

Document Name	OBMG Actions & Notes 271021
Author	Paul Jennings
Date	25 November 2021
Reference	OBMG



<b>Meeting</b>	Oban Bay Management Group
<b>Meeting Purpose</b>	Improving Marine Safety at Oban
<b>Venue</b>	MS Teams video conference
<b>Date</b>	27 Oct 2021

Attendees:

Name	Organisation
Phil Day	NLB Chair
Jim Smith	A&BC
Paul Jennings	OBHM
Cameron MacPhail	CFL
David McHardie	CMAL
Ramsay Muirhead	CMAL
Tony Bennett	Oban Bay Stakeholders
Scott Goodwill	CFL
Mike Brew	NLB
Vicki McKenzie	A&BC
David Rennie	A&BC
Ross Wilson	OCHDA
Karl Zaczec	Transport Scotland
Ewen MacKerchar	NLB

Item	Detail	Responsible	Action	Timescale
<b>1</b>	<b>Apologies</b>			
	John McAlister (OCHDA)			
	Kirsty Flannagan (A&BC)			
<b>2</b>	<b>Safety</b>			
	Six incidents reported.			
	Four Pollution reports, all very minor, mostly the result of road drainage and not requiring clean up action. It should be noted the Joint Operators agreement for Oil Spill has ensured rapid and appropriate responses to all these reported incidents, with all operators working seamlessly together.			
	One small vessel collision with an unmanned moored vessel at the OBCB moorings, this was reported to MAIB and OBCB.			
	One Code of Practice speed infringement causing a dangerous wash at Kerrera slipway. This required the ferry to abort her approach to the slipway.			
<b>3</b>	<b>Joint Oil Spill response contingency plan</b>			
	Plan updated and exercised. Oban Marina removed as a primary participant within the plan until contact / commitment can be re-established with the new management (Tim Vollum).			

Item	Detail	Responsible	Action	Timescale
	<p>SEPA now wanting to arrange a meeting of all interested parties at Oban to establish communication and response arrangements. SEPA have been passed all appropriate contacts so they can initiate the meeting.</p>			
<b>4</b>	<b>OCHDA HRO Progress Update</b>			
	<p>The Chair requested an initial statement by Jim Smith as to the position of A&amp;BC. Jim supplied a summary to the secretary (bulleted points in italics below) which he spoke to.</p> <ul style="list-style-type: none"> <li>• <i>In 2018 CMAL were preparing to commence a formal process which would allow them to become the Harbour Authority for the waters currently not covered within Oban Bay. This had been supported by the Council's Harbour Board at the time providing unfettered access could be provided to the Council's North Pier which was to be left nested within the bay.</i></li> <li>• <i>Following a public meeting where there was some concern expressed about CMAL becoming the new Harbour Authority, the Council through its Harbour Board asked CMAL to pause its process to allow a community group to develop an alternative proposal – the trust port option.</i></li> <li>• <i>A community group was formed named Oban Community Harbour Development Association (OCHDA) which consists of a number of</i></li> </ul>	JS	Seek release of Caledonian Economics TOR	1 month

Item	Detail	Responsible	Action	Timescale
	<p><i>volunteers who have been seeking to progress a Trust Port model for Oban Bay.</i></p> <ul style="list-style-type: none"> <li>• <i>Council officers provided information to the community group in 2019 to enable them to progress with financial and operational plans. There has been significant officer and Member time invested to support OCHDA to date.</i></li> <li>• <i>While at present the Council has no structured operational plan or full business case from OCHDA which can be appraised, it can appraise the option of a Trust Port, in principle, with or without the transfer or lease of some or all relevant assets.</i></li> <li>• <i>At the September 2021 harbour Board Meeting Members gave approval for an options appraisal to be carried out together with a valuation of the council's assets at the North Pier. These are currently underway and available information will be formally reported to a special meeting of the council's harbour Board in December this year. A link to the Harbour Board's meeting report and draft minutes for September can be found here: <a href="#">Agenda for Argyll and Bute Harbour Board on Thursday, 2 September 2021, 12:30 pm - Argyll and Bute Council (argyll-bute.gov.uk)</a></i></li> <li>• <i>ABC have engaged Caledonian Economics to carry out an options appraisal relating to ABC assets and future operational models. Caledonian Economics have reported very positive engagement with the majority of stakeholders. Valuations are also ongoing.</i></li> </ul>			

Item	Detail	Responsible	Action	Timescale
	<p>Ross Wilson requested to know when the TORs for the Caledonian Economics would be made available to OCHDA and when A&amp;BC expected the go live date for new harbour authority to be.</p> <p>Jim Smith responded that the TORs would be released to all at the appropriate time. The report was an options appraisal for A&amp;BC Oban marine assets and to report on the most feasible way to proceed based upon the previous Fisher report. It was not possible to predict a future date for the 5 possible options for a new harbour authority.</p> <p>Ross Wilson briefed on his previously circulated written report:</p> <ul style="list-style-type: none"> <li>a. A paper describing the current OCHDA proposal for establishing a new Harbour Authority for Oban Bay, noting that information is awaited from A&amp;BC to allow completion.</li> <li>b. An updated Deliverables Schedule showing progress on information exchange between A&amp;BC and OCHDA (copy attached).</li> <li>c. Report: <ul style="list-style-type: none"> <li>(1) Initial meeting on 21 Oct 21 with A&amp;BC Commercial Services to identify North Pier assets proposed for leasing by Trust Port, per Deliverable A1 dated 15 May 21.</li> <li>(2) Initial contact on 10 Oct 21 with Consultant, Martin Finnigan of Caledonian Economics, appointed</li> </ul> </li> </ul>			

