

OBAN HARBOUR MANAGEMENT GROUP – OBAN BAY

1.0 EXECUTIVE SUMMARY

- 1.1 The Oban Harbour Management Group (OHMG) was established in 2008 as a partnership between the three main infrastructure providers in the marine environment in Oban; the group includes CMAL, NLB and the Council, with Calmac providing assistance when required. The group is primarily focused on marine navigational safety and associated activities and developments that may impact on safety.
- 1.2 To date, the OHMG has produced two important documents:- the ‘Oban Bay Code of Practice’ and the ‘Be Safe and Be Seen Guidance for Small Craft’ documents. Both documents are attached to the appendices to this report – including a chart indicating the ‘large vessel channel’.
- 1.3 The OHMG has also given some consideration to the formation of a Single Harbour Authority (SHA) at Oban Bay. This would mean that one body, with appropriate powers, would be ultimately responsible for the management of marine safety within Oban Bay waters.
- 1.4 When information was previously presented to the Harbour Board by Fisher Associates, it was suggested, at that time, that the following options were most worthy of detailed consideration.
- Two SHAs – A&BC extends statutory limits, CMAL remains as is.
 - Two SHAs – CMAL extends statutory limits, A&BC remains as is.
 - Single SHA (hybrid municipal/trust port) - Board made up of current SHAs possibly plus others.
- 1.5 It is understood that CMAL’s preferred option, is for CMAL to extend its statutory limits.
- 1.6 Specialist legal advice is currently being sought by the Council on the feasibility of applying the above preferred options and implications for the Council.
- 1.7 Members are asked to note this report.

OBAN HARBOUR MANAGEMENT GROUP – OBAN BAY

2.0 INTRODUCTION

- 2.1 This report provides an update on the work carried out to date by the Oban Harbour Management Group (OHMG) and explains possible options for the future management of the waters of Oban Bay.

3.0 RECOMMENDATIONS

- 3.1 Members are asked to note this report.

4.0 BACKGROUND

- 4.1 The OHMG was established in 2008 as a partnership between the three main infrastructure providers in the marine environment in Oban; the group includes CMAL, NLB and the Council, with Calmac providing assistance when required. The group is primarily focused on marine navigational safety and associated activities and developments that may impact on safety.
- 4.2 A Navigational Risk Assessment (NRA) was first undertaken in early 2011 following plans submitted for a marina at the North Pier and acknowledgement of the increase in ferry and leisure activity in the harbour. This NRA highlighted a number of risks that the group agreed should be addressed. While the group made some improvement it became clear that there was a need to develop a suitable implementation plan and ensure that resources were in place to deliver the plan.
- 4.3 A procurement process took place in 2013 with Fisher Marine Associates appointed to develop the plan. A review and update of the original risk assessment was undertaken as part of the process. The plan identified short/medium and long term measures to improve marine navigational safety. Of late, Marico Marine has taken on this task. All the members of OHMG contributed to the costs of this work.

5.0 DETAIL

- 5.1 Of late, the OHMG has produced two important documents:- the 'Oban Bay Code of Practice' (which refers to a 'large vessel channel') and the 'Be Safe and Be Seen Guidance for Small Craft' documents. The code of Practice is attached in Appendix A and the related chart indicating the large vessel channel is attached in Appendix B. The guidance document for small craft is attached in Appendix C.
- 5.2 The Oban Bay website has been updated with the above information. Details can be seen here:-
- www.obanharbour.scot
- 5.3 The OHMG has also given some consideration to the formation of a Single Harbour Authority (SHA) at Oban Bay. This would mean that one body, with appropriate powers, would be ultimately responsible for the Management of Marine Safety within Oban Bay waters.
- 5.4 Eight options were originally identified by the OHMG as being worthy of consideration;
- Option 1: Single Statutory Harbour Authority (SHA) (municipal port) – A&BC.
 - Option 2: Single SHA (state port) – CMAL.
 - Option 3: Two SHAs – A&BC extends statutory limits, CMAL remains as is.
 - Option 4: Two SHAs – CMAL extends statutory limits, A&BC remains as is.
 - Option 5: Single SHA (trust port) – new independent trust port as sole SHA.
 - Option 6: Multi SHAs - new independent trust port + current SHAs nested within this.
 - Option 7: Single SHA (hybrid municipal/trust port) - Board made up of current SHAs possibly plus others.
 - Option 8: Single SHA (Company Limited by Guarantee) (CLG) – the 'Tobermory Model'.
- 5.5 When information was previously presented to the Harbour Board by Fisher Associates, it was suggested, at that time, that options 3, 4 and 7 were most worthy of detailed consideration. Although option 4 would appear to be the preferred option for CMAL, legal advice is currently being sought by the Council on the feasibility of applying any of the preferred options, particularly as the Council must ensure unfettered access to the North Pier.
- 5.6 The issue of identifying a suitable solution at Oban Bay, which addresses all partners' needs, is a complex one and, quite clearly, further work will be required once legal advice has been provided. In the meantime, Council officers will work, along with partners in the Oban Harbour Management Group, to continue the work carried out to date, whilst working towards an agreed resolution on the Single Harbour Authority issue.

