

Document Name	OBMG Actions & Notes January 2023
Author	Shona McMillan
Date	16 th January 2023
Reference	OBMG



Meeting	Oban Bay Management Group
Meeting Purpose	Improving Marine Safety at Oban
Venue	NLB Oban and MS Teams
Date	10.01.2023

Attendees:

Name	Organisation
Phil Day	NLB Chair
Ramsay Muirhead	CMAL
David McHardie	CMAL
Michael Blacklaw	CFL
Scott Reid	A&BC
Jim Smith	A&BC
Laura Corbe	OCC
Frank Roberts	OCC
Ewen Mackerchar	NLB
Fergus Gillanders	OCHDA
Ross Wilson	OCHDA
Karl Zaczek	TS
John MacAlister	OBSG
Shona McMillan	CFL

Apologies:



Name	Organisation
Vicki McKenzie	A&BC
Phil Hamerton	OBSG
Kevin Hobbs	CMAL

Item	Detail	Responsible	Action	Timescale
1	<p>Actions from previous meeting</p> <p>Universal use of MarNis – Some software issues have been identified. The universal use of MarNis is still being investigated, as such, this is an ongoing action.</p> <p>Social media alerts- It was advised that this is an ongoing action, with A&BC Comms team working on this. It was noted that live updates are not available at present.</p> <p>Review current CoP – It was noted that there is no further update at the moment.</p> <p>Leisure guide – The leisure guide has been translated into French and German.</p> <p>Publication of comments obtained from public consultation on the ‘skeleton’ and first draft HRO – These comments are now available on A&BC website.</p> <p>Issuing agenda and associated reports – SM & PD met to discuss.</p> <p>A&BC Legal process- It was noted that the A&BC Legal department do not give advice or attend 3rd party groups.</p> <p>Financial model – JS advised that there will be no separate financial model to share for Oban Bay. The details will be included in the overall Council financials. KZ advised the group that as long as the information is available to the public, this is acceptable.</p>	<p>JS</p> <p>JS</p> <p>MB</p>	<p>Action is ongoing, update to be provided as it progresses.</p> <p>Action is ongoing, update to be provided as it progresses.</p> <p>To send Leisure Guide to designers.</p>	<p>Ongoing</p> <p>Ongoing</p>

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2	Safety			
	<p>MB presented to the group on the incidents reported since 10/05/22. There were 0 accidents, 13 near misses and 3 environmental issues reported. MB advised of a system error which meant that 9 of the near misses were not reported at the last meeting. This reporting issue has now been resolved.</p> <div data-bbox="898 624 949 683" data-label="Image"> </div> <p data-bbox="824 691 1025 738">OBMG meeting Jan 23 Incident Data.pdf</p> <p>Copy of presentation available here:</p> <p>North Channel – Pole Star: PD was not aware of this until the Incident data was circulated with the group. PD has since spoke with staff and is happy that it was dealt with appropriately.</p> <p>The group were reminded that everyone can report near misses through the website.</p> <p>RW queried the incident of 31/07/2022- Yacht with sails up impedes vessel. It was noted that if the reporter is of the opinion that a near miss has occurred, they should report it.</p>	MB	To ensure NLB are informed of any further incidents.	Ongoing

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3	<p data-bbox="342 81 618 113">A&BC HRO update</p> <p data-bbox="342 185 1043 316">JS advised the group that the recent Harbour Board meeting on 22nd December agreed to submit the HRO to Transport Scotland. The minutes of this meeting are available on A&BC website.</p> <p data-bbox="342 320 1025 384">Monty Smedley attended a session with the Harbour Board, and this was felt to be beneficial.</p> <p data-bbox="342 389 1039 453">The HRO has now been submitted and an update will be provided in due course as the process is followed.</p> <p data-bbox="342 491 1014 555">PD recognised the efforts of the group in submitting the HRO as planned.</p> <p data-bbox="342 593 1043 1129">KZ advised the group on the next steps. The HRO will be looked at from a policy perspective, with any queries directed back to A&BC. Once TS are content that the HO is fit for consultation, the Council will formally advertise. At this point consultation will take place with stakeholders, inclusive SEPA, NatureScot, Marine Scotland and RYA. Any objections at this stage will be for the Council Legal team to address, with TS liaising between the objector and the Council. If after 3 attempts the issue is not resolves a public enquiry will be necessary, in which TS is not involved. KZ stated that TS are available to answer any queries on the process, however he will be standing down from the group now as the HRO is now with TS. The full process is available on the Transport Scotland website.</p> <p data-bbox="342 1168 1043 1364">FG raised a concern regarding the scope and suitability of the Purpose and Effect Notes submitted and queried if these are sufficient or valid. He pointed out that justification for repeal or renewal of existing legislation has not been included in either these Notes nor in Schedule 5 (Repeals) of the HRO. He gave an</p>			