Item	Detail	Responsible	Action	Timescale
	<p>by A&amp;BC to conduct options appraisal. Clarification of Consultant's Terms of Reference awaited from A&amp;BC. Papers provided to Consultant in advance of possible meeting.</p> <p>(3) Further work on Trust Port Business Case awaiting start of negotiations with A&amp;BC on lease arrangements, per Deliverable A6.</p> <p>Tony Bennett added that ongoing work included: project Risk Register and Implementation Plan. Other than this OCHDA was in effect 'treading water' until further information was provided by A&amp;BC. Despite this, OCHDA has been directly approached by people from other Trust Ports offering assistance with the ongoing project.</p> <p>Ross Wilson additionally informed the meeting that OCHDA would need to see the TORs for the Caledonian Economics consultation and report before they would release sensitive information to the consultation.</p> <p>Cameron MacPhail asked where OCHDA were with the wet port option if the lease option did not come to fruition and whether this could be progressed to avoid further delay.</p> <p>Ross Wilson stated that OBMG had rejected the wet port option.</p> <p>Ramsay Muirhead clarified that the OBMG have not ruled out the 'wet port' option. The safety case for a wider harbour area remain as valid as ever and the OBMG may need to refocus on mitigating the safety</p>			

Item	Detail	Responsible	Action	Timescale
	<p>case without letting more time pass. CMAL extending their SHA in the interim, to give OCHDA more time to establish a trust port, was still an option.</p> <p>Jim Smith also pointed out that A&amp;BC are not holding up OCHDA establish a 'wet port' option which could and should be progressed to address the safety case, whilst the A&amp;BC asset consultation and review was underway. This process could not be rushed as A&amp;BC must be able to demonstrate the best value option for the council assets.</p> <p>Ross Wilson suggested the wet port option may be discussed at the OCHDA AGM in December 2021 but it was unlikely the committee would recommend progressing this option to the meeting. He advised that leasing of A&amp;BC assets was first raised in Nov 19, but 2 years have passed before A&amp;BC started its valuation process.</p> <p>Cameron MacPhail reiterated that CFL are in full support of the Trust port option, as stated at previous meetings. He also clarified that it had already been tabled that the option of A&amp;BC or CMAL extending their SHAs until a trust port could be established to take over the wider area was a viable option. Additionally, Cameron asked all members of the OBMG, conscious of the outputs of the A&amp;BC December 2021 board meeting relating to OCHDAs proposal and A&amp;BC review, suggesting the group have thought of setting a target date to agree next steps.</p>			

Item	Detail	Responsible	Action	Timescale
	<p>Tony Bennett stated that it felt like the public agencies were 'running down the clock' and completely failing to recognise the work that had been completed by both the OBSG and OCHDA. This view was reinforced by the public agencies ('core members') having previously had a meeting in June to discuss progress, and then requesting OCHDA to provide documents which had already been provided to the Council some months earlier.</p> <p>Things have changed since the Fisher Associates report, most notably a three-fold increase in traffic within the harbour, the vast majority of which now travels to/from the North Pier. Adding in an extra layer of communication in the form of a 'wet port' made no sense whatsoever from a safety perspective, and did not bring about any of the financial benefits that the Trust Port based at the North Pier offers. Furthermore, whilst the Trust Port option had previously been discounted by the OBMG due to it being 'undeliverable' there was now a group who have not only demonstrated that it can be done but who are trying to deliver the Trust Port, on a voluntary basis and using funds which they have raised themselves.</p> <p>Ramsay Muirhead and Jim Smith both stated OCHDA had CMALs and A&amp;BCs full support but the safety case could not be ignored and further progress had to be made to mitigate it.</p> <p>The Chair expressed disappointment at the tone of some aspects of the meeting but acknowledged the</p>			



Item	Detail	Responsible	Action	Timescale
	<p>wet port aspects had to be discussed. He reminded the OBMG that currently OCHDA had no share of the risk identified in the NRA and were trying with significant local and Councillor support to move to a trust port. He thanked OCHDA for clarifying the position regarding the wet port option.</p> <p>Should this circumstance arise it was noted that the bodies who were in a position to further mitigate risk by creating /extending a harbour area or resurrecting a historic option of joint undertaking are CMAL and/or A&amp;BC</p> <p>It was requested that both OCHDA and A&amp;BC send progress reports to the OBMG for earliest consideration, following the OCHDA AGM and the A&amp;BC Caledonian Economics report findings also due in December.</p>			
<b>5</b>	<b>CMAL HRO progress update</b>			
	No change and this HRO may be incorporated in to a wider piece of work.			
<b>6</b>	<b>AOB</b>			
	Nil			
<b>7</b>	<b>Next Meeting date</b>			
	13:00-14:30 11 January 2022.		PJ	5 Nov 21

Item	Detail	Responsible	Action	Timescale