

Document Name	
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Reference	



Agenda

Meeting	Oban Bay Management Group
Meeting Purpose	Improving Marine Safety in Oban
Venue	NLB offices Oban
Date	14:00-16:00 6 September 2018

Invited:

Name	Organisation
Lorna Spencer	CMAL
Cameron MacPhail	CFL
Phil Day	NLB
Ewen MacKerchar	NLB
Chris Wilcox	Transport Scotland
Vicki McKenzie	A&BC
Tony Bennett	Oban Stakeholders
Paul Jennings	OBHM
David McHardie	CMAL

Item	Detail	Responsible	Action	Timescale
1	Apologies Roddy McCuish A&BC Stewart Clark A&BC			
2	Previous meeting notes Approved		Placed on Website	
3	Outstanding actions	All		
	Cruise Ship Management Plan.	VM	Not complete.	Requested by end of Oct 2018
	Joint Emergency Plan / Ex, 24 Oct TBC by MCA / HMCG Waiting for MCA/HMCG to confirm proposed date. Stakeholder vice / chair to be invited as local / mooring association representative.	All	Nothing heard from MCA. Will use planned table top event to host OBMG 'local' event to try and achieve similar goals. HMCG Stornoway and HM Coastguard to be invited.	24 Oct PJ to contact HMCG
	Answering VHF / Single point of contact, Can CFL and NLB assist? Aim to provide wider hours of VHF answering to visiting vessels. Scope, standard terminology and agreed responses to standard enquiries requires specified.	All	Joint meeting to be held. NLB, CFL A&BC	PJ Oct
	Patrol Boat, Establish & Tender for 2019? Is concept of patrol vessel considered workable outside of SHA to significantly improve safety, particularly at north entrance?	All	Suggested there may be a liability issue wrt competence standards applied and that an already existing standard be used. Both the proposal for a patrol boat and the overall Navigational Risk Assessment are to be reviewed to confirm if a patrol vessel remains a suitable risk control measure.	All to comment by end of Oct

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	<p>Seasonal Buoyage Feedback, NLB to host stakeholder working group in Autumn, using consultation feedback and incident data as a basis for discussion. Date and invitations to be sent</p> <p>Anchorage No.1, Check collective thoughts A review of the 2017 chart, VHF reporting and Code of Practice changes is required now we have 2 seasons worth of feedback and incident data.</p> <p>Legal review of Oban Harbour area Methodology to be looked at to see how stakeholders can discuss this legal review process with legal team and raise points of view.</p> <p>Recommendation from Fischer Associates report to be re circulated for consideration.</p>	<p>EM</p> <p>EM/PJ</p> <p>LS</p> <p>LS</p>	<p>Planned for the 4 Oct. Consideration to add a wider review of CoP, chart changes and VHF reporting procedures to the event.</p> <p>As above</p> <p>Specific (Boyd Holmes, Fergus Gillanders) stakeholders to liaise with the legal review team. Lord Wier to be consulted wrt the review output.</p> <p>To be given further consideration prior to next meeting</p>	<p>EM to send invitations</p> <p>LS</p> <p>All</p>
4	Reported incidents	PJ		
	Video evidence	DM	<p>PJ presented a summary of incidents since previous meeting.</p> <p>DM showed 2 specific incidents captured on CCTV highlighting the need for an SHA for the wider area to be able to use statutory powers to manage such incidents.</p> <p>It was suggested a risk assessment of CFL pilotage plans be conducted to create a "ferry management plan".</p>	CM end Nov

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			CW from TS stated a harbour operator must apply harbour processes equally to all vessels. It was mentioned the Isle of Lewis was going particularly fast inbound on 5 Sep. DM was to send out a NTM 85/18 to remind all users of Oban Bay wrt the CoP and the large vessel channel.	
5	NRA actions Seasonal Buoyage? Patrol Boat? Ferry Speed? NTM? Other?	All	2018 review to involve stakeholders using a paper form of the NRA	CM
6	A&BC official stance for wider harbour at Oban	A&BC	A&BC remain supportive of the OBMG view that CMAL should extend their SHA to cover a wider Oban Bay area. A&BC request a 'pause' prior to the HRO being submitted to allow other options to be developed.	
7	Stakeholder meeting feedback Feedback from 20 Aug stakeholder trust port meeting. Integration of stakeholder working group output with OBMG work. Invitations to the stakeholder meeting are to be discussed to allow simpler organisation and good community representation. Why are CMAL continuing with the HRO when	TB TB TB TB	Stakeholders wanted a pause in the HRO drafting process until March 2019 to allow their preferred trust port option to be developed. LS stated that pausing the drafting of the HRO would be detrimental to the implementation of safety at Oban Bay, as it would delay the HRO application by not allowing the legal position of the draft HRO to be checked with TS. Additionally, this work would be undertaken in parallel to that to explore the feasibility of a trust	

