

Document Name	OBMG Actions & Notes 10 May 22
Author	OBMG
Date	10 May 22
Reference	OBMG



Meeting	Oban Bay Management Group
Meeting Purpose	Improving Marine Safety at Oban
Venue	MS Teams video conference
Date	10 May 2022

Attendees:

Name	Organisation
Mike Brew	NLB
Ewen MacKerchar	NLB Chair
Jim Smith	A&BC
Kirsty Flanagan	A&BC
Paul Jennings	OBHM
John MacAlister	OB SG
Ross Wilson	OCHDA
Cameron MacPhail	CFL
Michael Blacklaw	CFL
David McHardie	CMAL
Ramsay Muirhead	CMAL
Corrie McCall	CMAL
Laura Corbe	Oban Community Council

Item	Detail	Responsible	Action	Timescale
1	Apologies			
	Phil Day NLB Chair			
	Scott Reid A&BC			
	Vicki McKenzie A&BC			
	Karl Zaczec Transport Scotland			
	Kevin Hobbs CMAL			
	Laura Corbe was introduced to the meeting members			
2	Safety			
	1 near miss, 27 April 22, reported by a member of the public, between a ferry and a rib at the South Cardinal. Passed to CFL for investigation.			
	1 near miss, 2 May 22, two large vessels met in the narrow channel at Dunollie Lt. Reported to MAIB for investigation.			
3	A&BC HRO update			
	A&BC reported good progress with the Harbour Revision Order (HRO) process. Helpful meeting with the MCA where the Terms of Reference for the Navigation Risk Assessment were agreed. Meetings have also been held with the infrastructure owners at Oban and Transport Scotland. The wider consultation with the community is due to start in the next few weeks.			
	RW asked who the statutory consultees were. They are defined in the harbour legislation. A definitive list will be provided by A&BC to OCHDA by e-mail.		A definitive list of statutory consultees will be provided by A&BC to OCHDA by e-mail.	JS 1 July 22
	A&BC to publish HRO project details on their website. The target is still to have the wider SHA operational for the 2023 sailing season.			

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	<p>OCHDA had previously provided a written report dated 5 May available here. In response to an A&BC Update (received on 7 May), OCHDA commented verbally, thanking officers for their report and stated:</p> <p><i>OCHDA is looking forward to receiving documentation to clarify the statements made and requested if there is a link for accessing meeting records etc? OCHDA noted that the CMAL board has confirmed withdrawal of its offer to manage the Harbour.</i></p> <p><i>OCHDA requested progress on producing the following evidence:</i></p> <p><i>a. Project timelines (when will these be provided – officers agreed to produce project plan for Mar 22 HB and OBMG?).</i></p> <p><i>b. Existing Jurisdictions (OBMG, including A&BC, agreed in 2018. However, the A&BC Duty Holder's reports in 2021 claimed there is some dubiety and Mrs Flanagan agreed to clarify by Dec 21, outcome awaited).</i></p> <p><i>c. Proposed Harbour limits. It is disappointing that A&BC consider OCHDA's work on harbour limits inappropriate. Members are reminded that a great deal of attention through stakeholder and public consultation has already been completed with appropriate representations and boundaries defined. There is broad agreement to these limits and no objections from OBMG members have been received. Details are on the OCHDA website.</i></p>			

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	<p>d. <i>Proposed governance arrangements for Municipal Port (are government guidelines to be followed? Are existing arrangements fit for purpose?).</i></p> <p>e. <i>Business case (income and expenditure of interest to harbour users and taxpayers).</i></p> <p>f. <i>Finally, we again emphasise that engagement with the majority of stakeholders, ashore and afloat, has yet to start. In particular, early discussion of proposed protective provisions and harbour limits is advised.</i></p> <p><i>OCHDA noted these are significant work packages which will take time to complete and possibly resolve with all stakeholders before a draft Municipal Port HRO can be submitted. Community engagement and buy-in is essential.</i></p> <p><i>In conclusion, OCHDA notes that 6 months on A&BC still appear to be further behind producing their proposal than OCHDA was when the HB decided to proceed with what they had been told was the most expeditious option!</i></p> <p><i>Regarding A&BC Officers' Supplementary Briefing Note to March 2022 Harbour Board.</i></p> <p>a. <i>Omission of OCHDA from distribution disappointing and not appropriate means to conduct a collaborative project or public business in a democracy – transparency, openness and honesty essential.</i></p>			

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	<p><i>b. OCHDA will clarify the inaccurate and misleading statements in our first brief to the new HB Members.</i></p>			
4	OCHDA HRO update			
	<p>OCHDA agrees in principle of A&BC establishing a wider SHA but are unable to endorse the proposal due to a lack of information.</p> <p>OCHDA has requested information from A&BC to progress the trust port option but this information has not been forthcoming. KF responded that A&BC have a mandate to progress the wider municipal port and information for the trust port option will not be supplied until this is complete.</p> <p>OCHDA requested clarification from the CMAL Board report about the phased CMAL combined Harbour Confirmation Order project.</p> <p>RM responded that the first phase of the Harbour Confirmation Order project CMAL are progressing is to combine the 61 legal documents that currently define CMAL's 16 Statutory Harbour Areas (SHA) into 1 overarching and consistent legislative document. At this time, there are no proposed changes to the SHA boundary areas. If SHA boundary changes were subsequently required, then the standard consultation processes for the changes at individual harbours would be followed. Specifically, if the southern end of the CMAL SHA at Oban required 'tidying up' or altered (as had been proposed in 2020/2021), in accordance with the most recent analysis of the legal situation, this would most likely</p>			

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	<p>be done as a separate Harbour Revision Order, rather than part of the phased Harbour Confirmation Order process. (Post meeting note – the CMAL Harbour Confirmation Order will include a full consultation process anyway, so should any amendments to any CMAL SHA boundaries be proposed at that time, this will be consulted on.)</p>			
5	2022 Oban Bay Leisure Guide - translation			
	<p>Confirmation was required from CMAL, NLB and A&BC as to which languages if any the leisure guide should be translated and how the cost was to be split. Swedish and French or German were recommended. OCHDA offered to provide the translation service from members. The translated guide would be available for free download from the obanharbour website. It was agreed in principle to progress this work.</p> <p>The printed English language 2022 version is ordered and due delivery and distribution imminently.</p>		<p>PJ to confirm to CMAL, NLB and A&BC how costs were split in the past, prior to guidance being given as to the exact languages to be selected.</p>	
6	AOB			
	<p>JM stated he thought there was a lack of clarification from A&BC over the HRO project and there seemed to be little progress.</p> <p>JS stated the project was on-track but the process was subject to consultation variables out-with both A&BC and Transport Scotland control. Additionally, a specific Navigation Risk Assessment (NRA) was to be conducted for the period 2019-2022, in parallel to the OBMG NRA review process.</p>			
7	Next Meeting date			
	12 July 2022 10:00-11:30		PJ to invite to Teams meeting	

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