

**MINUTES of SPECIAL MEETING of ARGYLL AND BUTE HARBOUR BOARD held ON A HYBRID BASIS IN THE COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD AND BY MICROSOFT TEAMS on THURSDAY, 22 DECEMBER 2022**

**Present:** Councillor Andrew Kain (Chair)

Councillor John Armour (by Teams)                      Councillor Garret Corner (by Teams)  
Councillor Jim Lynch (by Teams)                      Councillor Ross Moreland (by Teams)  
Councillor Andrew Vennard (by Teams)

**Attending:** Douglas Hendry, Executive Director  
Kirsty Flanagan, Executive Director  
Jim Smith, Head of Roads and Infrastructure Services  
David Logan, Head of Legal and Regulatory Support  
Scott Reid, Marine Operations Manager  
Stuart McLean, Committee Manager  
Frank Roberts, Oban Community Council  
Phil Hammerton, Oban Bay Stakeholders  
Ross Wilson, Oban Community Harbour Development Association

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Ian MacQuire.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interested intimated.

**DEPUTATION**

The Chair intimated that a request for a deputation by Oban Community Harbour Development Association to be heard by the Harbour Board had been received. It was unanimously agreed to hear this deputation prior to item 4 of the Agenda.

**3. PIERS & HARBOURS - MARINE ASSET MANAGEMENT PLAN FEES & CHARGES 2023 / 2024**

The Harbour Board gave consideration to a report in respect of a necessary increase in fees and charges for the forthcoming financial year 2023 / 2024, in order to meet the requirements for the Argyll and Bute Council Asset Management Plan that had been referenced in the report to the Harbour Board in September 2022.

**Decision**

The Harbour Board agreed to -

1. recommend to the Council, when setting the fees and charges for 2023/2024 that it approves an increase to piers and harbours fees and charges of 5%, over and above an inflationary increase which would be ring fenced to develop the Council's marine infrastructure;

2. note that this presented a stepped “proposed increase to allow smoothing” over a 10 year period for meeting both the sustainability costs and future improvement costs associated with the marine infrastructure which Argyll & Bute Council has responsibility for; and
3. that the asset management plan would continue to be updated on a rolling 10 year basis.

(Reference: Report by Executive Director with Responsibility for Roads and Infrastructure dated November 2022, submitted)

During discussion of agenda item 4 (Oban Bay Update), the Chair moved and the Board agreed that a short adjournment be taken to allow officers an opportunity to confirm the detail contained within the draft Harbour Revision Order (HRO).

The meeting reconvened at 11:35am with all those present as per the sederunt.

#### **4. OBAN BAY UPDATE**

The Harbour Board gave consideration to a report providing an update on the status of plans to establish the Municipal Oban Harbour and the progress of the Oban Harbour Revision Order (HRO). The HRO included proposed external harbour limits that had been justified by an independent Navigational Risk Assessment (NRA) process.

##### **Decision**

The Harbour Board agreed to–

1. note the update provided in the submitted report;
2. note the comments referenced from the Consultation period and the Council’s response thereto;
3. approve the draft HRO (under deletion of paragraph 26 (n), being a repetition and the correction of non-material errors) for submission to Transport Scotland as the submission to be confirmed as an HRO;
4. note that the HRO would be submitted to Transport Scotland in the first case on an informal basis as part of their best practice advice and that should there be any material alterations requested by Transport Scotland then they would be brought back to the Harbour Board for approval;
5. note the governance arrangements in respect of the Harbour Authority; and
6. note the technical advice given in the meeting by Officers in relation to the detailed definition of the external limits to Oban Harbour, contained with Appendix 3 of the report.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services dated December 2022, submitted)