

## Appendix 3

### Oban Bay – Options Appraisal Initial high level Island Communities Impact Assessment

This document has been prepared as part of the appraisal of options for the management of the waters of Oban Bay. It is not intended to constitute a full Island Communities Impact Assessment (ICIA) as set out in the Islands (Scotland) Act 2018, but rather to:

- highlight where the options might differ in terms of their island impacts, or where the impact on individual islands might differ;
- provide an assessment framework which could be developed further once a preferred option is known and detailed implementation proposals are being developed.

This document follows the template structure provided in Annex B of the ‘Island Communities Impact Assessments: guidance and toolkit’ published by the Scottish Government. It should be noted that the following are all listed as Relevant Authorities in the Islands (Scotland) Act 2018: Scottish Ministers, Caledonian Maritime Assets Limited, Crown Estate Scotland, David MacBrayne Limited, Argyll & Bute Council.

A Trust Port would not be required to carry out an ICIA in respect of changes it sought to implement after it came into being.

<b>Step One – develop a clear understanding of your objectives:</b>	
<ul style="list-style-type: none"> <li>• What are the objectives of the policy, strategy or service?</li> </ul>	Currently, the question being addressed concerns management options for the waters of Oban Bay and its approaches
<ul style="list-style-type: none"> <li>• Do you need to consult?</li> </ul>	At the present time no decisions have been taken regarding future policy. This high level analysis is intended to identify any island related issues that might need to be taken into account in future.
<ul style="list-style-type: none"> <li>• How are islands identified for the purpose of the policy, strategy or service?</li> </ul>	For the purpose of this analysis, Kerrera, Lismore, Mull, Tiree and Coll have the most direct interest. Barra, Colonsay and South Uist may also be affected.
<ul style="list-style-type: none"> <li>• What are the intended impacts/outcomes and how do these potentially differ in the islands?</li> </ul>	The nature of the links between the islands differ: Kerrera and Lismore have significant amount of small vessel traffic on the waters concerned. All have ferry connections into Oban. In the case of Tiree and Coll, the Oban ferry is the only marine connection.
<ul style="list-style-type: none"> <li>• Is the policy, strategy or service new?</li> </ul>	Changes have been discussed for several years
<b>Step Two – gather your data and identify your stakeholders:</b>	
<ul style="list-style-type: none"> <li>• What data is available about the current situation in the islands?</li> </ul>	Ferry timetables, logs of vessel movements.
<ul style="list-style-type: none"> <li>• Do you need to consult?</li> </ul>	Yes, as a matter of good practice at this stage. Subject to legal confirmation, it seems that Harbour Order could constitute ‘legislation’

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	in terms of Step 5 (below) and therefore may require an ICIA by Scottish Ministers.
<ul style="list-style-type: none"> <li>How does any existing data differ between islands?</li> </ul>	Unknown
<ul style="list-style-type: none"> <li>Are there any existing design features or mitigations in place?</li> </ul>	A code of practice for maritime safety already operates in the bay.
<b>Step Three - consultation:</b>	<p>The purpose of this exercise is to provide an initial indication of island-related issues that might need to be addressed in more detail during the development phase of a new Harbour Order for Oban Bay.</p> <p>Any future consultation would involve the island communities listed above in Step One, and would cover the issues highlighted in this exercise and any other issues identified.</p>
<ul style="list-style-type: none"> <li>Who do you need to consult with?</li> </ul>	
<ul style="list-style-type: none"> <li>How will you carry out your consultation and in what timescales?</li> </ul>	
<ul style="list-style-type: none"> <li>What questions will you ask when considering how to address island realities?</li> </ul>	
<ul style="list-style-type: none"> <li>What information has already been gathered through consultations and what concerns have been raised previously by island communities?</li> </ul>	
<ul style="list-style-type: none"> <li>Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?</li> </ul>	
<b>Step Four – assessment:</b>	<p>Islands served by the main ferry services, especially so where crossing are long and/or there is no alternative (Tiree and Coll) are particularly concerned about the impact of any changes to vessel management in that could impact on ferry reliability, schedules and ticket prices. The Craignure service is similarly sensitive, albeit that alternatives exist. One particular point raised was that delays to ferries could result in crews going over their permitted working hours leading to crossings being cancelled.</p> <p>In addition to the above, communities on the closer islands (Kerrera and Lismore) make more frequent crossings including school transport and</p>
<ul style="list-style-type: none"> <li>Does your assessment identify any unique impacts on island communities?</li> </ul>	
<ul style="list-style-type: none"> <li>Does your assessment identify any potential barriers or wider impacts?</li> </ul>	
<ul style="list-style-type: none"> <li>How will you address these? You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities). If your answer is NO to the above question, a full ICIA will NOT be required and you can proceed to Step Six. If the answer is YES, an ICIA must be prepared and you should proceed to Step Five. To form your opinion, the following questions should be considered:</li> </ul>	

