

Information provided by OCHDA to Argyll and Bute Council

This document shows the agreed schedule of deliverables between OCHDA and Argyll and Bute Council, together with abstracts which summarise the principal documents which OCHDA has already supplied to Council officers.

The list is correct as at 4/8/2021. OCHDA are happy to provide full copies of any of the documents if Members wish.

Proposed timetable and order of priority of deliverables

Assumptions made:

- All items include the same reference number as set out in Schedule 1 to the draft MOU;
- Timeframe for completion of deliverables from OCHDA has been based on ABC providing the listed information by the proposed date;
- All deliverables will be provided once they have been completed (ie they will not be 'held back' until the target date) in order to allow workflow to be as continuous as possible;
- Feedback will be provided on each deliverable within a two-week timeframe to allow edits/changes to be made;
- All relevant deliverables will be included in a single document once they have all been completed.

Note: bright green shading denotes work fully completed, pale green denotes partially completed.

Items to be provided by Council

By 14-5-21

F1	Up to date, accurate accounts for the three Council owned assets at the North Pier (Harbour Office, pontoons and the pier itself)
F2	Breakdown and explanation of North Pier expenditure classifications (still ongoing at 9/6/21)
F3	Updated staff costing/scales as per request to SC and JS of 12/2/21

By 28-5-21

F4	Copies of any reports and 'business cases' generated for Oban Harbour by ABC over the past 18 years that have led to Officers and Councillors deciding not to proceed with the Municipal Port option. Not completed or available
G4	Confirmation of current staff tasks and responsibilities undertaken at the North Pier (an expansion of job descriptions that reflects what tasks are actually carried out and typical time allocations)
T4	Details of existing PMSC status and existing MSMS (Marine Safety Management System) (link to Web version)
T6	Details of existing Vessel Traffic Service operation (Nothing formal)

By 11-6-21

A2	Copies of most recent asset condition surveys - not available
A3	Valuation of assets - not considered to be relevant
A4	Details of maintenance requirements/plans/budgets
A5	Details of existing lease arrangements relating to North Pier assets

Date TBC at next management meeting as it will require negotiation between both parties and is dependent on other outputs

A6	Preparation of lease
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Items to be provided by OCHDA

By 14-5-21

	Ranked list of deliverables and projected timescales (this document)
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By 21-5-21

A1	Details of Council assets which OCHDA is seeking to lease from the Council
T1	Confirmation of harbour extents

By 28-5-21

F6	Updated paper on proposed Conservancy Charge
G1	Overview of proposed Governance Structure
G2	Details of the proposed Board, how this will be made up and to whom it reports, Stakeholder representation
G3	Details of Board appointing process and timescales for appointment etc
G5	Staffing structure proposals – including job descriptions and seasonal staff
T2	Navigation, buoyage and other ATONs
T9	Expertise within the Trust Port Board (see also G2)

By 9-7-21 (or four weeks after last of deliverables has been provided by ABC, whichever is the later)

F5	OCHDA's financial plans, projected expenditure and banking details
G6	Differences between existing and planned service delivery
T3	Pilotage
T5	Proposed PMSC and MSMS arrangements
T7	Proposed VTS/vessel monitoring system
T8	Proposals re Duty Holder and Designated Person
T9	Expertise within the Trust Port Board (see also G2)
T10	Proposed technical/professional advisors to support the Trust Port

ASAP thereafter, no later than 23-7-21

F7	Financial model and projections for the operation of Oban Bay as a Trust Port, including details of how income will be generated, anticipated expenditure and investment planning, community benefit etc., plus all previous relevant deliverables contained in a single document
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A1 (15 May 21) – Details of Council assets which OCHDA is seeking to lease from the Council

OCHDA is proposing that the new Oban Harbour Authority be based in and upon the existing Argyll & Bute Council Harbour Office on the North Pier, subject to a commercial lease arrangement, and the transfer of responsibility for the waters surrounding it. These proposals also include a commercial lease arrangement for the recently-developed Transit Berth facility on the North Pier pontoons.

The assets for which a lease is being sought are shown below, outlined in red.



This document details the process by which OCHDA and Argyll & Bute Council have been working together since November 2019 to explore the development of a Trust Port based on the North Pier, including the origin of the draft "Memorandum of Understanding" of which this is part. The document describes, and shows on charts, the precise assets which OCHDA is seeking to lease from the Council and the area of water currently controlled by the Council that the proposed Trust Port would subsume.

Whilst the document also contains the initial 'Expression of Interest' form for Asset Transfer under the Community Empowerment Act which was requested by the Council, it should be noted that the proposed lease arrangements do not constitute a request for asset transfer under the Community Empowerment Act. However the form, and the charts attached to it, outline the assets under discussion.

G1, G2, G3 and T9 (28 May 21) - Governance arrangements

This suite of documents includes 3 papers describing governance arrangements in the new Oban Harbour Authority and 6 Appendices. These are briefly described below.

Note: References in brackets [...] relate to the full documents which have been deposited with Council Officers and are available on request from OCHDA.

