



Oban Bay Stakeholder Meeting

1900 28 March 2018

Oban Perle Hotel

Attendees:

Colin Taylor Ass Scottish Yacht Charterers
David Vass RYA & WHAM
Sarah Brown RYA Scot
Andy Knox RHYC
Duncan Ritchie Oban Moorings Ass
Robert Kincaid Oban Sea School, Mid Kerrera Moorings Association
Ian Stevens
John Anderson CCC
Eric Chapman Oban SC
Cameron Smith Coastal Connections
Oliver Cottrell Oban Marina
Tony Bennett Crown Estates
Paul Jennings OBHM
Lorna Spencer CMAL
David McHardie CMAL

1. Selection of a Chair for the stakeholder meeting. Following the previous meeting it had been suggested by several stakeholders that an independent chair was desirable to demonstrate the openness of the discussion. This suggestion was promulgated with the previous meeting notes ready for taking the suggestion forward at this meeting Tony Bennett was nominated by David Vass and seconded by Sarah Brown. TB said that whilst he would

Comment [LS1]: Add some comments on the reason for appointing a chair

prefer that the Chair came from within Oban he would chair for the meeting but would then have to get clearance from his employer to continue in the role.



Most others at the meeting had little to say on the subject and so PJ asked for nominations for a vice chair to be sent in for approval at the next meeting. PJ would support the chair with admin functions for the group. It was suggested the chair would be in post for a maximum of 2 years. TORs for the group will be established at the next meeting. Lorna Spencer has invited the stakeholder chair to be a permanent member of the Oban Bay Management Group which is overseeing the creation of a statutory harbour authority for the Oban Bay area. The invitation to the stakeholder chair will ensure the stakeholders have direct representation on the group along with CMAL, NLB, A&BC and CFL.

Comment [LS2]: We should develop these as a starting point – it is our forum and meetings and ultimately our agenda

2. Update on the 'Oban Bay harbour' project. PJ reported the harbour incidents summary for the last 6 months and 12 months respectively and the proposed safety initiatives for the forthcoming season. See attached report for details. TB asked if the vessel speeds for the navigational infringements were available as discussed at a previous meeting. As there are only MCA powers of investigation for this area of water, this data is not readily available but PJ will try and use AIS historical data to add to the summary details in future. TB, RK and SB made the point that they thought the ferry speeds might influence the navigational infringements; others disputed this statement pointing out that if the small vessel was not in the large vessel channel when a large vessel was approaching then there would not be a navigational infringement, as rule 9 would have been applied correctly. It should be noted that large vessels need to maintain a reasonable amount of speed to prevent excessive leeway and maintain safe navigation in the narrow channel. This speed is dependent upon wind speed but is usually in excess of a yachts average speed. This is why rule IRPCS rule 9 is mandatory in this area and small vessels must keep clear of large vessels operating in the large vessel channel. DM agreed with the view expressed by others that having the vessel speed would do no harm and that it could only help with understanding the issues.

Comment [LS3]: Perhaps some comment on the requirement of the ferries to maintain sufficient speed to manoeuvre I would also add some commentary that small boats should at no time proceed across the bow of a ferry even if they think that they have sufficient speed.

Lorna Spencer gave an overview of the work of the OBMG since 2007 culminating in the report attached. A&BC's decision not to expand their SHA based upon the desire not to adopt additional risk. CMAL's board agreed to support the OBMG proposal in principal to progress expanding the CMAL SHA (subject to the noted criteria being met). This agreement was reached solely to ensure the risks highlighted in the Navigation Risk Assessments and evidenced by the incident log, were addressed in a timely manner.



LS stated that the OBMG position is that if there is a desire to set up a trust port in the future to adopt the wider SHA area, the OBMG and CMAL would support this .

