

**OBAN BAY – SINGLE HARBOUR AUTHORITY - UPDATE**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 A report was presented to Members of the OLI Area Committee in December last year. This report provides Members with an update on progress made since the last report to the OLI Area Committee in December of last year.
- 1.2 As reported to the last meeting of the OLI Area Committee, the original intention was that CMAL should extend their SHA leaving the A&BC SHA 'nested'. This was met with significant resistance both locally and within the wider recreational boating community. Stakeholders at Oban wish to evaluate the viability of a Trust Port (or similar concept) option for Oban Bay, which would in principle cover the area to seaward of the current CMAL and A&BC SHAs.
- 1.3 Both of these wider SHA concepts are being developed simultaneously ('CMAL extends' or 'trust port'), with an agreed sharing of common work. CMAL have also stated that, in principle, if they do extend their harbour area and subsequently an alternative and viable harbour authority model is proposed, then CMAL will be content to revert to their current SHA boundaries to allow the wider area of Oban waters to be operated by the alternative organisation.
- 1.4 Regardless of the final option chosen, one or other party intend to submit a Harbour Revision Order not later than January 2020. In the meantime, a draft list of 'protective provisions' has been produced for discussion purposes - attached to this report in Appendix B. This list will form the basis of discussions within the OBMG, when Council officers are ensuring compliance with the Harbour Board's decision that *'further investigation be carried out regarding the protection of the Council's interests, with particular regard to the harbour area at the North Pier'*.
- 1.5 Members of the Harbour Board will be given an opportunity to consider this issue further before either of the options outlined in this briefing note go ahead.
- 1.6 It is recommended that Members consider and note this report.

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**2.0 INTRODUCTION**

- 2.1 A report was presented to Members of the OLI Area Committee in December last year. The report referred to decisions made by the Harbour Board at their September 2018 meeting; a copy of the Harbour Board report can be found here:-

<https://www.argyll-bute.gov.uk/moderngov/documents/s129796/SHA%20Oban%20-%20Final%20Version.pdf>

- 2.2. This report provides Members with an update on progress made since the last report to the OLI Area Committee in December of last year.

**3.0 RECOMMENDATIONS**

- 3.1 It is recommended that Members consider and note this report.

**4.0 DETAIL**

- 4.1 At the September meeting of the Harbour Board Members agreed to:
- a) ask CMAL to pause the process of expanding their harbour area until further consultation is carried out given the interest expressed locally in establishing a trust port; and
  - b) a further report to be provided to the next meeting of the Harbour Board providing an update on the progress towards establishing a single harbour authority for Oban.
- 4.2 Since the last decision of the Harbour Board, the Oban Bay Management Group has continued to work with other stakeholders at Oban towards improving safe navigation within the Oban Bay area. The OBMG continues to support the principle that a Statutory Harbour Authority should be created for the area encompassing the wider Oban Bay and its approaches for the purpose of having overall responsibility and control over marine activity within that area which would achieve a positive impact on the efficiency and safety of the harbour. The latest version of the guidance to mariners is attached in Appendix A.

- 4.3 As reported to the last meeting of the OLI Area Committee, the original intention was that CMAL should extend their SHA leaving the A&BC SHA 'nested'. This was met with significant resistance both locally and within the wider recreational boating community. Stakeholders at Oban wish to evaluate the viability of a Trust Port (or similar concept) option for Oban Bay, which would in principle cover the area to seaward of the current CMAL and A&BC SHAs.
- 4.4 Both of these wider SHA concepts are being developed simultaneously ('CMAL extends' or 'trust port'), with an agreed sharing of common work. CMAL have also stated that, in principle, if they do extend their harbour area and subsequently an alternative and viable harbour authority model is proposed, then CMAL will be content to revert to their current SHA boundaries to allow the wider area of Oban waters to be operated by the alternative organisation.
- 4.5 Regardless of the final option chosen, one or other party intend to submit a Harbour Revision Order not later than January 2020. In the meantime, a draft list of 'protective provisions' has been produced for discussion purposes - attached to this report in Appendix B. This list will form the basis of discussions within the OBMG, when Council officers are ensuring compliance with the Harbour Board's decision that *'further investigation be carried out regarding the protection of the Council's interests, with particular regard to the harbour area at the North Pier'*.
- 4.6 Members of the Harbour Board will be given an opportunity to consider this issue further before either of the options outlined in this briefing note go ahead.

