

Argyll and Bute Council Harbour User Consultative Forums

Terms of Reference: Oban Harbour

Our vision is to work collaboratively for a safe, sustainable, inclusive and accessible harbour for communities, businesses and visitors whilst promoting equality, tackling climate change and supporting a thriving economy.

1. Document Purpose

- 1.1 The purpose of this document is to set out the arrangements for the consultation and stakeholder engagement framework which Argyll and Bute Council (ABC) will put in place in regard to the operational arrangements for Oban Municipal Harbour Authority. These proposals will effectively replace the Oban Bay Management Group and the various Port User and Safety groups which are in place or were in place previously.
- 1.2 These Terms of Reference will be shared with the Oban Bay Management Group (OBMG) for their consideration. Feedback from the OBMG will form part of a report to the Harbour Board who will be asked to consider and agree the final terms of Reference for the Municipal Harbour Board.

2. Oban Harbour – Strategic Purpose

- 2.1 Oban Harbour is a strategic marine transport hub used for commercial shipping, ferry traffic to numerous islands, tourism and recreational use. The safe and effective use of Oban Harbour will be managed by the council through its Harbour Board, in line with the Council's other ports and harbours. The Council welcomes stakeholder involvement and the proposals for this involvement is set out below.

3. The Guide to Good Practice on Port Marine Operations (Port Marine Guide to Good Practice DfT Feb 2018)

- 3.1 The Guide to Good Practice on Port Marine Operations states: *'Safety in the port marine environment is not just a matter for the organisation, its officers, contractors or its authorised pilots. Users are also required to minimise risk to themselves and others, in doing so they must be able to put forward to the organisation their views on the development of appropriate safety policies and procedures.'*
- 3.2 *It follows therefore that organisations need to consult, as appropriate with two main groups: marine users, both commercial and leisure, and local interests and communities.*
- 3.3 *Port marine operations are technical matters – well understood by experienced harbour masters or port marine practitioners, but perhaps much less so by the wider public, including many recreational users. It is important that the appropriate involvement of wider interests safeguards the organisations position – responsibility for managing safety in a harbour rests with the organisation.'*

4. Stakeholder Engagement

Appendix C for Argyll & Bute Harbour Board^smeeting 31st August 2023

- 4.1 Argyll and Bute Council (ABC) is currently the Harbour Authority for the area around North Pier, Oban, and will become the Municipal Harbour Authority for the wider Oban Harbour, subject to Scottish Ministers approving the Harbour Revision Order (HRO) which has been submitted to Transport Scotland. In addition to ABC three other organisations: Caledonian Marine Assets Ltd (CMAL), CalMac Ferries Ltd (CFL) and Northern Lighthouse Board (NLB) have financial and legal responsibility for the management of parts of Oban Bay
- 4.2 The day to day management of the Harbour will require close working co-operation and communication between these organisations and this shall be formalised for transparency in a management co-ordination forum. It is also important that all stakeholders, interested bodies, communities and users of Oban Harbour have participation in how the harbour is used and managed.
- 4.3 In order to ensure good and effective communication Argyll and Bute Council therefore proposes to create two forums, the minutes of these forums being reported to the Council's Harbour Board who, along with the Duty Holder, have a strategic overview of the Council's marine assets and operations. The formal governance of the Council's marine assets is covered in the Council's Constitution.
- 4.4 The Terms of Reference and invitees of the two forums will be reviewed on an annual basis. The two consultative forums being:

1. **Oban Harbour User Consultative Forum** – this forum to be open to all stakeholders including: leisure, fishing fleet, commercial, cruise ship agents/companies, Island communities, community councils, and the organisations listed in 2 below.

The forum will be chaired by the Council's Harbour Master with secretarial support from the Council's Roads and Infrastructure team. Minutes will be produced in accordance with the Council's standard practice for minutes and published on the Council web site and also reported to the Council's Harbour Board.