Some stakeholders felt they were not consulted sufficiently in this decision making process and their views had been ignored culminating in a very disappointing and significant waste of their time over the last 4 years. They felt the invitation of 2 members of the user group onto the OBMG evaluation day did not sufficiently represent the stakeholders in the making of the decision of whom should progress bringing the wider Oban Bay into a statutory harbour authority. Some stakeholders stated they did not accept the validity of the data used by the OBMG to make the agreement that CMAL should extend their SHA and that it was a non-representative 'fait du complete'. LS responded that the data she had used had been carefully considered using existing harbours as a comparison. LS was asked what level of revenue CMAL already recovered at Oban. LS responded that she would check the figures and make them available but this figure was not relevant to the data considered by the OBMG when considering harbour options.

JA asked what harbours CMAL operated. DM gave an answer and a link to CMAL website for more information about CMAL is to be provided.

TB made some suggestions with regard to how moorings should be managed under the new harbour, specifically the wider SHA should not have powers to decide upon mooring decisions. A system similar to that used at Clyde Port was desirable. LS stated that there was no desire by the OBMG to significantly alter the current methodology of mooring management. LS stated it was the OBMGs desire to continue to consult to gather all suggestions of this type, for all current activities, through the stakeholder group (and wider consultation). **Wherever feasible it was CMALs intention to incorporate these suggestions into protected provisions, byelaws or harbour orders for the new statutory harbour area for the continued benefit of the community.** It is also the OBMGs intention to formally incorporate the role of the OBMG within the HRO legislation, to ensure there was local consultation built into all matters placed before the proposed harbour board.

Comment [LS4]: Could we mention that there is a suggestion to formally incorporate the role of the OBMG within the legislation

Actions:

All to submit vice chair nominations to PJ.

PJ to investigate vessel speed in relation to recorded incidents for subsequent report to stakeholders.

LS to provide information on the Harbour dues revenue for Oban.

PJ to add link to CMAL website.

3. Stakeholder proposals for 'protected interests' within an Oban Bay harbours operational guidelines. LS stated there was a defined and formal process, stipulated by Transport Scotland, to be followed when applying for a harbour revision order. This process was being followed and this meeting was part of the informal consultation phase.



OBMG to develop and instigate consultation with the stakeholders and wider community, to gather suggestions of how the harbour can be run to benefit and respect users. This information will then be used to tailor the harbour revision order appropriately.

Actions:

PJ to provide link to TS website for harbour revision process.

4. AOB

Next meeting date to be set. Last week in April suggested.

Attached notes:

OBHM incident report and safety actions

OBHM report 28 3 2018

1. Incidents

19 reported incidents over the winter 6 months. CFL ferries have been formally reporting navigational infringements since 24 July 2018.

Reference	Type	Date	Incident	WC/ML	Severity
58	Navigational Infringement	7 Oct 2017	Sailing vessel impedes large vessel in large vessel channel	NM	1
59	Near Miss	15 Oct 2017	Sailing dingy capsized and in difficulty	NM	1
61	Pollution	20 Oct 2017	Report of oil spill near the Corran Ledge	ML	1
60	Navigational Infringement	28 Oct 2017	Small power driven vessel crosses bow of ferry in narrow channel	NM	1
62	Near Miss	7 Nov 2017	Creels blocking Ardantive Slip	NM	1
63	Pollution	25 Nov 2017	Aquacluture vessel spills marine diesel	ML	1
65	Pollution	8 Dec 2017	Fuel spill during fueling operations at North Pier	ML	1
66	Contact Berthing	9 Dec 2017	Vessel hits Kerrera Breakwater causing significant damage	ML	1.4
67	Wash	14 Dec 2017	Excessive Wash Ardantive Bay	NM	1

Reference	Type	Date	Incident	WC/ML	Severity
68	Near Miss	16 Dec 2017	Small commercial vessel cuts across Ferry stern whilst ferry manoeuvring off berth	NM	1
69	Navigational Infringement	17 Jan 2018	FV turns hard to port with a small PDV overtaking slowly on port quarter.	NM	1
71	Navigational Infringement	30 Jan 2018	Dive FV impedes large vessels channel	NM	1
70	Pollution	4 Feb 2018	Minor oil spill NLB pier	ML	1
72	Wash	6 Feb 2018	Excess wash - calmac ferry isle of mull	NM	1
73	Wash	13 Feb 2018	Excessive Wake	NM	1
74	Wash	16 Feb 2018	Excessive Wash	ML	1
75	Near Miss	28 Feb 2018	Fishing Boat Machinery failure in approach to No 2 link span.	NM	1
76	Navigational Infringement	8 Mar 2018	Cargo vessel cuts across FV bow	NM	1