## **5.0 CONCLUSION**

5.1 Work of both OBMG and Stakeholders continues. Further updates will be provided to Members as work progresses.

## **6.0 IMPLICATIONS**

6.1 Policy - None

6.2 Financial – None – this is based on the Council's interests being protected. Should the Council extend, there would be significant costs.

6.3 Legal – Any agreement with CMAL must ensure that the Council's areas of responsibility are protected.

6.4 HR - None

6.5 Equalities / Fairer Scotland Duty – None

6.6 Risk – Advice from the OBMG is that 'to do nothing', given concerns over safety at Oban Bay, is not an option worthy of consideration.

6.7 Customer Service – None.

**Executive Director of Development and Infrastructure:** Pippa Milne

**Head of Roads & Amenity Services:** Jim Smith

**Policy Lead:** Councillor Roddy McCuish

15 February 2019

**For further information contact:** Stewart Clark, Marine Operations Manager

Tel: 01546 604893

# **APPENDIX A**

# Welcome to Oban

www.obanharbour.scot

**Oban** is the perfect place to stop off and replenish, be it a great meal at the marina, a crew change at the pontoons or a safe place to leave your boat on a mooring. Planning a safe route through the busy harbour to avoid other traffic is essential to your safety and enjoyment.

## Notice to Mariners

Relevant Notice to Mariners, more information and the full Code of Practice for operating in Oban Bay can be found online at [www.obanharbour.scot](http://www.obanharbour.scot).

## Speed and Wash

There is a voluntary speed limit of 10 knots in the outer part of the bay and 6 knots east of Dunollie Lt and the Sgeir Rathaidh Reef to keep wash to a minimum.

## Commercial Traffic

Oban's piers host many large cruise, fishing and aquaculture vessels. Additionally Oban is a key hub for the lifeline ferry service to the Isles.

## VHF Channel 12

Vessels over 20 meters entering or departing Oban bay will broadcast on VHF channel 12, at a position approximately 1 mile west of Malden Island on their entrance and immediately before departure. Use this information to plan your route through Oban Bay.

## Large Vessel Channel

There is a designated large vessel channel at the north entrance where IRPCS Rule 9 (narrow channels) applies.

## Manoeuvrability

Large vessels take hundreds of meters to significantly adjust their course and speed. Consequently large vessels have right of way over all small vessels of less than 20m in length, in the whole of Oban Bay.

## Windage

Large vessels, especially ferries, have huge windage and can make a significant amount of leeway especially at slow speeds. A vessel's direction of travel can be quite different to the vessels heading, especially in windy conditions. This is why ferries in particular will try to keep their speed up, to between 8 and 10 knots, in the narrow part of the north entrance to avoid being blown onto the lee shore.

## What can you do?

Comply with the International Regulations for Preventing Collisions at Sea (COLREGS).

## Planning your route

Wherever possible enter and depart the north entrance of Oban Bay to the west/south side of the large vessel channel following the recommended small vessel route.

Small vessels should only use the large vessel channel when this will not impede the passage of a large vessel. It is best to avoid the area north/east of the large vessel channel as a large vessel's stems will swing towards this area when they turn.

Crossing of the large vessel channel should be at 90° and made at the shortest point that is safe to do so.

## Lookout & The 3 Minute Rule

Be alert. Never assume you have been seen. It's important to maintain a good all round lookout at all times.

Think 3 minutes ahead, ensuring your spatial awareness extends this far. Visualise where your vessel and all the vessels around you will be in 3 minutes time. For a vessel moving at 10 knots this is half a nautical mile or almost the entire width of the bay. Large vessels are planning a safe route this far ahead.

Have your engine ready for immediate use when entering or leaving Oban Bay, to ensure you can keep the designated large vessel channel clear.

## Passaging at night

Ensure your navigation lights comply with the COLREGS and can be seen. Be aware that the background lighting of Oban bay itself can cause distraction. It also makes masthead lights difficult to see. Deck and side mounted lights are much more obvious against the sea when observing from the height of a large vessel's bridge.