G1 - Overview of Governance

A Trust Port is governed by an independent Board, suitably qualified and established in keeping with detailed guidance from the Scottish Government. This document gives a brief summary of the arrangements for the establishment of the Port and the Board, and the responsibilities, accountabilities and conduct of the Board, as well as the operational framework and staffing and reporting arrangements.

Appendix 1 [labelled G1(2)] summarises the legal duties of the Harbour Authority Board and the Chief Executive.

G2 and T9 - The Board of Trustees

The Board of a Trust Port is required to operate the Port as a commercial operation but without shareholders. This document outlines the structure of the Board, the responsibilities, Code of Conduct expected from, and rewards that can be expected by, Board Members and the time commitment that might reasonably be expected. The document also details the principles underpinning engagement with stakeholders and arrangements for reporting, compliance and accountability.

G3 and T9 - Board Recruitment

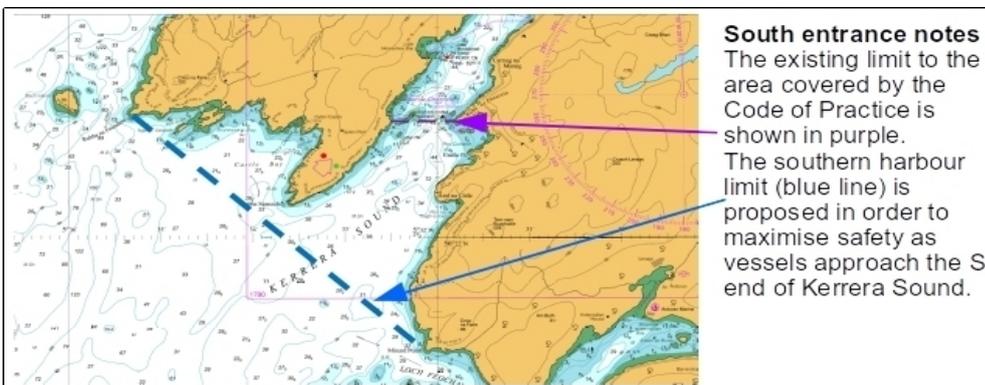
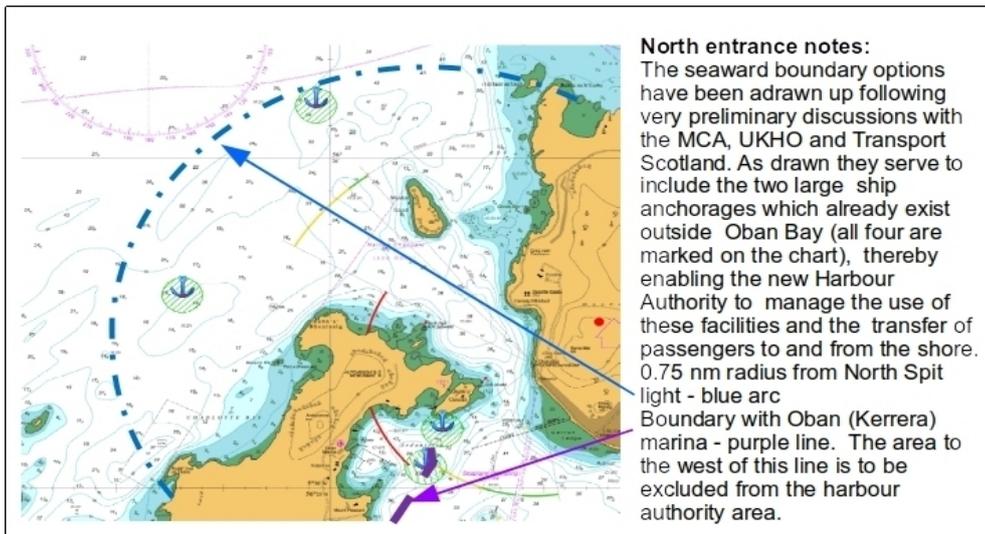
Arrangements for the establishment of the initial Board will, necessarily, be led by OCHDA with partners from the Oban Bay Management Group. This document describes, in some detail, the expectations of Board members, including the range of skills that will be sought, and the recruitment process that will be followed for the initial recruitment process.

Appendices 2-6 [labelled G3 (2) – G3 (6)] detail the recruitment process with job descriptions, application form, selection panel arrangements and interview process guidance including recording forms. **These documents are sensitive and should be kept confidential.**

T1 (15 May 21) – Confirmation of Harbour extents

The new Oban Harbour Authority will be established with new boundaries, Despite there being existing legislation that is relevant covering part of the Bay an entirely new Harbour Authority area will be required for safety reasons. The Harbour Order which brings about the new Authority will rescind existing legislation relating to the harbour where it supersedes it.

The proposed limits of the Harbour Authority are shown below.



This document:

1. describes and shows in charts the initially proposed new Harbour limits and the process by which these were developed;
2. how these were consulted upon and the outcome of the consultation;
3. confirms the OCHDA proposed harbour extents, critically to include the two entrances to the Kerrera Sound and the anchorages outside the harbour to the North; and
4. details the current and historical legal position over responsibilities for the waters of Oban Bay since the late 19th century and the history of the proposed enduring separate Authority area which is the responsibility of Caledonian Marine Assets Limited round the ferry pier.