Summary

Navigational Infringement – 5

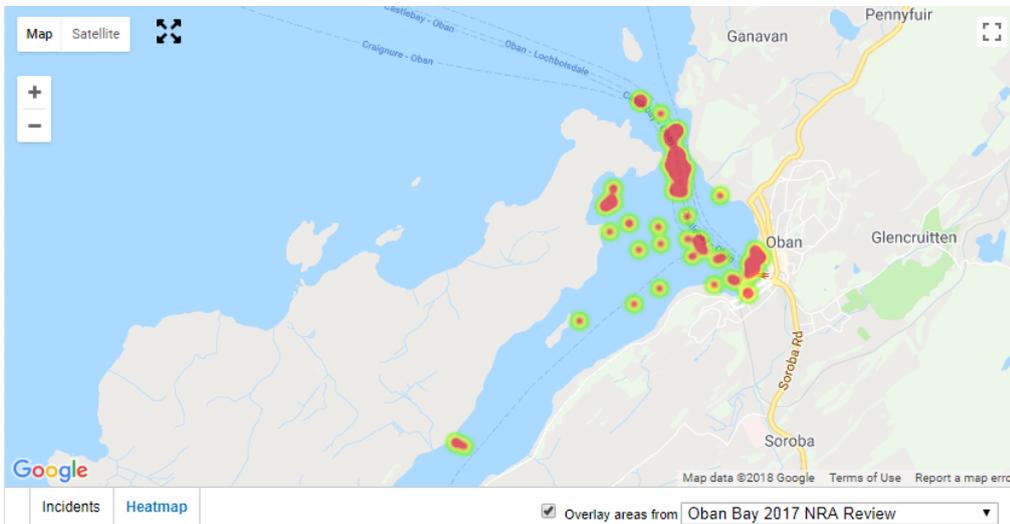
Wash – 4

Near Miss – 4

Pollution – 4

Contact Berthing – 1

Heat map of total reported incidents in past 12 months



2. Summary for last 12 months

Navigational Infringement – 41 (56%)

Wash – 9 (12%)

Near Miss – 8 (11%)

Grounding – 5 (8%)

Pollution – 4 (5%)

Collision - 2

Contact Navigation - 2

Contact Berthing - 1

Personal Injury - 1

3. Safety Initiatives

VHF CH 12 signs to be placed on 'Barbour Pole' and Kerrera Breakwater

Seasonal buoyage to be placed 29 March 2018

CMAL report to board following OBMG evaluation of harbour options

Background

- The Oban Harbour Management Group (OHMG) was established in 2008 as a partnership between the three main infrastructure providers in the marine environment in Oban.
- The group includes CMAL, NLB and A&BC with CalMac providing assistance when required.
- The group is primarily focused on marine navigational safety and associated activities and developments that may impact on safety.
- The reference for the need to improve marine safety is the Port Marine Safety Code and the Guide to Good Practice, published by the DfT, regularly reviewed and updated; compliance managed by the MCA.
- A Navigational Risk Assessment (NRA) was first undertaken in early 2011 following plans submitted for a marina between North Pier and the Railway Pier and acknowledgement of the increase in ferry and leisure activity in the harbour.
- This NRA highlighted a number of risks that the group agreed should be addressed.
- While the group made some improvement it became clear that there was a need to develop a suitable implementation plan and ensure that resources were in place to deliver the plan.
- A procurement process took place in 2013 with Fisher Marine Associates appointed to develop the plan.
- A review and update of the original risk assessment was undertaken as part of the process.
- The plan identified short/medium and long term measures to improve marine navigational safety.
- All the members of OHMG contribute to the costs of this work though a mechanism associated with vessel activity at each facility.
- A full time employee was put in place by CMAL/CFL to report to OHMG and continue with the work
- The RA is subject to regular review and the collaborative work continues.
- The short and medium terms measures have been completed
- In order to implement the long term measures the wider harbour requires to be incorporated as a Statutory Harbour Authority
- A number of options were proposed and reviewed
- This paper provides a high level summary of the SHA options and the outputs of the evaluation workshop held on the 30th November 2017
- The workshop included representations from NLB, A&BC, CMAL, CFL and two members of the Users Consultation Group

