

Briefing for Argyll & Bute Harbour Board Members for their Meeting on 3 March 2022

Agenda item 4: Oban Bay Update

1. The Oban Community Harbour Development Association (OCHDA) welcomes Argyll & Bute Council's (A&BC's) commitment to hoping to establish a new Harbour Authority for Oban Bay and Approaches by early 2023 and is encouraged to learn that Council Officers are making good progress in developing the legal documents which will be required. However, the process is complex and will require support from all Stakeholders and the wider community as well as the "fair wind" referred to in the Officers' Report¹. Harbour Board Members will be concerned that the Report lacks detail, including any reference to governance arrangements, jurisdictions, or possible costs and benefits. Members will be pleased to learn that significant progress has been made since December 2021 but will be surprised that they have not been given the reported "high level" project timeline. In view of the importance of the project, both in terms of safety and the future development of Oban, this timeline should be shared without delay with Harbour Board Members, local Councillors representing Oban, Lorn and the Isles, and other Stakeholders.

2. Harbour Board Members will note that there is no mention of engaging with the community or wider Stakeholders at this stage and no mention of planned governance arrangement for the Harbour Authority. The report highlights the risk associated with failing to undertake early groundwork effectively to ensure that Stakeholders are positively engaged in the framing and agreement of the provisions included in the draft Harbour Revision Order. OCHDA and Oban Community Council have already made clear that they are willing to offer knowledge and expertise to support the establishment of the Municipal Port. OCHDA has consulted successfully over possible boundaries for the new Harbour Authority; building on this work could reduce the likelihood of later delays. To date no representatives of any stakeholder groups, other than apparently CalMac/CMAL and the Northern Lighthouse Board have been approached.

3. Government guidance on Port Management² identifies the following principles relating to stakeholder engagement:

a. All Statutory Harbour Authorities (SHAs) should engage effectively and openly with a wide range of stakeholders that have an interest in their harbour.

b. SHAs should periodically assure themselves that stakeholders have been identified and that engagement with them is appropriate and effective.

c. SHAs should also consider how the voice and views of stakeholders can be taken into account in their work, including in governance.

4. Future governance arrangements for the new Harbour Authority, which will need to satisfy the Scottish Government, should include the development of a specific Oban-focussed Harbour "Committee" or "Advisory Board" with representatives of the wider community and harbour users to complement the oversight of the Council's Harbour Board. Members might be interested to learn of Aberdeenshire's approach, which is

¹ [A&BC Harbour Board Report: Oban Bay Update \(March 2022\)](#)

² [Dept of Transport: Good Governance Guidance for Ports \(2018\)](#)

widely regarded as good practice, where: *“in addition to the formal decision-making role of Infrastructure Services Committee, and the delegated authority to the Director, there is a constituted advisory body, the Harbour Advisory Committee, attached to each of the seven harbours.”*

5. Engagement at the earliest stage, as outlined above, should develop into a mature and open partnership between the Council and the community to ensure that the best decisions are made for all stakeholders in Oban Harbour.

6. The development of a Trust Port for Oban remains the best option in due course, as re-affirmed at the January 2022 meeting of the Oban Bay Management Group (OBMG)³, allowing the benefits of a prosperous harbour to be retained locally, reinvesting in Oban Harbour and the community. As recommended in the recent A&BC’s “options appraisal”, reported to the Harbour Board in December 2021, the initial arrangements of establishing a Municipal Port, in the interim, should be made with a view to facilitating the Trust Port development in due course. Members will be keen to understand how planning for this transition will be built into the planning for the establishment of the interim Municipal Port.

7. In conclusion OCHDA respectfully recommends that the Harbour Board:

a. requests that Officers consult with all Stakeholders now to ensure that they are positively engaged in the framing and agreement of the provisions included in the draft Harbour Revision Order thereby mitigating the identified risk of objections which might result in delay at the formal consultation stage. In particular, it is essential that Officers inform Stakeholders without delay regarding the area described as “unmanaged waters within Oban Bay”.

b. requests that Officers publish their existing high-level timescale without delay and produce a more detailed progress report, as a matter of urgency, with full timelines for implementation of their proposed Harbour Revision Order, and demonstrating that it will be in place by April 2023 (start of the sailing season).

c. notes that at the OBMG meeting on 11 January 2022 “the majority of the members of the group endorsed the proposal by the Council to become a Municipal Harbour Authority for the unmanaged waters within Oban Bay”, **whilst remaining supportive of a Trust Port and encouraging A&BC and OCHDA to continue to work collaboratively towards this goal.**

Ross Wilson
Chair OCHDA

27 February 2022

³ [Record of OBMG meeting \(January 2022\)](#)