>First name</b>	<b>Surname</b>
WHAM	Committee	Treasurer	David	Wilkie
Airds Bay	Member	Secretary	John	Clayton
Airds Bay	Member	Treasurer	Brian	Gallacher
Ardentallen	Member	Treasurer	Pamela	Jowett
Glencoe B C	Member	Commodore	Gordon	McIntyre
Kames Bay	Member	Chair	Robert	Hill
Learagoligan	Member	Secretary	Sally & Alasdair	MacLeod
Learagoligan	Member	Treasurer	Paul	Mills
Shieldaig	Member	Treasurer	Bob	Widdows
Sound of Ulva	Member	Secretary / Treasurer	Andrew	Durie
NLB	Stakeholder	Navigation Manager	Peter	Douglas
RYA Scotland	Stakeholder		Graham	Russell
Scottish Canals	Stakeholder		Laurie	Piper