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	there is much objection to this option?		<p>port option and ultimately could be shared if the trust port option is deemed viable. The formal submission of the HRO is the only decision 'gate' event.</p> <p>CW from TS stated there is only one fixed date in an HRO process and that is the formal submission of an HRO.</p> <p>The trust port legal team would liaise with LS from the OBMG.</p> <p>The trust port navsafety team would liaise with EM from the OBMG.</p> <p>The trust port finance team would have a trust port lead.</p> <p>It was agreed that resources and work could be pooled on both CMAL and trust port options, the drafting of HROs would continue in parallel, with an aim to submitting an HRO (CMAL or Trust Port) formally in January 2020, so that an HRO could be in place for April 2010.</p>	<p>LS & TB</p> <p>EM & TB</p> <p>TB</p> <p>All</p>
8	Membership arrangements for Stakeholder group	LS	It was agreed stakeholders were to manage the OBSG not the OBMG. The OBMG would send a representative.	
9	HRO Consultation			
	NLB provisions - To be submitted via letter	PD	CMAL need to be added to this list as a trust port option would need to consider CMAL protected provision requirements.	All end Oct
	A&BC provisions - To be submitted via letter	SC		

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	CFL provisions - To be submitted via letter Stakeholder group to be asked for input about protected provisions – circulated for comment	CM TB	LS to define the difference between a harbour order, a general direction and a protected provision for reference for HRO drafting.	LS
10	Engagement with Mike Russell MSP and John Finnie MSP	LS	Waiting for offices of MSPs to suggest suitable dates	MSPs
11	Independent report on costs Do stakeholders want to suggest a suitable consultant to look into this so it can be demonstrated to be independent? Do stakeholders initially want to go through the December 2017 evaluation figures to establish the thought process behind the figures?	TB	NFA, will be captured in trust port working group work	
12	Cost sharing for delivery of HRO – review activity at each facility and cost split?	All	TS stated as the Oban Bay HRO is a safety initiative HRO fees would be waived to a suitable submission.	
	How to split everyday costs such as HAZMAN, press releases, meeting venue costs, website, education leaflets, CoP printing, graphic design, etc.? Is a consultant required to support stakeholder	All All	To be split in normal way CMAL 75%, A&BC 15% NLB 10%. PJ to provide quarterly cost breakdown. Last 18 months = £6k total See 15	PJ

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	engagement, deflecting negative feedback from local employees? How will this be paid for amongst OBMG members?			
13	Vessel activity and conservancy charge	PJ	PJ has calculated a methodology to apply a conservancy charge for a wider harbour area, based upon Gross Tonnage to all commercial vessels above 100 GT using Oban Bay. Leisure vessels would also be exempt. 2017 figures indicated 17million GT. 88% of which would be ferries, 9% A&BC traffic and 3% NLB traffic. Stakeholders have seen these figures and were comfortable with the concept.	
14	The harbour operating model and cost.	CM	A LPS option has been costed for CMAL which demonstrates considerations for all costs. The basis LPS came in at £253k if existing infrastructure and staff are utilised. This work is on hold for the moment until the draft HRO(s) are ready for more thorough examination.	
15	Engagement of Mike Brew (consultant) in the work of the OBMG	LS	Mike Brew to be engaged through NLB. LS and PD to define working remit. MB to work with PJ and TB. Attend OBMG and OBSG, assist with investigation of viability of trust port, supporting and guiding trust port working groups.	LS & PD Oct 18

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16	OBMG Chair	All	PD to serve as Chair from next meeting. EM will act as vice chair. Thank you to LS for chairing for last 5 years.	PD Nov 18
17	AOB		<p>CW from Transport Scotland was very keen the safety aspects of Oban Bay are looked at and addressed in a timely manner. He was happy to define what criteria an organisation would be required to demonstrate to be deemed capable of efficiently and effectively operating as a statutory harbour authority and the process to apply for an HRO.</p> <p>CW stressed that following MAIB reports on incidents at Loch Ryan in 2003, considerations that may be pertinent to the situation at Oban, in terms of a single responsible authority, would have to be taken into account in the granting of an HRO.</p> <p>The MAIB reports can be found here:</p> <p>https://assets.publishing.service.gov.uk/media/547c70d3ed915d4c0d0000d5/Loch_Ryan-cabin_cruiser.pdf</p> <p>Attention is drawn to para 3.1.3</p> <p>https://assets.publishing.service.gov.uk/media/5</p>	

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			47c70b740f0b602410000cb/Loch_Ryan-Open_Sports_Boat.pdf Attention is drawn to para 2.9.1 and recommendation 2004/163	
18	Next Meeting	All	Next meeting 30 Oct 2018 11:00 to 13:00 NLB	All