**NB** The buoyage is northbound at the north entrance.

## Useful Contacts

**Oban Marina**  
Tel: 01631 565333  
VHF Channel 80

**Oban Bay Community Berthing**  
Tel: 07751 605746  
[www.obanbayberthing.co.uk](http://www.obanbayberthing.co.uk)

**North Pier Pontoons**  
Tel: 07388 808 061  
VHF Channel 12

**Dunstaffnage Marina**  
Tel: 01631 566555  
VHF Channel 37

**Oban Harbour**  
[www.obanharbour.scot](http://www.obanharbour.scot)

**Railway Pier**  
**CalMac Pier Master**  
Tel: 01631 565854  
Mobile: 07388 808 061  
VHF Channel 12

**Northern Lighthouse**  
**Board Pier**  
Tel: 01631 562146

**Oban North Pier**  
**Harbour Master**  
Tel: 01631 562892  
Mobile: 07920 543555  
VHF Channel 12

**Stormoway Coastguard**  
Tel: 01851 702013

## Kayakers and Small Craft

There are a number of launching points in and around Oban bay. Please be considerate with your parking and make sure someone on shore knows where you are going and when you will be back.

**Be Safe, Be Seen** 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 – attention is drawn to the 'Be Safe – Be Seen' guidance available from the website [www.obanharbour.scot](http://www.obanharbour.scot).

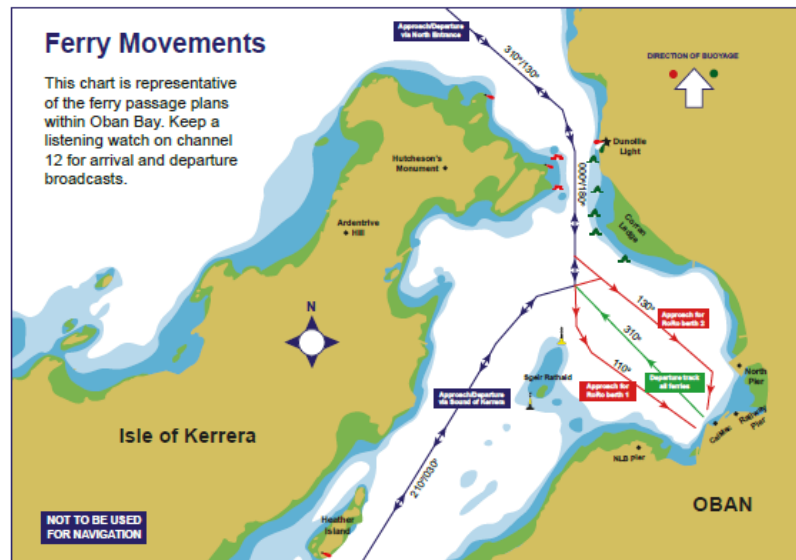
**Crossing** Take the shortest, safest route available. Stay together and don't hang around in the main channel. Keep a listening watch on channel 16 and 12 for large vessel movements.

**North Pier Pontoons** The outer breakwater of the pontoons can cause clapotic (standing) waves, take care.



## Ferry Movements

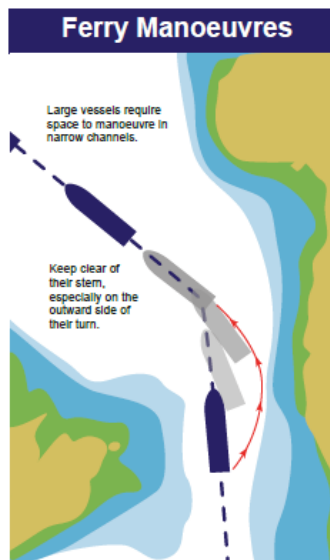
This chart is representative of the ferry passage plans within Oban Bay. Keep a listening watch on channel 12 for arrival and departure broadcasts.



## Ferry Manoeuvres

Large vessels require space to manoeuvre in narrow channels.

Keep clear of their stem, especially on the outward side of their turn.