6.0 CONCLUSION

6.1 The OHMG has produced a code of practice and guidance for all users of the harbour. Much work has been done to improve safety. Further work is planned to ensure that this information is circulated to all users.

7.0 IMPLICATIONS

7.1	Policy	None directly arising from this report
7.2	Financial	Related costs have been met through operational budgets. There could be financial implications depending upon the option chosen for the Single Harbour Authority (but see below).
7.3	Legal	Legal advice is being sought on feasibility of taking forward identified options.
7.4	HR	None
7.5	Equalities	None
7.6	Risk	The Council is an active member of the Oban Harbour Management Group. Work carried out by the group to date will minimise risk to the Council.
7.7	Customer Services	Having a 'Code of Practice' and 'Guidance for small craft users at Oban Bay' will assist port customers using the North Pier and will also assist Council staff with their safe operation.

Appendix A – Oban Bay Code of Practice

Appendix B – Chart indicating 'large vessel channel'

Appendix C – Be Safe and be Seen Guidance

Executive Director of Development and Infrastructure: Pippa Milne

Head of Roads & Amenity Services: Jim Smith

Policy Lead: Councillor Alistair MacDougall

9 March 2017

For further information contact: Stewart Clark, Marine Operations Manager

Tel: 01546 604893

APPENDIX A

CODE OF PRACTICE FOR OBAN BAY, NORTH CHANNEL & SOUND OF KERRERRA (www.obanharbour.scot)

This Code of Practice was developed through extensive consultation with a wide range of commercial and leisure users of Oban Bay. It has no standing in law but following the key principles of common sense, sound seamanship and common courtesy and drawing on the experience of many users of Oban Bay over many years it provides advice on how to navigate safely through the Bay. Nothing in this Code of Practice relieves the master/skipper from their responsibility for the safety of their vessel and all those on board. Similarly, nothing in this Code of Practice constitutes a deviation from or variation to the International Regulations for Preventing Collisions at Sea 1972 as amended (IRPCS), published in Merchant Shipping Notice No.1781/COLREG 1 or relieves the master/skipper from their responsibility for complying with the IRPCS.

For the purposes of this Code of Practice, the following expressions shall have the associated meanings as described below: -

Large Vessel: A vessel of more than 20 metres in length overall, and/or a vessel with a draft in excess of three (3) metres.

Large Vessel Channel: The deep water route through the North Channel marked on the appropriate charts and sailing directions as being for use by 'large vessels', which is considered to be a "narrow channel" as defined in IRPCS Rule 9.

Oban Bay: Those waters lying to the south of a line from the north-west tip of Kerrera (Rubh 'a' Bhearnaig) to the north-west tip of Maiden Island and to the north of a line drawn east-west through Sgeirean Dubha light tower (Cutter Rock Beacon, Kerrera Sound).

Oban Harbour: That part of Oban Bay lying to the east of a line drawn between Dog Stone to the north and Brandy Stone to the south.

Small Vessel: A vessel other than a Large Vessel.