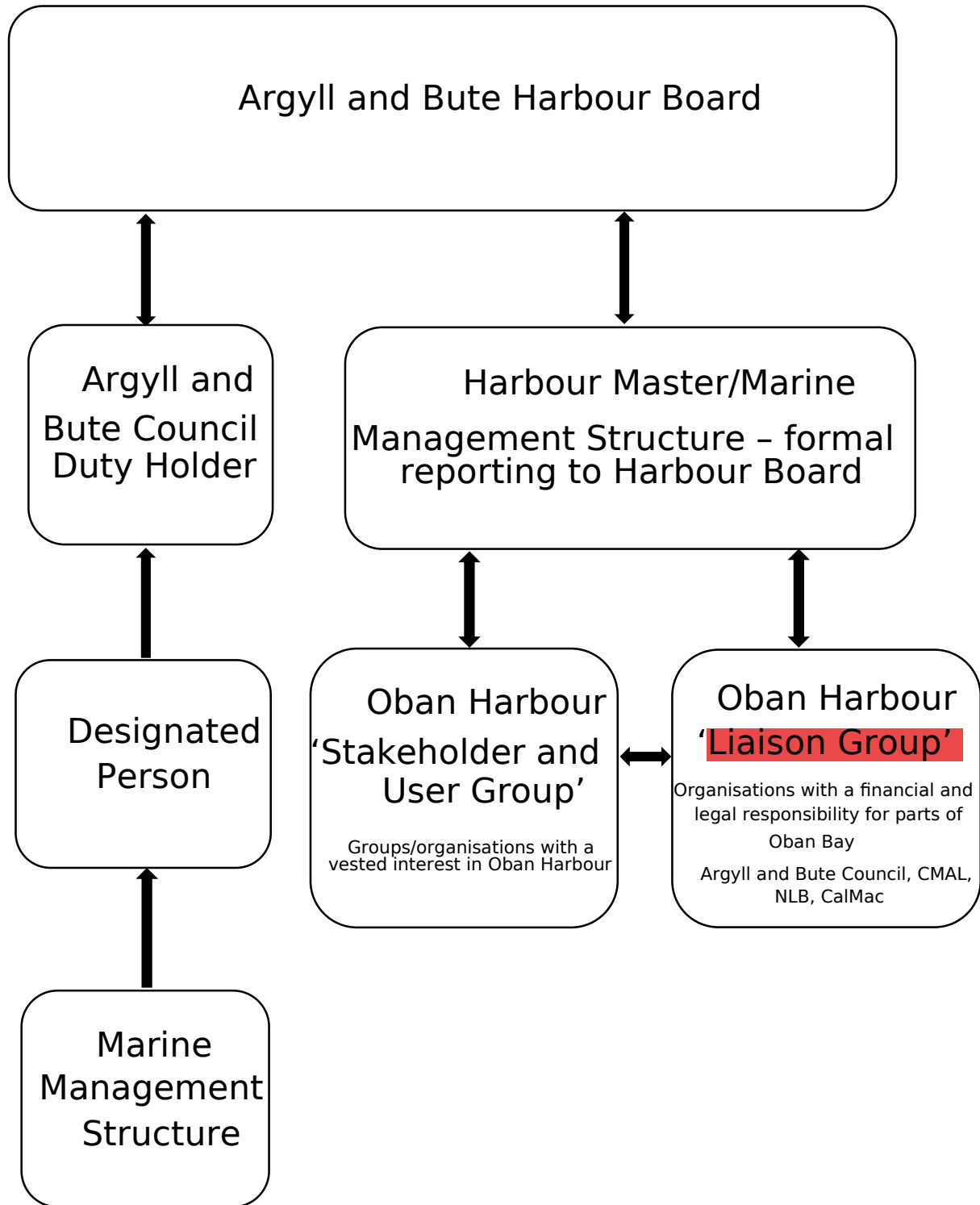
The meetings will be held virtually by MS Teams to facilitate attendance by all interested parties, including those located remotely from Oban.

2. **Oban Harbour Management Co-ordination Forum** – This forum to be open to the organisations with financial and legal responsibility for the management of parts of Oban Bay, currently these being: Argyll and Bute Council, Northern Lighthouse Board, Caledonian Marine Assets Ltd (CMAL) and CalMac Ferries Ltd (CFL).

The forum will be chaired by a senior officer of the Council with secretarial support from the Council's Roads and Infrastructure team. Minutes will be produced in accordance with the Council's standard practice for minutes and published on the Council web site and also reported to the Council's Harbour Board.

The meetings will be held virtually by MS Teams or face to face, to be agreed by the chair.

The detail of the two forums and their relationship is set out below:



Forum 1 - Oban Harbour User Consultative Forum

The Oban Harbour User Consultative Forum will be chaired by the Argyll and Bute Council Oban Harbour Master. The forum will meet a minimum of twice a year but as frequently as is deemed necessary to achievement of objectives or if specific issues arise. The forum through the chair will determine the meeting frequency.

