

## **BURNHAM OVERY HARBOUR TRUST**

### **Minutes of the Annual General Meeting held at 6.00pm on 25<sup>th</sup> March 2016 at Burnham Overy Village Hall**

**Present:** David Hart (Hon. Chair), Peter Low (Hon Sec.), Jonnie Usher (Hon.Treas.), David de Stacpoole (Trustee), Peter Beck (Trustee) and 56 members, residents and members of the Trust's Management Committee.

**Apologies for absence:** received from the Earl of Leicester (Trustee), Wendy Pritchard (retiring Trustee) and 11 members

The Chairman opened the meeting by welcoming everyone present.

**Minutes of the previous AGM held on 3<sup>rd</sup> April 2015:** were approved as a correct record.  
*Proposed: Jonnie Usher, Seconded: David de Stacpoole.*

#### **Chairman's report on behalf of the Trustees**

The Chairman introduced his report by saying that this referred to various potentially controversial issues and that other than the formal business of the meeting the AGM will not be making any decisions on these issues. The main purpose of the report is to advise as to what has been done and what is being considered. In this respect the major debate has been the management of moorings. He emphasised a full policy has not been formally agreed and that the draft policy circulated at the meeting shows what has been discussed. He said that this was being done in view of the rumours circulating. He then took the meeting through the draft policy (which was circulated at the meeting) and invited comment.

Peter Bickell expressed strong objections to the substance and process outlined and questioned the legality and status of the Trust. Ian MacKechnie Jarvis asked where the survey of the moorings might be seen and expressed disapproval at lack of communication and the basis of the draft policy. He said the Trust website was inadequate and contained no useful information.

Mick Coutanche questioned and disputed Holkham's ownership saying he had never seen proof of this. In response the Chairman said the legal background had been checked and that the Trust had sought and received confirmation of the ownership. Richard Warner said that the Crown Estate had also confirmed this. Michael Smith said there were exceptions to this and that he had documents from Holkham confirming this in relation to his family's rights.

Further discussion took place concerning the relative rights of Common Rights Holders and Holkham as the Freeholder. Michael Smith said the ownership question was irrelevant as the both the rights to moor and the Common Rights under CL65 were superior.

The position of non CRH locals was raised and the Chair sought views from the Sailing Club and the Boathouse. A question from the floor asked about why the Boathouse profit from the moorings they rent out. Simon Wilson Stephens (BH Director) said they did not profit from these and the charge was for maintaining these moorings.

Michael Smith and other CRH's present invited the Trust to meet with Brancaster who have been through these problems and to learn from their experience. David de Stacpoole urged the meeting to pull together and thanked MS for the invitation which he welcomed and felt sure would be accepted.

The idea put forward by David MacLean but not yet considered by the committee for seasonal charging for car parking was discussed. Peter Bickell voiced his opposition to this and said it was in denial of the Notice Board at the Hard stating it was not a car park. Concerns were expressed over resident's use and access, displacement of parking to Gong Lane and Glebe Lane, Health & Safety and the condition of the hard. DMacL said that it was a potential source of income which should not be ignored, quoting the income raised at Blakeney from a tidal parking area. It was pointed out that there were no Common Rights at Blakeney.

David de Stacpoole explained that after initial consultation the Mud Dock project was proving to be more controversial than originally envisaged, with a firm view being expressed that moorings issues should be addressed first. Alternative proposals had been suggested by Peter Beck – creating a second slipway on the west side of the hard – and by John Lumley who had investigated the provision of mooring pontoons as at Morston. Peter Bickell expressed his total opposition to this latter idea.

Repairs to the Hard were being planned and it was expected that these would be carried out before the summer.

The Trust remains in reasonable shape financially but reserves are modest in relation to any major capital projects. In response to the pressures and the numbers of day visitors using the creek it had been unanimously agreed that the Licence fee should be increased by £10 per year for the 2016 season – the first increase for many years.

The Chairman concluded by reminding the meeting of the idea instituted last year of informal recognition of actions that seem to embody the Spirit of Overy, and asked the meeting to commend Tom and Ben Gathercole together with Will Purdy for their care and awareness of events in and around the creek throughout the year.

## **Hon. Treasurer's report and presentation of accounts**

The accounts had been circulated, and the Treasurer presented his report. Income from membership, licence fees and donations had shown an overall decrease to £12,851. He referred to the income analysis and said there had been a broadly similar reduction in income from membership, licences and donations.

Total expenditure had also decreased to £5,155, resulting in a surplus of £7,696.

The closing bank balance reflected this, with an increase to £134,774. The amount held in a fixed term Deposit Account with United Trust Bank had been increased to £101,400

### **The accounts were approved**

*Proposed; Richard Warner, Seconded; Henrietta Faire.*

### **Appointment of Auditors**

The Hon. Treasurer reported that the auditor's fee remained competitive and accordingly recommended the re-appointment of Steve Pye.

*Proposed by Simon Raven, Seconded by Richard Warner*

## **.Trustees**

There have been four Trustees for the period 2015/16; Lord Leicester, Peter Beck, David de Stacpoole and Wendy Pritchard. In February 2016, Wendy Pritchard advised the Trust that she had been advised to reduce her work commitments on health grounds and had with regret decided to stand down. Outgoing Chairman, David Hart, has subsequently been asked to replace her.

## **Election of Officers**

The Chairman confirmed that he was standing down after 2 years in office, due to forthcoming work commitments. The Secretary said that he had previously given notice to the Committee of his wish to stand down after 5 years in office but that he was happy to continue dealing with membership and licensing. However, in view of the change in Chairman, the Secretary confirmed that he had agreed to remain in office for a further 12 months until April 2017 and that on this basis the Treasurer had also agreed to continue in post and no other nominations had been received.

The Chairman reported that one name had come forward to take the Chair, David Horton-Fawkes. A view was expressed from the floor that there could be a conflict of interest but on discussion it was agreed that every Chair came from one of the groups represented on the Management Committee. The Chairman then introduced David Horton-Fawkes to the meeting and invited him to respond.

David Horton-Fawkes said that it was apparent from the meeting that there was a level of distrust and antagonism between some of those present such that the underlying issues clearly needed to be addressed quickly. In response to a question from the floor he confirmed that Holkham did not intend to exploit their position as freehold owner of the creek but would support and assist co-operation between the various interest groups and in relation to moorings he would accept the invitation to meet with Brancaster's equivalent management group.

*Added after 2017 AGM: David Horton-Fawkes confirmed that it is not Holkham Estate's intention to profit from the Creeks*

The Chairman's appointment and officer's re-appointment were unanimously approved.  
*Proposed by Richard Warner, Seconded by David de Stacpoole.*

## **AOB**

Peter Connor said he received committee minutes and papers late. The Secretary apologised and said that in the case of the latest draft of the moorings paper, it had only been received by him on 24<sup>th</sup> March and he had delivered it by hand the same day to those members who don't use email.

Michael Smith reported an abandoned boat on the bank at Norton and asked that the owner be contacted to remove it.

**The meeting ended at 8.10pm**