

OBAN HARBOUR REVISION ORDER - Clarification for Noting

1.0 INTRODUCTION

- 1.1 This report is to clarify comments made in the earlier report of 31 August 2023 to the Harbour Board as noted herein.

2.0 RECOMMENDATIONS

It is recommended that the Harbour Board:

- 2.1 Note the update provided in this report.

3.0 DETAIL

- 3.1 In the report to the Harbour Board of 31 August 2023 it was stated at paragraph 3.2 5: *'We have received representation from Oban Community Harbour Development Association (OCHDA) and Oban Community Council for these groups to carry out the consultation on behalf of the Council.'*
- 3.2 OCHDA have communicated with the Council and have expressed dissatisfaction with the accuracy of that statement and requested that this be clarified.
- 3.3 The representations referred to were not made by OCHDA but were received from parliamentarians which included references to views expressed by OCHDA and Oban Community Council regarding the Council's consultation arrangements. While the statement was made in reference to the consultation process, it was not a material factor put to members in their consideration of progressing with the consultation itself.
- 3.4 However, having regard to that and the dissatisfaction with the terms of the report, expressed by OCHDA, it was considered appropriate to make members aware of that and for that matter to be clarified.

4.0 CONCLUSION

4.1 This report is to clarify comments made in the earlier report of 31 August 2023 to the Harbour Board as noted herein.

5.0 IMPLICATIONS

5.1 Policy – The Harbour Board agreed in December 2021 that the Council should proceed to make the arrangements to formally manage the unmanaged section of Oban Bay.

5.2 Financial – No financial implications at this stage, all costs have been met through existing budgets and the Municipal Harbour will have fees and charges through conservancy charges etc. which will cover the operating costs.

5.3 Legal – the HRO process is a formal legal process set out in the 1964 Harbours Act.

5.4 HR – HR implications will be identified as the proposal progresses.

5.5 Fairer Scotland Duty:

5.5.1 Equalities – None known.

5.5.2 Socio-economic Duty – None known.

5.5.3 Islands – consultation will be carried out with the island communities as a continuation and expansion of the Options Appraisal Process reported to the December harbour Board.

5.6 Climate Change – due regard will be given to climate change with a view to minimising any climate change impact and these will be considered as and when they arise.

5.7 Risk - The Council progressing to become a Municipal Port Authority for the unmanaged areas of Oban Bay increases the safety within Oban Bay. There is a risk that there could be a number of objections and representations during the process which could impact on timescale and these will be considered as and when they arise.

5.8 Customer Service – Improved and safer environment for all users.

Kirsty Flanagan, Executive Director with responsibility for Roads and Infrastructure

Policy Lead for Roads and Transport, Councillor Andrew Kain

January 2024

For further information contact: Jim Smith, Head of Roads and Infrastructure, or Scott Reid, Marine Operations Manager