

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

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This report provides Members with an update on work being done by both the Oban Bay Management Group (OBMG) and the Oban Community Harbour Development Association (OCHDA) towards the development of a Trust Port.
- 1.2 At the June meeting of the Oban Bay Management Group, OCHDA outlined its plans as follows:-
- The new 'trust port' will lease the Council's North Pier assets, possibly with a future purchase option.
  - The Council's responsibilities as a 'Single Harbour Authority' (SHA) will be transferred to the new 'trust port'.
  - The new 'trust port' will extend the SHA area to encompass the whole of Oban Bay, leaving the CMAL SHA nested within.
- 1.3 It is important to point out to Members that, to date, there has been no formal submission from OCHDA re transfer of Council assets or responsibilities.
- 1.4 OCHDA has advised that they are now planning to release a draft Harbour Revision Order (HRO), as opposed to a Harbour Empowerment Order (HEO) on the basis that their plan will be to take over all existing Council responsibilities at Oban. OCHDA has intimated that informal consultation with stakeholders will commence in September 2020. Given the work which OCHDA must complete before summer 2021 – finalised HRO and transfer of Council assets and responsibilities - this would appear to be a fairly ambitious timeframe.
- 1.5 OCHDA has stated that Covid-19 restrictions have, understandably, played a large part in delaying progress.
- 1.6 It is recommended that Members note this report.

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**2.0 INTRODUCTION**

2.1 A report was presented to Members of the OLI Area Committee in March this year. This report provides a further update to Members.

**3.0 RECOMMENDATIONS**

3.1 Members are asked to note this report.

**4.0 DETAIL**

4.1 At the last meeting of the OLI Area Committee, held in March 2020, Members were advised that OCHDA is proposing a transfer of the Council's existing powers and responsibilities in Oban Bay, including those around the North Pier, to the new Harbour Authority.

4.2 At the June meeting of the Oban Bay Management Group, OCHDA outlined its plans as follows:-

- The new 'trust port' will lease the Council's North Pier assets, possibly with a future purchase option.
- The Council's responsibilities as a 'Single Harbour Authority' (SHA) will be transferred to the new 'trust port'.
- The new 'trust port' will extend the SHA area to encompass the whole of Oban Bay, leaving the CMAL SHA nested within.

4.3 It is important to point out to Members that, to date, there has been no formal submission from OCHDA re transfer of Council assets or responsibilities.

4.4 OCHDA has advised that they are now planning to release a draft Harbour Revision Order (HRO), as opposed to a Harbour Empowerment Order (HEO) on the basis that their plan will be to take over all existing Council responsibilities at Oban. OCHDA has intimated that informal consultation with stakeholders will commence in September 2020.

4.5 In the meantime, Council officers have requested that OCHDA produce a business plan and programme indicating key milestones; this information is still awaited. Transport Scotland has stated that they would be reluctant to accept a formal HRO or HEO application until the majority of concerns have been resolved in the informal consultation phase. OCHDA has stated that Covid-19 restrictions have, understandably, played a large part in delaying progress.

4.6 OCHDA propose to have their SHA in place, covering the wider Oban Bay area, for the 2021 summer season. Given the work which OCHDA must complete before summer 2021 – finalised HRO and transfer of Council assets and responsibilities - this would appear to be a fairly ambitious timeframe.

## **5.0 CONCLUSION**

5.1 Liaison between Council Officers, OBMG and OCHDA continues regarding a single harbour authority in Oban. Much work remains to be done by OCHDA.

## **6.0 IMPLICATIONS**

6.1 **Policy** - None

6.2 **Financial** – The financial impacts cannot be assessed until the preferred option has been identified and protected provisions agreed upon.

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

6.4 **HR** – None

6.5 **Fairer Scotland Duty**

6.5.1 **Equalities / Protected Characteristics**      None directly arising from this report

6.5.2 **Socio-economic Duty**      None directly arising from this report

6.5.3 **Islands**      See risk below

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 with responsibility for Development and Infrastructure:**

Kirsty Flanagan

**Policy Lead:** Cllr Robin Currie

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**For further information contact:**

Stewart Clark, Marine Operations Manager Tel: 01546 604893

Jim Smith: Head of Roads & Amenity Services Tel: 01546 604324