Argyll and Bute Council reserve the right to not involve the forum in the instances where emergency action is required or there are commercial or other confidences involved. Matters to be raised by stakeholders to be notified to the secretarial 5 working days prior to the meeting.

The forum will co-ordinate user and stakeholder input with objectives being to provide a form for:

Discussion on Navigational Safety. Review Incidents, accidents, 'Aids to Navigation' and improvement ideas. Review and provide input for Risk Assessments.

Discussion on Health, Safety and Environment. Raise and discuss harbour relevant issues.

To consult and communicate with constituted Community Council groups about the needs of the community and the options available to the public bodies for delivering infrastructure and services which will meet community needs, are affordable, deliverable and be fit for purpose.

To provide and co-ordinate users and community feedback to Argyll and Bute Council's Harbour Board as the Statutory Authority Organisation.

The review of the terms for harbour use and the communication and consultation for planned works.

The forum will meet a minimum of twice a year and in addition to that will be convened more frequently as is deemed necessary by the Chair to ensure progress and achievement of objectives

Proposed fixed agenda items:

1. **Attendees:** Welcome and introductions.
2. **Previous Minutes:** Accept and approve.
3. **Questions – opportunity to raise any** issues (issues to be notified at least 5 days prior to the meeting to enable comprehensive answers to be supplied).
4. **Navigational Safety:** Incidents, accidents, 'Aids to Navigation' and improvement ideas. Notices to Mariners, Review selected Risk Assessments.
5. **Health, Safety and Environment:** Harbour relevant issues raise and discuss.
6. **Harbour Development:** Terms of Harbour use and any plans for works.
7. **Engagement and Communication:** Review the means and methods of information sharing and feedback.
8. **Planned events within or near the Harbour limits**
9. **Moorings and infrastructure matters**
10. **Next meeting:** Set or provisional date of next forum meeting.

Date Last Updated: March 2023

Forum 2 - Oban Harbour Management Co-ordination Forum

The Oban Harbour Management Co-ordination Forum is to open to the organisations with a financial and management responsibility for operating parts of Oban Bay, currently these being: Argyll and Bute Council, Northern Lighthouse Board, Caledonian Marine Assets Ltd (CMAL), CalMac Ferries Ltd (CFL).

The Oban Harbour User Consultative Forum will be chaired by a senior officer of the Council. The forum will meet a minimum of twice a year but as frequently as is deemed necessary to achievement of objectives or if specific issues arise. The forum through the chair will determine the meeting frequency. Argyll and Bute Council reserve the right to not involve the forum in the instances where emergency action is required or there are commercial or other confidences involved. Matters to be raised by stakeholders to be notified to the secretarial 5 working days prior to the meeting.

The objectives of this forum being to provide a forum:

For discussion on Navigational Safety. Review Incidents, accidents, 'Aids to Navigation' and improvement ideas. Review and provide input for Risk Assessments.

For discussion on Health, Safety and Environment. Raise and discuss harbour relevant issues.

To consult and communicate across the organisations who have financial and legal responsibility for the management of parts of Oban Bay.

To provide and co-ordinate users and community feedback to Argyll and Bute Council's Harbour Board as the Statutory Authority Organisation.

For the review of the terms for harbour use and the communication and consultation for planned works.

To co-ordinate works, promote collaboration and joint working.

For discussion of any other relevant issues pertaining to the operations within the harbour of the stakeholders

The forum will meet a minimum of twice per year and in addition to that will be convened more frequently as is deemed necessary by the Chair to ensure progress and achievement of objectives

Proposed fixed agenda items:

1. **Attendees:** Welcome and introductions.
2. **Previous Minutes:** Accept and approve.
3. **Updates from organisations**
4. **Navigational Safety:** Incidents, accidents, 'Aids to Navigation' and improvement ideas. Review selected Risk Assessments., Notices to Mariners
5. **Health, Safety and Environment:** Harbour relevant issues raise and discuss.
6. **Harbour Development:** Terms of Harbour use and any plans for works.

7. **Engagement and Communication:** Review the means and methods of information sharing and feedback.
8. **Joint working and collaboration opportunities**
9. **Next meeting:** Set or provisional date of next forum meeting.

Date Last Updated: March 2023

Date of Next Review: March 2024