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Meeting	Oban Bay Management Group
Meeting Purpose	Improving Marine Safety at Oban
Venue	MS Teams video conference
Date	11 Jan 2022

Attendees:

Name	Organisation
Phil Day	NLB Chair
Mike Brew	NLB
Ewen MacKerchar	NLB
Jim Smith	A&BC
Kirsty Flanagan	A&BC
David Rennie	A&BC
Scott Reid	A&BC
Vicki McKenzie	A&BC
Paul Jennings	OBHM
Phil Hamerton	OCHDA
Ross Wilson	OCHDA
Cameron MacPhail	CFL
Michael Blacklaw	CFL
Kevin Hobbs	CMAL
David McHardie	CMAL
Ramsay Muirhead	CMAL
Corrie McCall	CMAL
Karl Zaczec	Transport Scotland

Item	Detail	Responsible	Action	Timescale
1	<p>Apologies</p> <p>John McAlister (OCHDA)</p> <p>Tony Bennett (Oban Stakeholder) retired from position</p>			
	<p>VALEDICTORY – DR TONY BENNETT</p> <p>I propose a vote of thanks to Dr Tony Bennett for his contribution to advancing the safe and efficient management of Oban Bay and Approaches. In addition to his subject matter knowledge, expertise and energy, he brought scientific rigour to the process which arguably was previously lacking.</p> <p>Initially an advocate of a Municipal Port, his detailed analyses convinced him that a Trust Port would be the best option for safety, stakeholders, harbour users, and Oban, its hinterland and the Islands. We have all had the opportunity to read his detailed and well-considered reports. But many of us are possibly unaware of the challenges faced in dealings with A&BC officers, who have had almost 20 years to implement a solution. Of note is their demonstrable failure to act on the specific instructions of our elected representatives, the most obvious example being the 2019 Harbour Board direction relating to leasing of assets, transfer of powers and the agreement of a memorandum of understanding – none of which has been undertaken. His analysis of and corrections to the North Pier audited accounts as part of OCHDA’s due diligence are also praiseworthy.</p> <p>In conclusion, Tony’s contribution is greatly appreciated and will be missed (his offer of advice will of course be welcome). OCHDA intends to continue his good work to realise the communities’, stakeholders’ and harbour users’ wishes to establish a Trust Port for Oban Bay and Approaches. Many thanks Tony.</p>			

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	<p>Ross Wilson January 2022</p> <p>The Chair thanked Tony for all his help and support to the group and wished him all the best for the future.</p>	11		
2	Safety			
	<p>Two incidents reported.</p> <p>One minor pollution event, which is a common occurrence thought to be caused by road traffic pollution running into the watercourse. Clean up is best left to natural evaporation, as using absorbent pads would cause more synthetic material to be required to be disposed of.</p> <p>One incident where an inbound ferry contradicted the agreed voluntary code of practice giving priority to the outbound movement of another ferry. CFL have investigated and acted to prevent another occurrence. A Statutory Harbour Area for these waters, with the correct harbour directions and an active Local Port service would also be able to manage such situations, improving safety within Oban Bay.</p>			
3	Joint Oil Spill response contingency agreement			
	<p>A meeting was hosted by SEPA to determine the available response, protocols and communication between all the authorities and operators at Oban on 9 Dec 21.</p> <ul style="list-style-type: none"> • No output notes from SEPA received despite them being requested on 15 December. • It was clarified the Oban Bay Joint Oil Pollution Agreement was not a Plan and the MCA approved operator plans were the defined response. 			

