

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the THE PAVILION
CAFE, ROTHESAY
on TUESDAY, 25 JUNE 2013**

Present: Councillor Robert E Macintyre (Chair)

Councillor Gordon Blair	Councillor Bruce Marshall
Councillor Michael Breslin	Councillor Len Scoullar
Councillor Alex McNaughton	Councillor Dick Walsh

Attending: Sandy Mactaggart, Executive Director of Development and Infrastructure Services
Shirley MacLeod, Area Governance Manager
Martin Gorringe, Marine Operations Manager
Donnie Kelly, Legal Services Manager

1. APOLOGIES

Apologies for absence were intimated on behalf of the following:-

Councillor J McQueen
Councillor I Strong

2. DECLARATIONS OF INTEREST (IF ANY)

There were no declarations of interest intimated.

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

3. ROTHESAY HARBOUR / MV SEAHORSE

Members heard from the Executive Director of Development and Infrastructure Services on the proposed introduction of the Integrated Management System and associated improvement actions, the commencement of the process for the introduction of Bye Laws, and the approval of the Interim Notice to Mariners for Rothesay Harbour. He also gave detailed information in regards the content of the ABP Mer report "Rothesay Harbour – Navigational Risk Assessment" and the report's conclusions and recommendations.

Members asked a number of questions of the Executive Director and the Legal Services Manager relating particularly to the proposed draft byelaws, and specifically the proposed bye law 19(1), that vessels must remain afloat whilst berthed at the Commercial Quay and the inner/outer pontoons. Extensive discussion of these matters took place, at the conclusion of which it as noted that a significant amount of work had been undertaken in preparing the submitted reports, and that the totality of the information which had been provided to

Members enabled decisions on the way forward to be made.

Motion

1. Agree recommendation 2.1.1 and 2.1.3 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 ;
2. Agree to defer a decision on recommendation 2.1.2 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 to allow the Council to develop business cases for the proposed floating berthing catamaran and the provision of a NAABSA berth if the proposed draft byelaw 19(1) is removed, these business cases to be submitted for consideration by the Harbour Authority in August 2013, prior to progressing to an informal consultation on the proposed draft byelaws;
3. Agree recommendation 2.2 of the Summary Paper by the Executive Director of Development and Infrastructure Services of 24th June 2013.

Proposed: Councillor J R Walsh

Seconded: Councillor L Scoullar

Amendment

1. Agree recommendation 2.1.1 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 ;
2. Agree to defer a decision on recommendation 2.1.2 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 to allow the Council to develop business cases for the proposed floating berthing catamaran and the provision of a NAABSA berth if the proposed draft byelaw 19(1) is removed, these business cases to be submitted for consideration by the Harbour Authority in August 2013, prior to progressing to an informal consultation on the proposed draft byelaws;
3. Agree recommendation 2.2 of the Summary Paper by the Executive Director of Development and Infrastructure Services of 24th June 2013.
4. In regards recommendation 2.1.3 of the report by the Executive Director of Development and Infrastructure Services, agree the recommendation only on the basis that the condition that vessels must remain afloat is removed from the Interim Notice to Mariners.

Proposed: Councillor M Breslin

Seconded: Councillor R Macintyre

On being put to the vote 3 voted for the amendment and 4 voted for the motion.

Decision

The Committee agreed:-

1. Agree recommendation 2.1.1 and 2.1.3 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 ;

2. Agree to defer a decision on recommendation 2.1.2 of the report by the Executive Director of Development and Infrastructure Services of 4th June 2013 to allow the Council to develop business cases for the proposed floating berthing catamaran and the provision of a NAABSA berth if the proposed draft byelaw 19(1) is removed, these business cases to be submitted for consideration by the Harbour Authority in August 2013, prior to progressing to an informal consultation on the proposed draft byelaws;
3. Agree recommendation 2.2 of the Summary Paper by the Executive Director of Development and Infrastructure Services of 24th June 2013.

(Reference: Report by the Executive Director of Development and Infrastructure Services – submitted)