

# The Consultation for a Harbour Revision Order at Oban Second public meeting

Oban Bay Management Group



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Working in Partnership to Improve Marine Safety in Oban

No fire alarm tests are planned  
Please place mobile phones on silent  
One voice at a time please

## Oban Bay Management Group Members

Jim Smith – A&BC Head of Roads and Amenity

Vicki McKenzie – A&BC Oban Harbour Master

Roddy McCuish – A&BC

Phil Day – NLB Director of Operations

Ewen MacKerchar – NLB Marine Operations Manager

Lorna Spencer – CMAL Director of Harbours (Current Chair)

David McHardie – CMAL Harbour Master

Cameron MacPhail – CFL Head of Harbours

Tony Bennett – Chair of Stakeholders

Paul Jennings – Oban Bay Harbour Manager (employed by CFL working on behalf of the OBMG)

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## A summary of the consultation and survey

All survey details can be found at Oban Harbour website

553 people responded to the survey with 35 subsequent direct consultations

30% lived in Oban area

85% (474) were leisure vessel owners 15% (79) were business responses

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## Current management of Oban Bay

76% aware of OBMG work and were satisfied with the output Website, Oban Bay Code of Practice, education programme & on going consultation process

83% aware of the Oban Bay Code of practice

57% thought the buoyage at Oban was satisfactory

Most people thought a trust port would be the most suitable model for Oban

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## The proposed way ahead

The members of OBMG cannot form a trust port

Only an independent group can do so

The OBMG are willing to support such an initiative

The OBMG will continue to promote safety initiatives at Oban whilst working in partnership with stakeholders to explore the possibility for a trust port to be established.

OBMG will continue to work in partnership with stakeholders to develop the operational management framework for the statutory authority

The intention is to be in a position to submit a formal application for a statutory authority in January 2020.

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## The proposed way ahead

The Oban Bay Stakeholder Group (OBSG) will be administered by stakeholders with the support of OBMG

Three working groups will be established:

- Legal & legislation
- Navigation & safety
- Financial

All three groups will report to OBMG and OBSG

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## How will a wider Oban Bay be operated ?

The SHA must operate Oban as an 'Open Harbour':

Harbours, Docks and Piers Clauses Act 1847, Section 33 and,

Port Marine Safety Code (ref. page 28)

Almost every harbour authority's statutory powers are subject to what is known as the 'open port duty' This means that the harbour, dock, or pier must be open to anyone for the shipping and unshipping of goods and the embarking and landing of passengers, on payment of the rates and other conditions set by the local legislation for that port.

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# What is the Port Marine Safety Code?



The Port Marine Safety Code (“the Code”) sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment.

It is endorsed by the UK Government, the devolved administrations and representatives from across the maritime sector and, while the Code is not mandatory, these bodies have a strong expectation that all harbour authorities will comply.

The Code is intended to be flexible enough that any size or type of harbour or marine facility will be able to apply its principles in a way that is appropriate and proportionate to local requirements.

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# What does the Port Marine Safety Code mean for harbours, Marine Facilities, berths and terminals?



**Duty holder** Formally identify and designate the duty holder, whose members are individually and collectively accountable for compliance with the Code and their performance in ensuring safe marine operations in the harbour and its approaches.



**Designated Person** A 'designated person' must be appointed to provide independent assurance about the operation of the marine safety management system. The designated person must have direct access to the duty holder.



**Legislation** The duty holder must review and be aware of their existing powers based on local and national legislation seeking additional powers if required in order to promote safe navigation.



**Duties and Powers** Comply with the duties and powers under existing legislation as appropriate.



**Risk Assessment** Ensure all marine risks are formally assessed and are eliminated or reduced as low as reasonably practicable in accordance with good practice.



**Marine Safety Management System** Operate an effective system which has been developed after consultation, is based on formal risk assessment and refers to an appropriate approach to incident investigation.



**Review and Audit** Monitor, review and audit the risk assessment and marine safety management system on a regular basis – the independent designated person has a key role in providing assurance for the duty holder.



**Competence** Use competent people (who are trained, qualified and experienced) in positions of responsibility for managing marine and navigation safety.



**Plan** Publish a safety plan showing how the standards in the Code will be met and a report assessing performance against that plan at least every three years.



**Aids to Navigation** Comply with directions from the General Lighthouse Authorities and supply information & returns as required.



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## Harbour costs

62% thought that if costs were passed onto the users it would affect the commercial viability of marine businesses at Oban

Who should pay?

80% Commercial, ferry & cruise vessels should pay

45% Fishing Charter Boat and Dive vessels should pay

25% Leisure vessels should pay

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## 2017 Oban Bay vessel visits and indicative conservancy charge based on 17 million Gross Tonnage at 1.5p / GT

Vessel Type	No. of visits	<u>Indicative charge per visit</u> (per £250000 harbour operating cost)
Commercial	960	£22
Large Cruise	83	£150
Small Cruise	425	£2
Ferry	5075	£80
Visiting Leisure	6172	None
Large Fishing Vessel	317	£2
Small Fishing vessel	3000	None

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## Summary of a wider statutory harbour proposal for Oban

- Operate an Open Port
- Compliance with the Port Marine Safety Code
- Implement a single point of contact for vessels using Oban
- Improve communication and coordination of vessel movements
- Improve and sustain navigational safety
- Make Oban a more attractive destination for a wider range of cruise vessel operators
- More personalised guidance / education for visiting leisure vessels
- The additional wider harbour operating costs will be proportionally recovered from the principal users
- Positive economic impact to the wider community

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