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	<ul style="list-style-type: none"> The Oban Bay Joint Oil Pollution Agreement aims to and has been demonstrated to provide an enhanced Tier 1 response between the operators. 			
4	A&BC HRO update			
	<p>Following the A&BC Harbour Board meeting on 2 Dec 21, the Board agreed the recommendations within the report with the exception of recommendation 2.4 which was subject to a Motion to change. For convenience, the full agenda pack can be viewed here:</p> <p>Agenda for Argyll and Bute Harbour Board on Thursday, 2 December 2021, 12:30 pm - Argyll and Bute Council (argyll-bute.gov.uk)</p> <p>https://www.argyll-bute.gov.uk/moderngov/ieListDocuments.aspx?CId=567&MId=14438&Ver=4</p> <p>In summary no A&BC harbour assets at Oban will be transferred from the council and A&BC intend to progress a Harbour Revision Order (HRO) to expand their Statutory Harbour Area to include the wider Oban Bay.</p> <p>A progress report that will include firmer timelines for this HRO, will be submitted to the March 2022 A&BC Harbour Board Meeting. The report to the harbour board will be released to the public 7 days prior to this meeting in accordance with standard A&BC protocols.</p> <p>OCHDA requested details of the project team.</p> <p>It was clarified:</p> <p>A&BC will progress the HRO as the project owner in accordance with the standard HRO process. A&BC will provide clarity of the council position and governance of this process. A&BC work on this project will involve the local</p>		A&BC	March 22

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	<p>community and then go to informal consultation, prior to the formal submission of the HRO and formal consultation.</p> <p>A&BC clarified that a Trust Port may be a future option once the wider A&BC harbour area establish.</p> <p>OBMG are not the project owner and will continue to advise in their capacity as an advisory group. Many organisations within the OBMG are already statutory consultees and will respond to the process in their own right. The OBMG was set up as a collaborative group to support safety within Oban Bay operating on a consensus basis.</p>			
5	OCHDA HRO update / OBMG consultation questions			
	<p>At this stage the Chair asked each organisation for their view so the group would to be able to reach a consensus opinion upon how best to proceed.</p> <p>The CMAL position is: Safety is the main focus for consideration and a wider SHA is desirable as soon as possible. A Trust Port would be difficult to progress without assets. Supportive of A&BC option, as able to progress the project in a satisfactory manner. It is always possible a Trust Port could be established at some point in the future and CMAL would continue to be supportive of that.</p> <p>CalMac Ferries Ltd position is: Safety is the primary focus and a wider SHA is desirable as soon as possible. A Trust Port option should continue to be supported, if demonstrated to be viable. CFLs understanding is the 'wet port' option, operated without assets, appeared to not be viable at this stage.</p>			

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	<p>Supportive of A&BC proposal, as able to progress the project in a satisfactory manner, alongside OCHDAs Trust Port - working collaboratively to improve safety of the wider bay.</p> <p>OCHDA position is: The OCHDA and OBSG position is detailed in their Report for this OBMG here and the Critique of the Council Officers' Report to Argyll & Bute Harbour Board Members. OCHDA and OBSG are disappointed that the A&BC 'options appraisal' did not consider the options on a 'like for like' basis as previously stated and that information requested is still to be provided by the Council. We recognise the requirement for a Statutory Harbour Authority for Oban Bay and Approaches to be in place without further delay. However, we await sight of an A&BC proposal for their Municipal Port which should include as a minimum: timelines, jurisdictions, governance, business case/plan, stakeholder engagement, project team composition, and transition to a Trust Port. OCHDA is keen to support A&BC by contributing its expertise to the team developing the Municipal Port Harbour Order. We will also continue collaborative working to ensure that planning for the development of a Trust Port progresses efficiently and in order that Council Members are provided with all the necessary information.</p> <p>NLB position is: Safety is the main driver and therefore the best available option should be supported. Previously supportive of a OCHDA led Trust Port option but as is not viable if there are no A&BC assets available and given the A&BC decision not to lease these NLB supports the A&BC harbour option. NLB Remains Supportive of a Trust Port option if it is deemed viable in the future and encourages OCHDA and A&BC to work collaboratively going forward.</p>			
6	AOB			
	The Chair and OCHDA representative said there had been BBC media interest and interviews were planned for after the meeting. Both said the			

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	<p>intention was to state the position of the OBMG meeting was that the OBMG majority supported the A&BC proposal.</p> <p>The Chair identified that a review of the OBMG TORs was due at the next meeting.</p> <p>The Chair pointed out that the Chair holder also needs reviewed / agreed in accordance with the TORs. The Chair indicated he would be willing to continue in the position if it was agreed.</p> <p>It was proposed that the Oban Community Council be invited to join the group. This will be tabled as part of the TOR review at the next meeting.</p>			
7	Next Meeting date			
	8 March 2022 13:00 – 14:30		PJ to send Team invitations	11 Jan 22