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	<p>example of Section 39 of the Callander & Oban Railway Act 1878, which provides the sole basis to this day of the powers now held by CMAL at the Railway Pier and Sections 40-42 which established the Oban Harbour Authority and Oban harbour area. . KZ advised that these will be assessed from a policy perspective and if deemed to be unsuitable they will be referred back to A&BC to amend.</p>			
4	Member updates			
	<p>OCHDA – a. RW briefed: <i>Since the December 2021 decision to promote a Municipal Port as the solution for Oban, OCHDA had supported Argyll and Bute Council's work strongly, responding to consultations and providing much of the detail of the first formal draft. Throughout this OCHDA has emphasised the desirability of some formally-established mechanism for local consultation and advice-giving, reporting to the Harbour Board and based on established and recommended practice elsewhere. We are unable to understand why Argyll & Bute Council should so resolutely refuse to follow the advice of, for example, BPA or the example of Aberdeenshire Council as we have suggested. Effective community engagement is a pre-requisite of successful local government and democracy, bringing transparency, understanding and sharing responsibility with the communities being served.</i></p> <p>b. RW presented an OBSG & OCHDA Report submitted to the group in advance of the meeting.</p>			

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	<p data-bbox="342 217 819 248">Copy of the Report is available here:</p>  <p data-bbox="819 180 1025 228">OCHDA_report_to_OBMG_for_10-1-23.pdf</p> <p data-bbox="342 288 1003 483">OCHDA noted their concerns regarding gaps and omissions in the draft HRO, meaning OCHDA & OBSG are unable to support the draft HRO in the current form. KZ advised that there will be opportunities in the process to raise any objections and concerns.</p> <p data-bbox="342 491 1032 655">Concerns included the lack of detail regarding jurisdictions, provision in respect of moorings, lack of information on charges, proposals for creation of the Reserve fund and failure to put forward suitable proposals for local consultation and advice.</p> <p data-bbox="342 695 1025 786">c. RW also presented a proposal to the group for the formation of a Harbour Advisory Committee, for inclusion in the HRO.</p>  <p data-bbox="342 898 763 930">Copy of proposal available here:</p> <p data-bbox="763 863 969 911">OCHDA_appendix_to_OBMG_for_10-1-23.pdf</p> <p data-bbox="342 967 1025 1031">The group were invited to consider this proposal and submit comments by 28 February 2023.</p> <p data-bbox="342 1070 1032 1367">JMacA raised concerns that A&BC are not taking into consideration the wishes of the Oban and island communities, in particular those who are trying to establish marine based business. JMacA noted that the local feeling is strong for community involvement. JS advised that A&BC have a duty to promote business and tourism and they are committed to this. JS also advised that community engagement is a priority for A&BC and the intention is for a user group</p>	<p data-bbox="1066 967 1104 999">All</p>	<p data-bbox="1274 967 1854 1031">To review and respond to Harbour Advisory Committee proposal.</p>	<p data-bbox="1865 935 1989 1031">28th February 2023</p>

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	<p>to be formed when the new Harbour is in place and A&BC are keen for all users to be involved.</p> <p>FR (Chair OCC) reported that he had written to the group stating the Community Council' support for the OBSG and OCHDA position; OCC is unable to support the draft HRO in its current form.</p> <div data-bbox="898 316 949 373" data-label="Image"> </div> <p data-bbox="824 379 1032 432">2023-01-06 OCC Letter to Phil Day Of</p> <p>A copy of his letter is available here:</p> <p>A&BC- JS confirmed that A&BC have agreed that the North Pier extension business case can be progressed. SR advised Crown Estates will of course continue to manage the seabed and the admin of the moorings would be managed by Argyll & Bute Council. It was reported that Argyll & Bute Council officers are in contact with Crown Estates and will continue to work together with them on mooring management. FG noted that the HRO does not address the moorings and clarity is required.</p> <p>CMAL – Nothing further to report.</p> <p>CFL – Nothing further to report.</p> <p>NLB – Nothing further to report.</p>			
5	AOB			

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	<p>NtM CoP- DMcH advised the group that once the Municipal Port comes into existence, he will no longer be issuing an annual NtM regarding the Code of Practice.</p> <p>Weather & tidal data – DMcH proposed that the website contains a link to the CMAL website which contains weather and tidal data, as well as webcam at the ferry terminal. MB advised the group that the current website may need rebuilt soon, due to age and it may cease to be supported.</p> <p>Future of Website – FG asked if the Oban Harbour website would continue as is or would form part of A&BC Piers and Harbours website. It was agreed that the website is a valuable resource and is well used. JS advised that this is a point that will need further investigation.</p> <p>Welcome Anchorage – MB received an email from Welcome Anchorages inviting the group to appear in the publication.</p> <p>North Channel CCTV - EMacK queried the possibility of CCTV covering the North Channel to assist with any incidents and encourage adherence. It was noted that this area is not currently managed by any of the members. It was agreed that all members to consider the possibility of CCTV.</p> <p>Charges - JS advised the group that charges should be available from April / May. These are currently being developed. It is likely that these will be a banded arrangement based upon GRT.</p>	<p>MB DMcH</p> <p>MB</p> <p>All</p> <p>JS</p>	<p>To look in to having the CMAL weather, tidal and webcam information available on the Oban Bay website.</p> <p>Prepare a summary and issue to group, prior to submission.</p> <p>To consider the implementation and management of North Channel CCTV.</p> <p>To report back to the group with the charging arrangements.</p>	<p>May 2023</p>

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	<p>Future OBMG meetings – As the formal HRO process is underway, PD queried if the group should continue to meet. It was agreed to continue with the regular meetings.</p>			
7	Next meeting			
	16 th March 2023 11am			