Code of Practice

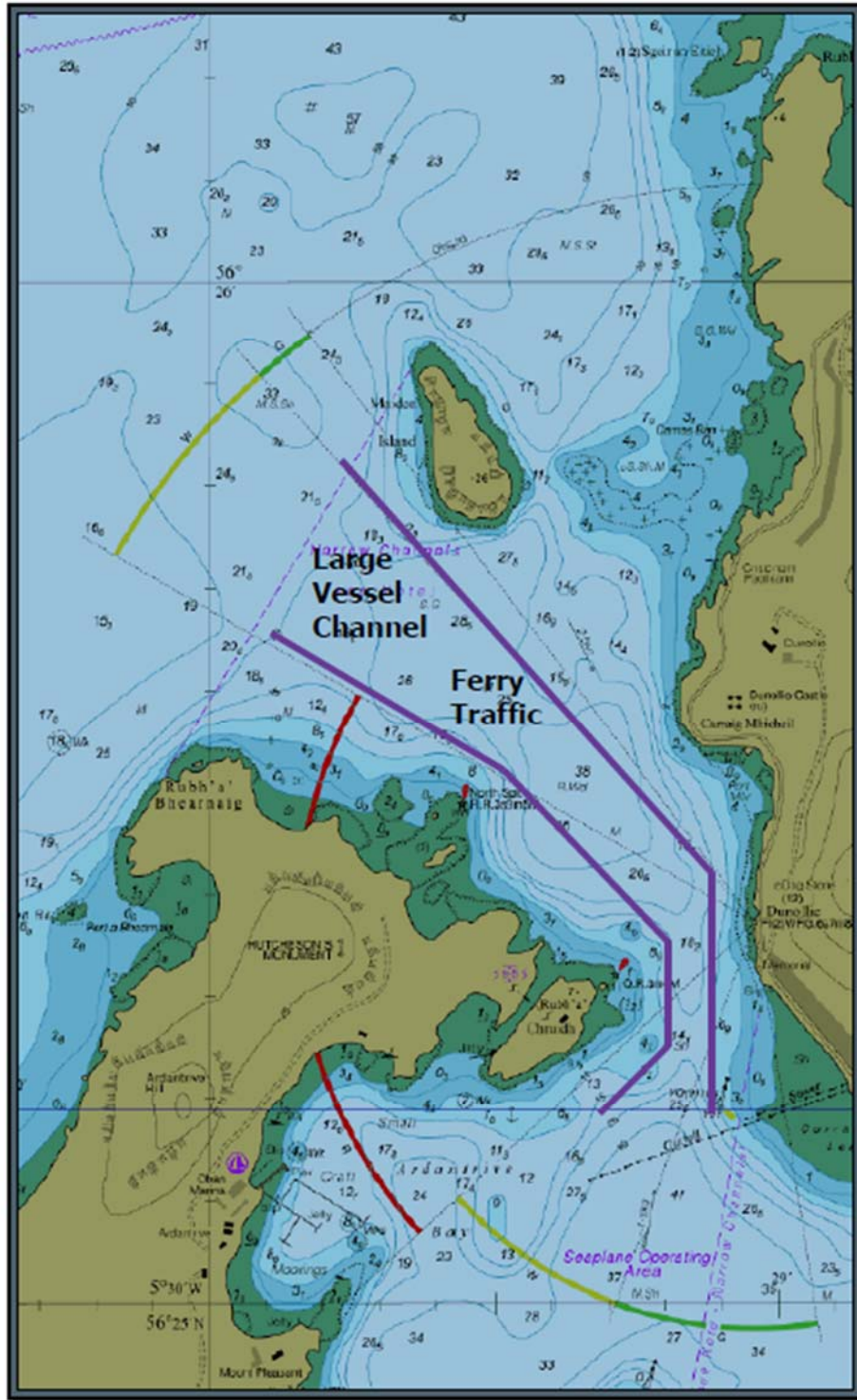
1. **Right of Way:** Large vessels "leaving" Oban Bay shall have the right of way over all vessels "entering" Oban Bay. Small vessels, including sailing vessels, shall not impede the passage of a large vessel entering or leaving Oban Bay.
2. **Sound of Kerrera:** Small Vessels entering or leaving Oban Bay through the Sound of Kerrera should keep as near to the starboard side of the main channel, which is buoyed and lies to the west of the Ferry Rocks as is safe and practicable.
3. **North Channel:** Vessels using the North Channel are likely to have their sightlines obscured in many circumstances, therefore 'small vessels' entering or leaving Oban Bay through the North Channel should remain outside the Large Vessel Channel where practicable. 'Small vessels' shall not cross the Large Vessel Channel if such crossing impedes the passage of a vessel which can safely navigate only within the Large Vessel Channel (IRPCS Rule 9(d)).

