

OBAN BAY – SINGLE HARBOUR AUTHORITY - UPDATE

1.0 EXECUTIVE SUMMARY

- 1.1 At previous Area Committee meetings, Members have been advised that OCHDA is proposing a transfer of the Council's existing powers and responsibilities in Oban Bay, including a transfer of shore-side assets around the North Pier, to form a new Trust Port on a commercial lease basis. The latest Council policy position as agreed by the Harbour Board in December 2019 and March 2021 is detailed in the body of this report.
- 1.2 Although there has, to date, been no formal submission from OCHDA re transfer of Council assets or responsibilities, an informal 'Expression of Interest' was submitted to the Council in December 2020 in relation to Council infrastructure at the North Pier in Oban, including the harbourmasters' building and pontoons. The Trust port has not been determined as the best solution for all users of the harbour and a number of options, including the trust port, remain to be considered
- 1.3 Council officers are working with OCHDA to prepare a Memorandum of Understanding (MoU) which is designed to enable due diligence to be carried out.
- 1.4 Members are asked to note and consider 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 outlining work being done by both the Oban Bay Management Group (OBMG) and Oban Community Harbour Development Association (OCHDA). This report provides a further update to Members.

3.0 RECOMMENDATIONS

- 3.1 Members are asked to consider and note this report.

4.0 DETAIL

- 4.1 At previous Area Committee meetings, Members have been advised that OCHDA is proposing a transfer of the Council's existing powers and responsibilities in Oban Bay, including a transfer of shore-side assets around the North Pier, to form a new Trust Port on a commercial lease basis.
- 4.2 A public consultation was carried out by OCHDA in late 2020 regarding the seaward limits of a new harbour area to be managed in the future. A preliminary report from OCHDA concluded that 'overall the consultation showed a high level of satisfaction with the proposed limits.'
- 4.3 An informal 'Expression of Interest' was submitted to the Council in December 2020 in relation to Council infrastructure at the North Pier in Oban, including the harbourmaster's building and pontoons.
- 4.4 The report to the Harbour Board report of December 2019 summarised the options currently available which are:
- *Facilitate OCHDA progressing a Trust Port with a transfer of assets, including staff.*
 - *Facilitate OCHDA progressing a Trust Port with a transfer of harbour powers, without a transfer of assets. The council would continue to*

operate the North Pier and pontoons possibly extending the commercial offer at this location.

- *CMAL to progress becoming the Harbour Authority.*
- *Argyll and Bute Council to form a Municipal Port.*
- *Continue with the status quo. This option is not recommended and should be discounted.*

4.5 The decision of the December 2019 meeting of the Harbour Board is copied below:

Decision

The Argyll and Bute Harbour Board –

1. Agreed, subject to consultation with the Oban Lorn and the Isles Area Committee, to instruct officers to investigate further the proposal to establish a Trust Port and to the transfer of powers at the South Pier (any transfer would not happen unless the Harbour Order was subsequently granted by Transport Scotland.

2. Instructed officers to investigate further with Oban Community Harbour Development Authority (OCHDA) the options of transferring the powers at the North Pier and the transfer of assets at the North Pier, on a commercial basis.

3. Agreed to recommend to the Policy and Resources Committee that they delegate to the Executive Director with responsibility for Marine Operations, in consultation with the Executive Director with responsibility for Legal Services, the agreement of a Memorandum of Understanding with Oban Community Harbour Development Authority (OCHDA) on the basis set out in paragraph 4.18 of the submitted report.

4.6 The Harbour Board agreed, at their meeting in March of this year, that a virtual meeting would be organised with all stakeholders. That has yet to be facilitated and, in the meantime, progress is being made in regard to the MoU. The Trust port has not been determined as the best solution for all users of the harbour and a number of options, including the trust port, remain to be considered

4.7 The Council continue to work with OCHDA in terms of detailed information to be contained in an MoU to enable the Council to carry out due diligence on proposals submitted and to pursue the assessment of other options to ensure that a full assessment has been undertaken.

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 but progress is being made and officers continue to pursue the assessment of other

options to ensure that a full assessment has been undertaken .

6.0 IMPLICATIONS

6.1 Policy - None

6.2 Financial – The financial impacts cannot be assessed until the Business Case has been produced by OCHDA.

6.3 Legal – Any agreement with OCHDA must ensure that the Council's interests and 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 Roads and Infrastructure Services:

Kirsty Flanagan

Head of Roads and Infrastructure: Jim Smith

Policy Lead: Cllr Rory Colville

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