

OBAN BAY UPDATE

1.0 INTRODUCTION

- 1.1 This report is provided to update Members on the status of plans to establish the Municipal Oban Harbour and the progress of the Oban Harbour Revision Order (HRO).
- 1.2 It follows from the 22nd December meeting of the Harbour Board at which approval was given for a draft HRO to be submitted to Transport Scotland on an informal review basis.

2.0 RECOMMENDATIONS

It is recommended that the Harbour Board notes and considers the update provided in this report.

3.0 DETAIL

Harbour Revision Order (HRO)

- 3.1.1 The Council's Harbour Board at its meeting on 22nd December gave approval for the draft Harbour Revision Order to be submitted to Transport Scotland.
- 3.1.2 The draft was submitted prior to the festive break, in this first instance on an informal basis. This is considered to be best practice and allows Transport Scotland the opportunity for informal discussion with the Council on the content before they then accept as a formal submission for public consultation. Argyll & Bute Council will then undertake a 42 day period public consultation.
- 3.1.3 Positive discussions have taken place between Argyll & Bute Council technical and legal officers; the Council's legal advisors and Transport Scotland. Transport Scotland have asked for some non-material alterations in style and presentation which are being incorporated in the draft.
- 3.1.4 Scottish Government's legal team will then review the draft HRO and following any comments from them being addressed. Should there be any material alterations requested by Transport Scotland then they would be brought back to the Harbour Board for approval.

Next Steps

3.2 The key statutory and notable milestones for subsequent reports to the Harbour Board are:

- (1) Any clarifications or amendments requested by Transport Scotland or MCA will be presented to a Special Harbour Board meeting for Members review and approval.
- (2) Advertisement of the application in Edinburgh and local press following receipt of the HRO by Transport Scotland.
- (3) 42 days for formal consultation as per the HRO process.
- (4) Addressing any issues and objections.
- (5) Decision by Ministers on HRO.
- (6) Order is made.

4.0 CONCLUSION

4.1 This report provides an update to Members on the status of plans to establish the Municipal Oban Harbour and the progress of the Oban Harbour Revision Order (HRO).

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 proposal 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 – Improved and safer environment for all users

Kirsty Flanagan, Executive Director with responsibility for Roads and Infrastructure

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Policy Lead for Roads and Transport, Councillor Andrew Kain

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