## Sound Signals

- Turning to starboard
- Turning to port
- Operating astern propulsion
- Unsure of your intentions

## Incident Reporting

We hope that you make safe passage and enjoy your visit, however should you be involved in or witness an incident or near miss please report it online at [www.obanharbour.scot](http://www.obanharbour.scot)



This guide has been produced to aid the safe navigation of Oban bay, it has not been designed as a navigational aid alone and should be used in conjunction with other navigational means.

Design by Art & Sea [www.artandsea.co.uk](http://www.artandsea.co.uk)

# A leisure sailor's guide to Oban and its approaches

NOT TO BE USED FOR NAVIGATION



# Available Facilities

● Available
● Available within Oban

	Water Moorgings	Potomara	Diesel	Papal	Water	Solard Gas	Electricity	WIFI	Shower's	Toilets	Laundrette	Chef/kitchen	Supermarket	Bar/Restaurant	Recycling	General Waste	Launching Slip	Sea View	Year-round	Repair Services
Oban Marina	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
North Pier pontoons	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Community Berthing	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Dunstaffnage Marina	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●

## **APPENDIX B**



# Draft Protective Provisions - Summary

## General Themes

- The Harbour Order must allow for section 33 of the Harbours, Docks and Piers Clauses Act 1947 (open port duty)
- The employed staff to be suitably qualified and competent.
- Existing SHA areas are to remain nested, with the addition of a small area around Port Beag slipway coming under A&BC
- The duty and responsibility of the Harbour Authority mark any danger to navigation and inform NLB
  - Failure may result in summary conviction and a fine
- The duty and responsibility of the Harbour Authority to light any completed tidal works to prevent any danger to navigations and inform NLB
  - Failure may result in summary conviction and a fine
- NLB/CMAL/A&BC (and their successors) to be considered as key stakeholders and form part of a consultative body of stakeholders established through the harbour order
  - 6 monthly meetings
  - Consulted on:-
    - Navigation Safety
    - Making of Byelaws and GD
    - General Safety
    - Operational changes
    - Harbour developments
  - Such consultation to be reported to the Harbour Authority and due account taken of stakeholder opinion
- NLB/CMAL/A&BC (and their successors) whilst operators of operational Piers, base and berths in Oban shall not be hindered in any way by the Harbour Board / Authority in the statutory or commercial operation of the said base and berth. The Harbour Authority/Board shall not hinder or unreasonably withhold permission for any development of the said base or berth by the infrastructure owners or their successors.
- NLB/CMAL/A&BC (and their successors) whilst operators of operational Piers base and berths in Oban shall collect and deliver to the Harbour Board/ Authority such dues charged by the Harbour Authority for visiting vessels for use of the said berth.
  - Visiting Government vessels\* using the Commissioners of Northern Lighthouses berth shall be exempt from such dues charged by the Harbour Authority.
  - \* a narrowly defined group to include warships, Border Force and fishery protection/research operated by UK and Scottish Government bodies ( NLB is already exempted through MSA 1995)

- NLB/CMAL/A&BC (and their successors) whilst operators of operational Piers base and berths in Oban shall be consulted on any harbour developments, moorings or other physical changes within the Harbour Area as a key stakeholder. Developments, moorings or other physical changes which impact the approaches to/from and operation of the piers and berths and/or helicopter landing pad (NLB Only) require approval. Such permission will not be unreasonably withheld.
- Charges levied by the Harbour Authority must be transparent and costs shared equally between all customers in an agreed methodology, formal agreement that no revenue generated from CMAL/NLB/A&BC customers can be used for any improvement out with the immediate Harbour environment that impacts on our customer operations. The charges levied are to be used to cover direct costs with a reasonable overhead contribution.
- There should be no charges levied on recreational craft entering or transiting the bay
- The MSMS should be implemented as a matter of priority and in consultation with key stakeholders.
- A marine traffic management plan should be introduced as a matter of priority and in consultation with key stakeholders. (there is a requirement to provide for 2 large ferries to manoeuvre simultaneously in the harbour)
- The Harbour Authority to cover any financial losses (direct and indirect) to CMAL/NLB/A&BC should any works carried out or instructions given by the Harbour Authority that results in the facilities at Oban in NLB/CMAL/A&BC facilities not being accessible and / or are damaged.
- Harbour weather limits shall be risk driven not arbitrarily defined.
- It shall be a requirement of commercial harbour users to have vessels fitted with AIS (minimum