4. **Sailing vessels** should use their auxiliary engines (if fitted) at all times when navigating through the North Channel and in any event shall not impede the passage of a vessel which can safely navigate only within the Large Vessel Channel (IRPCS Rule 9(b)).
5. **Speed:** the speed limit in the area covered by this code is 10 knots through the water, except in Oban Harbour where it is 6 knots.
6. **Wash:** All vessels should show proper seamanship and common courtesy to others and avoid making excessive wash.
7. **VHF Channel 12/16:** All vessels approaching or navigating in Oban Bay should listen on VHF Channel 12/16. Large Vessels should make a warning broadcast on VHF Channel 16, followed by a brief safety announcement on VHF Channel 12, giving an ETA at Dunollie Light prior to entry or departure. More details are at the VHF tab on the Oban Harbour website.
8. **Seaplanes:** A seaplane service operates to and from Oban Bay. The aircraft commander should ensure that the area is clear of surface craft before landing or taking off and shall, when on the surface, be governed by the IPRCS.
9. **Berthing:** 'Large vessels' berthing at the NLB berth, ferry berths or North Pier require sea room to manoeuvre onto or off the berths. For example: ferries loading over the bow will swing into the northern half of Oban Bay to give room to line up for the berth; those loading over the stern will initially, swing into the southern half of Oban Bay and then head towards the northern half to give sea room to back down onto the berth at Railway Pier. All vessels are to keep clear of 'large vessels' so manoeuvring.
10. **Anchorage:** Mariners should note the designated anchorages portrayed under the port information tab on the web site.
11. **Cruise Ship Tenders:** cruise ship tenders ferrying large numbers of passengers between cruise ships anchored in Oban Bay and the shore are often to be seen; mariners should keep a good and wary lookout for these vessels.

Very small vessels such as kayaks, paddleboards and inflatables should make every effort to ensure that they are easily visible from the bridge of large vessels by use of brightly coloured clothing and lights when appropriate – the attention of people in these vessels is drawn to the 'Be Safe – Be Seen' guidance available from the website www.obanharbour.scot.

APPENDIX B

Large Vessel Channel – Oban Bay



APPENDIX C

OBAN BAY AND ITS APPROACHES - GUIDANCE FOR SMALL CRAFT 'BE SAFE AND BE SEEN'

BE SAFE

Around the coasts of UK over recent years there have been several documented accidents resulting in fatalities, often to children that have would have been avoided:

1. **Keeping a proper Lookout:** In almost all cases keeping a proper lookout and responding in time to developing situations will prevent mishap. ColRegs Rule 5 requires '*... a proper lookout by sight and hearing as well as by all available means ...*', which includes VHF. Many small vessels will not have VHF, but those leading groups of people on the water should consider the use of VHF so that they will hear the safety broadcasts made by large vessels.
2. **Lif jackets:** Although very sheltered, the waters in Oban Bay can be very cold, even in summer and an unplanned and sudden immersion can swiftly incapacitate even strong swimmers through the onset of cold water shock leading to swim failure. A lifejacket (in date for inspection and in good repair) will enhance significantly your chances of survival. The RNLI will happily provide advice on maintaining and servicing your lifejacket.
3. **Kill cords:** Nationally, there have been too many instances of people falling out of boats with outboard engines, without using kill cords. In the event of such a mishap, the boat will continue to run out of control, often in close proximity to its former occupants resulting in fatalities, including children. It takes seconds to use and fit the kill cord correctly – for more details see the latest RYA advice at <http://www.rya.org.uk/infoadvice/safetyinfo/Personalsafetyequipment/Pages/KillCord.aspx>. NB: It is a good idea to check that kill cord works correctly before you set out and also to carry a spare kill cord.

BE SEEN

Small craft, particularly small unpowered craft such as kayaks, canoes, paddleboards and sailing and rowing dinghies are often difficult to see from the bridge of a large vessel, even when visibility is excellent. To ensure that your tiny vessel is visible to others you are advised:

1. Not to venture out in conditions of reduced visibility
2. To wear distinctive clothing, the use of neon-coloured clothing is highly recommended.
3. To make liberal use of retro-reflective tape on clothing, PFD's and the shaft of your paddle near the blade.
4. At night, to wear white LED lights either on your helmet, headgear or shoulders, taking care not to destroy your night vision. The sort of LED lights favoured by cyclists are particularly effective. As a minimum, small sailing dinghies and oar and paddle-powered vessels should have a torch or e lantern '*... showing a white light which shall be exhibited in sufficient time to prevent collision ...*' (ColRegs Rule 25 (d) (i) and (ii))