



**Burnham Overy Harbour Trust EGM
Friday 13th July 2018 at Burnham Thorpe Village Hall**

Attending: David Hart (DH) (Trustee), acting Chairman, Lord Leicester (TL) (Trustee), Peter Beck (PB) (Trustee), David de Stacpoole (DdS) (Trustee), as well as representatives of the Scolt Head and District Common Rights Holders Association, Members of the Management Committee and members of the public.

Apologies for Absence: Iain MacKechnie-Jarvis

- 1.0 DH thanked everyone for attending the meeting.
- 1.1 DH explained that the purpose of the EGM is to wind up the current Trust and any assets to be transferred to the proposed Burnham Overy Harbour and Common Trust (BOH&CT).
- 1.2 DH explained that over the last 2 years a lot of work has gone into the new Trust/constitution and it has been seen and debated by the SH&BNCRH, the BOHT Trustees and committee. If the proposed new constitution is agreed tonight it will have a final check by a charity lawyer and a common rights holders lawyer.
- 1.3 TL added that his father originally set up the BOHT in the 1970s and although it was initially difficult to re-consider a new trust TL feels the new constitution will be an improvement on the original as it relies on wider involvement from local people who use the creek.
- 1.4 PB agreed with TL's comments and added that the volume of people using the creek and type and size of boats have also changed in the past 20 years.
- 1.5 DdeS concurred with the other Trustees and said this is a good opportunity to make progress.
- 1.6 Those attending the EGM were asked to consider the new draft constitution of the proposed Burnham Overy Staithe and Commons Trust, prior to voting on the dissolution of the existing Trust.

But the draft Fairways Committee rules at Appendix II to the draft constitution, including the Inaugural Mooring Policy, were not for this meeting but for the new Trust to determine and should be discussed and resolved at the new Trust at committee level.

2.0 The Draft Constitution

- 2.1 It was agreed that clause 4 of the draft should be amended to read "any Ratepayer in respect of property in the Burnham Parishes" instead of "any Ratepayer in respect of property in the Parishes of Burnham Overy and Burnham Norton" DH
- 2.3 DH asked for those who qualified and registered to vote to approve the constitution of the proposed new body "Burnham Overy Harbour and Commons Trust", subject to the clause 4 amendment and any minor changes subsequently proposed by the lawyers:

35 – yes
0 – no

Therefore, the proposed new constitution for the new Burnham Overy Harbour and Commons Trust (BOH&CT) is agreed.

- 2.4 DH asked those who qualified and registered to vote to dissolve the current trust, and transfer assets to the BOH&CT (the transfer being subject to Charity Commission approval):

34 – yes
0 – no

Therefore, the Burnham Overy Harbour Trust will be dissolved and all assets will be transferred to the BOH&CT as above, subject to Charity Commission approval.

3.0 Proposed Fairways Committee

- 3.1 Although the proposed Fairways Committee rules were not being voted on at the EGM there were some points to be noted.
- 3.2 Kev Gathercole felt that the Paul Goates mooring map of 2009 was not a fair reference as it originally excluded some CRH's. MS replied that there has to be a starting point to work with, but was open to suggestions of other fair and reasonable ways to map and control moorings it is not the intention to remove all moorings put in since 2009 but moorings that are in a disruptive position will be moved or removed, this included any that are on the 2009 map too if there are deemed to obstruct the fairway and the safe passage of vessels. Preference will always be given to CRH and those with strong local ties. Kevin Gathercole suggested a high water trip around the creeks combined with a low water walk to identify moorings which have been placed in unsuitable positions to as an alternative to or to compliment the 2009 map. It was felt that this was a very sensible suggestion and the suggestion should be considered by the new Trust and the subsequent Fairways committee.
- 3.3 Brian Everett had a number of issues the main ones being that common land is a valuable asset to both CRH and the public. The public's right to roam over common land needs to be considered and managed correctly.
- 3.4 Rachel Campbell-Gray asked if those that use the harbour everyday/week be given more preference than occasional users?
- 3.5 Rod Cooke asked if all CRH be involved in the Fairways Committee, MS said that he had invited everyone to comment on the rules and had a number of suggestions back at the last minute. Rod Cooke also requested that the 2009 moorings plan was made available to view – possibly on the current website.
- 3.6 One of the major changes could be that there would be a charge for moorings and any profits will be spent on the common.
- 3.7 Tara Douglas-Home thanked all for their work and input into the new constitution and Fairways Committee rules which he felt was a fair document.

The meeting finished at 8.10pm