

OBAN BAY UPDATE

1.0 INTRODUCTION

- 1.1 This report is provided to update Members on the progress being made since the decision of the Special Harbour Board meeting in December 2021 and the previous updates to the Harbour Board meetings in March 2022 and August 2022 in respect of Oban Bay.

2.0 RECOMMENDATIONS

- 2.1 The Harbour Board is asked to note and consider the update provided in this report.

3.0 DETAIL

- 3.1 An additional consultation process is ongoing at the time of writing this report and due to close at the end of August following a 6 week period. As part of this process we have sent details to over 1000 addresses including Argyll & Bute Council Elected Members; Commercial and organised groups with an interest in Oban Bay; Community Councils; and 899 individuals within both Oban, Lorn and the Isles Wards, who have subscribed to the 'keep in the loop' subscription service, The 'Keep in the Loop' subscription service is a facility the council uses for consultation and information purposes.. Further, the consultation is web based making this widely open. Where individuals are unable to access online information, the Council will issue hard copies of information, on request.

- 3.2 List of Consultees:-

Contact Category	Contact
Council Elected Members	All Harbour Board and Area Committee Elected Members
Community Councils (CC)	Argyll and Bute CCs together with additional CCs where communities rely on Oban as a strategic marine transport destination
Commercial and organised groups with an interest in Oban Bay	37 organisations

Keep in the Loop Subscription Service	899 individuals who have addresses in the Oban, Lorn and Isles area who have subscribed to the council's 'Keep in the Loop' Subscription Service.
Web based questionnaire and information	Open web page providing information and opportunity for responses.

3.3 Draft Harbour Revision Order (HRO)

Our legal team have produced the first draft of the HRO, at the time of writing this update, the HRO was being finalised. By the time of the meeting the draft will have been circulated to stakeholders for comment, and an update will be provided at the Harbour Board Meeting.

3.4 Meeting with Transport Scotland

A meeting has been held with Transport Scotland officials to further discuss progress to date and the process of submitting the final HRO application. This meeting took place in Oban on 17th August and included a visual on site look at the proposed outer harbour limits as well as the overall layout of the Harbour and facilities. Transport Scotland reiterated their willingness to assist in the HRO process and feedback and advice on the HRO draft will continue.

3.5 Progress since March 2022

The key milestones for report to the next Harbour Board meeting are:

- (1) Marine Traffic Data Collection (summer) including stakeholder consultation – Results and analysis.
- (2) Recommended external Harbour Limits based on summer data & consultation information.
- (3) In the longer term we will be conducting a further data collection exercise in December which should the Harbour Board to confirm our position on the external Harbour Limits.
- (4) Draft of the HRO for review and comment including Powers and Provisions.
- (5) Completion of the HRO process including the NRA for Harbour Board approval.

4.0 CONCLUSION

- 4.1 Since the Special Meeting of the Harbour Board in December 2021, good progress has been made in preparing to submit a formal Harbour Revision Order. Once the key milestones outlined above are concluded, a further report will be brought back to Members of the Harbour Board to agree the limits and powers which will be included in the draft Order.

5.0 IMPLICATIONS

- 5.1 Policy – The Harbour Board agreed in December 2021 that the Council should proceed to make the arrangements to formally manage the unmanaged section of Oban Bay.

- 5.2 Financial – No financial implications at this stage. As the proposals develops further detail will be brought to the Harbour Board.
- 5.3 Legal – the HRO process is a formal legal process set out in the 1964 Harbours Act.
- 5.4 HR – HR implications will be identified as the proposal progresses.
- 5.5 Fairer Scotland Duty:
 - 5.5.1 Equalities – None known.
 - 5.5.2 Socio-economic Duty – None known.
 - 5.5.3 Islands – consultation will be carried out with the island communities as a continuation and expansion of the Options Appraisal Process reported to the December Harbour Board.
- 5.6 Climate Change – due regard will be given to climate change with a view to minimising any climate change impact and these will be considered as and when they arise.
- 5.7 Risk - The Council progressing to become a Municipal Port Authority for the unmanaged areas of Oban Bay increases the safety within Oban Bay. There is a risk that there could be a number of objections and representations during the process which could impact on timescale and these will be considered as and when they arise.
- 5.8 Customer Service – None known.

Kirsty Flanagan, Executive Director with responsibility for Roads and Infrastructure

Jim Smith, Head of Roads and Infrastructure

Policy Lead for Roads and Transport, Councillor Andrew Kain

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For further information contact: Jim Smith, Head of Roads and Infrastructure, or Scott Reid, Marine Operations Manager