SHA Options Identified – shortlisted from 8 original proposals presented in 2014

1. A&BC extend current SHA area, CMAL remain nested
2. CMAL extend current SHA area, A&BC remain nested
3. Trust Harbour with CMAL and A&BC remaining as nested
4. Hybrid SHA between CMAL and A&BC with both organisations giving up current areas
5. Additional the criteria were evaluated against a “do nothing” option

Each of the options were evaluated against the following criteria

1. A Conservancy environment that provides clear, simple and safe navigation without danger
 - Wrecks
 - Dredging
 - AtoN
2. A single point of contact / seamless interface for users
 - Priority to ferry activity
 - Timely berth allocation and information
 - Information management and promulgation
3. Effective Management of Marine incidents
 - investigation
 - Review of procedures
 - Education / learning
 - Delivery of Emergency plans
4. A Cost-effective solution
 - Set up costs
 - Annual operating costs
 - Cost recovery mechanism
5. Efficient Governance
 - Transparency
 - Expertise
 - Cost
 - Ability to be Objective – safety first
6. Effective and efficient Implementation
 - Timescales
 - Difficulty
 - Known objections

Assessment of Options against criteria and parameters

General Comments

- Option 1 or 2 could be a good start point with the view of working towards a trust port.
- Many of the concerns raised with respect to Option 1,2 and 3 can be managed through the inclusion of protective provisions within the Statutory Legislation
- The role of the OHMG should be defined in legislation

√√ strong positive impact

XX strong adverse impact

√ positive impact

X adverse impact

Evaluation Criteria	Option 1	Option 2	Option 3	Option 4	Do Nothing
1 A Conservancy environment that provides clear, simple and safe navigation without danger	√√	√√	√√	√	XX
2 A single point of contact / seamless interface for users	√√	√√	√√	√√	XX
3 Effective Management of Marine incidents	√√	√√	√√	√	XX
4 A Cost-effective solution	√√	√√	X	X	√√ *
5 Efficient Governance	√	√	√√	√	XX
6 Effective and efficient Implementation	√√	√√	X	XX	XX

*Not truly a solution as none of the existing and future navigational risks are addressed

Agreed Way Forward

Following further discussion on the above analysis at the OHMG meeting on the 26th January the representatives of the OHMG.

Representatives agreed that extending one of the two existing SHA areas is the most appropriate way forward (option 1 or 2 from above table) agreed it.

A&BC have indicated that the Council Harbour Board were not minded to assume responsibility for additional navigational risk and would prefer option 2 provided A&BC SHA remains nested.

All agreed to take forward option 2 with appropriate protective provisions that will safeguard the interests of all parties.

CMAL to take forward this proposal for consideration at the next CMAL board meeting planned on the 16th March.

Following the CMAL board meeting on the 16th March the Board have agreed in principle to moving forward with the recommendation that CMAL extend their Harbour area while A&BC remain nested provided agreement is reached in regard to:-

- Appropriate management framework for the wider harbour activities
- Clear understanding of any arising issues and consideration of appropriate protective provisions.
- Cost sharing mechanism

The OBMG will prepare and share a project plan and activity schedule with interested parties and look to deliver against this.

This is the start of an extensive engagement process that everyone will have the opportunity to engage in.