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<ul style="list-style-type: none"> <li>Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?</li> </ul>	<p>ad hoc private and business journeys. They would wish to be able to continue to operate in the way they do at present.</p> <p>In drafting a future Harbour Order and operating plans, the proponents and stakeholders involved should consider the users and operators listed above, and demonstrate that the issues identified are fully understood and addressed.</p>
<ul style="list-style-type: none"> <li>Are these different effects likely?</li> </ul>	
<ul style="list-style-type: none"> <li>Are these effects significantly different?</li> </ul>	
<ul style="list-style-type: none"> <li>Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?</li> </ul>	
<p><b>Step Five – preparing your ICIA:</b></p>	
<p>In Step Five, you should describe the likely significantly different effect of the policy, strategy or service.</p>	
<ul style="list-style-type: none"> <li>Assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.</li> </ul>	<p>This would all have to be addressed during the development phase of a new Harbour Order.</p>
<ul style="list-style-type: none"> <li>Consider alternative delivery mechanisms and whether further consultation is required.</li> </ul>	
<ul style="list-style-type: none"> <li>Describe how these alternative delivery mechanisms will improve or mitigate outcomes for island communities.</li> </ul>	
<ul style="list-style-type: none"> <li>Identify resources required to improve or mitigate outcomes for island communities. An ICIA by Scottish Ministers in regard to legislation must:</li> </ul>	
<ul style="list-style-type: none"> <li>describe the likely significantly different effect of the legislation,</li> </ul>	
<ul style="list-style-type: none"> <li>assess the extent to which the Scottish Ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation, and</li> </ul>	

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<ul style="list-style-type: none"> <li>• set out the financial implications of steps taken under this subsection to mitigate, for island communities, the outcomes resulting from the legislation.</li> </ul>	
<p><b>Step Six – making adjustments to your work:</b></p> <ul style="list-style-type: none"> <li>• Should delivery mechanisms/mitigations vary in different communities?</li> </ul>	To be addressed at a subsequent stage
<ul style="list-style-type: none"> <li>• Do you need to consult with island communities in respect of mechanisms or mitigations?</li> </ul>	
<ul style="list-style-type: none"> <li>• Have island circumstances been factored into the evaluation process?</li> </ul>	
<ul style="list-style-type: none"> <li>• Have any island-specific indicators/targets been identified that require monitoring?</li> </ul>	
<ul style="list-style-type: none"> <li>• How will outcomes be measured on the islands?</li> </ul>	
<ul style="list-style-type: none"> <li>• How has the policy, strategy or service affected island communities?</li> </ul>	
<ul style="list-style-type: none"> <li>• How will lessons learned in this ICIA inform future policy making and service delivery?</li> </ul>	
<p><b>Step Seven: publishing your ICIA:</b></p> <ul style="list-style-type: none"> <li>• Have you presented your ICIA in an Easy Read format?</li> </ul>	
<ul style="list-style-type: none"> <li>• Does it need to be presented in Gaelic or any other language?</li> </ul>	
<ul style="list-style-type: none"> <li>• Where will you publish your ICIA and will relevant stakeholders be able to easily access it?</li> </ul>	
<ul style="list-style-type: none"> <li>• Who will sign-off your final ICIA and why?</li> </ul>	