Option 1 - A&BC extend current SHA area, CMAL remain nested

	Evaluation Criteria	Discussion Summary	Risks	Comments
1	<p>A Conservancy environment that provides clear, simple and safe navigation without danger</p> <ul style="list-style-type: none"> • Wrecks • Dredging • AtoN 	Criteria can be met	<ul style="list-style-type: none"> • May not be acceptable to all stakeholders • Concerns over impact on management and use of moorings / short-term berthing facility • Are Duty Holder and Harbour Board willing to accept additional risk? 	<ul style="list-style-type: none"> • Protective Provisions embedded in legislation may assist with acceptability
2	<p>A single point of contact / seamless interface for users</p> <ul style="list-style-type: none"> • Priority to ferry activity • Timely berth allocation and information • Information management and promulgation 	Criteria can be met	<ul style="list-style-type: none"> • Activities of major lifeline ferries not recognised as requiring navigational priority? • Concern over management of moorings 	<ul style="list-style-type: none"> • Could be resolved with inclusion of Protected Provisions and appropriate agreed general directions
3	<p>Effective Management of Marine incidents</p> <ul style="list-style-type: none"> • investigation • Review of procedures • Education / learning • Delivery of Emergency plans 	Criteria can be met	<ul style="list-style-type: none"> • Are Duty Holder and Harbour Board willing to accept additional risk by expansion of SHA? 	<ul style="list-style-type: none"> • Sharing of information is key to improvements • The OHMG should remain and be the forum through which all key operators are engaged • OHMG responsibilities could be incorporated into legislation by way of a MOU
4	<p>A Cost-effective solution</p> <ul style="list-style-type: none"> • Set up costs • Annual operating costs • Cost recovery mechanism 	<p>Indicative costs £28k set up £250k running costs</p>	<ul style="list-style-type: none"> • Current cost centre management does not provide for ring fencing revenue from Oban for use in Oban • Unclear how A&BC would recover additional costs, charges would be added to all 	<ul style="list-style-type: none"> • Revenue to be ring fenced – included in legislation • Could receive ongoing subsidy or grants from Government

	Evaluation Criteria	Discussion Summary	Risks	Comments
			users of harbour. <ul style="list-style-type: none"> • Competing for finance with other Council services 	
5	Efficient Governance <ul style="list-style-type: none"> • Transparency • Expertise • Cost • Ability to be Objective – safety first 	<ul style="list-style-type: none"> • The nominated Duty Holder is the Executive Director, Development and Infrastructure Services. • Current Harbour Board comprises councillors • Clear responsibilities in terms of Duty Holder and Designated person • Working towards Oban being able to balance income and expenditure • Open book accounts • Specialist training is provided to ABC Harbour Board in order to develop skills. 	<ul style="list-style-type: none"> • The current ABC Harbour Board is composed of Council Members only. • Legislation governs the management of Council Committees – including the ABC Harbour Board. • Current board arrangements do not provide for full transparency • No evidence the DH or any appointed member of the Board can demonstrate relevant maritime experience to act as the initial point of contact for the designated person. • Unlikely that A&BC would change current governance arrangements 	<ul style="list-style-type: none"> • Changes may be made but would need agreement at Council • Would need to demonstrate objectivity and clear focus on safety
6	Effective and efficient Implementation <ul style="list-style-type: none"> • Timescales • Difficulty • Known objections 	<ul style="list-style-type: none"> • A&BC could bear some costs internally • Office infrastructure and staff already in place 	<ul style="list-style-type: none"> • Complex to deliver due to the challenges around how the Council Harbour Board operates • Depends on A&BC appetite for taking on associated risks 	<ul style="list-style-type: none"> • Could be delivered in a cost-effective manner through an HRO in a reasonable time frame or within a future works order.

Option 2 – CMAL extend current SHA area, A&BC remain nested

	Evaluation Criteria	Discussion Summary	Risks	Comments
1	<p>A Conservancy environment that provides clear, simple and safe navigation without danger</p> <ul style="list-style-type: none"> • Wrecks • Dredging • AtoN 	Criteria can be met	<ul style="list-style-type: none"> • May not be acceptable to all stakeholders • Stakeholders do not recognise that CMAL and CFL are separate companies with different roles and priorities 	<ul style="list-style-type: none"> • Protective Provisions embedded in legislation may assist with acceptability
2	<p>A single point of contact / seamless interface for users</p> <ul style="list-style-type: none"> • Priority to ferry activity • Timely berth allocation and information • Information management and promulgation 	Criteria can be met	<ul style="list-style-type: none"> • Activities of major lifeline ferries recognised as requiring navigational priority but wider stakeholder's perception is this will be to the detriment of all other users 	<ul style="list-style-type: none"> • Could be resolved with inclusion of Protected Provisions and appropriate agreed general directions e.g. ensure continuing unfettered access to moorings, the North Pier and the transit berthing facility while ensuring all managed within the ColRegs.
3	<p>Effective Management of Marine incidents</p> <ul style="list-style-type: none"> • investigation • Review of procedures • Education / learning • Delivery of Emergency plans 	Criteria can be met		<ul style="list-style-type: none"> • Sharing of information is key to improvements • The OHMG should remain and be the forum through which all key operators are engaged • OHMG responsibilities could be incorporated into legislation by way of a MOU
4	<p>A Cost-effective solution</p> <ul style="list-style-type: none"> • Set up costs • Annual operating costs • Cost recovery mechanism 	<ul style="list-style-type: none"> • Indicative costs £18k set up £250k running costs • Funded by CMAL with incremental additional costs being charged from NLB (10%) and A&BC (15%) – subject to mechanism for review. Would be for NLB and 	<ul style="list-style-type: none"> • Current cost centre management does not provide for ring fencing revenue from Oban for use in Oban • Unclear how A&BC would recover additional costs, charges would be added to all users of harbour. 	<ul style="list-style-type: none"> • Revenue to be ring fenced – included in legislation • Could receive ongoing subsidy or grants from Government

	Evaluation Criteria	Discussion Summary	Risks	Comments
		A&BC to recover additional costs		
5	Efficient Governance <ul style="list-style-type: none"> • Transparency • Expertise • Cost • Ability to be Objective – safety first 	<ul style="list-style-type: none"> • Harbour Operating Agreement provides for clear accountability between CMAL and CFL as the Harbour operator • Separate organisation structure for CFL harbours to provide a safety-first focus on general harbour operations and avoid conflict with ferry ops • CMAL board is Duty Holder • CMAL board is subject to public appointments process • CMAL board bring relevant industry experience • CMAL Harbour Master is DP (audit of contract). Protects independence as does not have direct control of daily harbour ops – delegated to the harbour operator, but does maintain an overview • Clear Governance transparency 	<ul style="list-style-type: none"> • CFL Ferries is CMAL’s main facility customer – concerns at unfair management of other customers • TS policy review may result in CMAL/CFL being one organisation in the future • A&BC would need to protect their interests 	<ul style="list-style-type: none"> • Would need to demonstrate objectivity and clear focus on safety • Protective provisions could be included in drafting to provide necessary assurances
6	Effective and efficient Implementation <ul style="list-style-type: none"> • Timescales 	<ul style="list-style-type: none"> • CMAL could bear some costs internally • Harbour Ops & office 		<ul style="list-style-type: none"> • Could be delivered in a cost-effective manner through an HRO in a reasonable time frame or within a future works order.

Evaluation Criteria	Discussion Summary	Risks	Comments
<ul style="list-style-type: none"> • Difficulty • Known objections 	infrastructure and staff already in place		

Option 3 – Trust Port with CMAL and A&BC remain nested

Evaluation Criteria	Discussion Summary	Risks	Comments
1 A Conservancy environment that provides clear, simple and safe navigation without danger <ul style="list-style-type: none"> • Wrecks • Dredging • AtoN 	Criteria can be met	<ul style="list-style-type: none"> • Would not exert control over existing 'nested' SHAs • Additional conservancy charges for vessels approaching / leaving 'nested' SHAs 	
2 A single point of contact / seamless interface for users <ul style="list-style-type: none"> • Priority to ferry activity • Timely berth allocation and information • Information management and promulgation 	Criteria may not be met	<ul style="list-style-type: none"> • Concern that board may represent own interests rather than that of the harbour • Would not exert control over existing 'nested' SHAs or facilities so could not allocate berths or other facility specific information (NTMs) • As the LLAs, only the 'nested' SHAs would promulgate information regarding their own AtoNs 	<ul style="list-style-type: none"> • 'Nested' SHA marine operations could be resolved with inclusion of Protected Provisions and appropriate agreed general directions
3 Effective Management of Marine incidents <ul style="list-style-type: none"> • investigation • Review of procedures • Education / learning • Delivery of Emergency 	Criteria can be met	<ul style="list-style-type: none"> • Concern that board may represent own interests rather than that of the harbour • Lack of clarity as to whose emergency plan, resources and 	<ul style="list-style-type: none"> • Sharing of information is key to improvements but agreements and controls required ensure data protection compliance • The OHMG should remain and be the forum through which all key operators are engaged

	Evaluation Criteria	Discussion Summary	Risks	Comments
	plans		command and control would deal with cross-boundary issues. e.g. oil spill	<ul style="list-style-type: none"> • OHMG responsibilities could be incorporated into legislation by way of a MOU • ‘Nested’ SHAs would retain primacy over investigation of their own incidents
4	A Cost-effective solution <ul style="list-style-type: none"> • Set up costs • Annual operating costs • Cost recovery mechanism 	<ul style="list-style-type: none"> • Indicative costs £166k set up • £800k running costs • New board would set recovery mechanism 	<ul style="list-style-type: none"> • Who would incur cost and drive delivery • Initial organisation would need to be established • Additional costs for running of the board, wages and expenses recovered from harbour users • Concern at level of surplus the board would require and how this would be used when not the operator of any marine facility • Trust ports operate on a commercial basis generally without financial support from government. 	<ul style="list-style-type: none"> • Protective provisions could be used to manage this but substantial uplift of costs in comparison to present – cannot determine at this time which harbour users would pay to cover this, this is a matter for the New Board • As statutory bodies, trust ports need specific legal powers in their HROs or private Acts that allow them to borrow, as well as to enter into joint ventures and certain other transactions.
5	Efficient Governance <ul style="list-style-type: none"> • Transparency • Expertise • Cost • Ability to be Objective – safety first 	<ul style="list-style-type: none"> • New board would be recruited 	<ul style="list-style-type: none"> • Concern raised at suitably qualified / skilled people available to sit on board that meet the Trust board appointments criteria • A trust port’s stakeholders must be prepared to interest themselves in the port’s operation and consider the interests of the port as a whole • Concerns that local representation may bring own agenda leading to internal conflict or with ‘nested’ SHAs • Loss of control by key harbour operators • Misapprehension by some 	<ul style="list-style-type: none"> • Protective provisions could be included in drafting to provide necessary assurances • Trust port boards should contain an appropriate balance of skills, competencies and experience to control the port effectively and provide it with leadership, motivation and strategic direction.

	Evaluation Criteria	Discussion Summary	Risks	Comments
			stakeholders that CMAL and CFL SHAs will be subsumed within a Trust Port model	
6	Effective and efficient Implementation <ul style="list-style-type: none"> • Timescales • Difficulty • Known objections 	<ul style="list-style-type: none"> • Difficult • Complex • Will take more time • Higher costs 		<ul style="list-style-type: none"> • Would need to be delivered through an HEO – expensive and extensive time to obtain

Option 4 – Hybrid Port = CMAL/CFL joint SHA – no nested SHA's

Key Points Discussed – not included in a table as initial discussions indicate this would not be a suitable option – points recorded for future reference only.

- Mixed Board CMAL /A&BC, what would be the distribution of representation?
- Would require both A&BC and CMAL recruit and appoint additional board members
- There would be limited liability issues to resolve
- Would operate as a separate organisation – Trust port would then be better option
- May result in impasse if board split equally – no clear decision making
- Issues of conflict would arise
- Set up and running costs would be similar to Trust port

Option 5 – Do Nothing

- This was discounted as it does meet the mitigation requirements as identified through Risk Assessment



Follow up action information

CMAL Oban Harbour revenue details

CMAL's annual revenue from berthing and traffic dues at Oban is £3m (approx.) from a total of £17.5m (approx.), this is about 17%. This is based on the activity from 2016/17 contract year

This is ferry activity only and does not include any other customer, additional revenue from non -ferry activity is minimal by comparison

Link to CMAL website

<http://www.cmassets.co.uk/harbours/locations/>

Link to Transport Scotland website

<https://www.transport.gov.scot/transport-network/ports-and-harbours/harbour-orders/#overview>