A review of the areas of jurisdiction for the different harbour authorities within Oban Bay

A M Bennett
9th February 2019

1 Introduction

1.1 This purpose of this document is to try and provide an overview of the various papers that have been produced both by individual stakeholders and Monica Peto on behalf of the Oban Bay Management Group (OBMG). Unlike the authors of the existing papers I have no legal training nor any previous experience of the detail of harbour legislation. Furthermore, I do not have access to all of the Acts and documents on which their papers are based. Despite this, I still hope that this document will provide a constructive input to the debate.

1.2 Whilst the views and opinion that are expressed in the document are of a personal nature, I have tried to ensure that they are consistent with my role as Chair of the Oban Bay Stakeholders Group (OBSG). By this I mean that I have tried to ensure that whilst I am duty bound to effectively convey the views of the Stakeholders to the OBMG, I recognise that there is also a responsibility that these views are reasonable and balanced. To a degree this has already been achieved with regard to the latter submissions and comments that have been made. Conversely, I think it is also my responsibility to provide constructive comment on the views that have been expressed on behalf of the OBMG, even when there may be differences in opinion.

1.3 Given the above I have tried to focus on the positives as much as possible when preparing this document, and as a result have attempted to:

1. Highlight areas where there is close agreement or even consensus;
2. Give an opinion where differences may occur;
3. Where possible, introduce additional evidence to help with the debate about issues for which there is still a difference in opinion;
4. Provide a visual representation of the different areas of jurisdiction within Oban Bay.

1.4 This final point is probably the one which I am best qualified to undertake having spent the majority of my working life dealing with maps, charts and legislation of various vintages. Some of the detail behind the methodology that I have employed for this is contained within the Appendices to this document. The main body of text contains the final plots.

1.5 When making comment on the representations that have already been made I shall refer to the three authors by their initials, i.e. MP, BH and FG[1]. Similarly, I shall adopt the numbering convention used by MP, not least because that is the means by which BH referred to the document.

1.6 Each of the three piers shall be dealt with in the same order as considered by MP. Perhaps fortuitously, this allows me to address what I think is the least contentious issue first.

[1] ie Monica Peto, Boyd Holmes and Fergus Gillanders

2 North Pier

2.1 There appears to be almost complete agreement on the detail of the historic legislation regarding the jurisdiction and status of the North Pier. The only differences in opinion between BH and MP appear to relate to (a) the powers to appoint a general harbour master, and (b) the use of terms such as 'statutory harbour authority', 'harbour authority' and even 'authority'. Reading between the lines I think that both MP and BH actually agree on the detail of these two points but have included them in order to either help a later argument or, in layman's terms,' put down a marker'. The relevant paragraphs are 3.2 and 3.4.

2.2 The issues raised by BH in 3.4 are relevant to the whole of the legal debate about Oban Bay, and are also covered in more detail by him in his para 2.1 (3). The legislation is of a historic nature and much of it uses language and terms that have subsequently evolved and/or been replaced. I have tried to take a pragmatic approach on this (even simplistic at times). One such approach has been to look at the consequences of an Act being introduced, rather than to try and make a detailed interpretation of historic language and terms, much of which has been superseded by more modern legislation and guidance.

2.3 Accepting the comments raised by BH as described above, there seems to be agreement that so far as the North Pier is concerned:

- The Oban Harbour Order (1862) authorised the construction of the pier by John Campbell, Marquess of Breadalbane;
- The Oban Pier and Harbour Order (1864) and its confirming Act set out the limit of powers of jurisdiction for regulating the North Pier;
- The Oban Piers Order (1896) and its confirming Act authorised the transfer of the North Pier to the 'Commissioners of the burgh of Oban', who subsequently became what we would now call the SHA. Section 22 of the Order defined the geographical extent of the area of jurisdiction.
- Quoting from MP (3.9) ' *the Argyle and Bute Council, as the statutory successor of the Commissioners, is the statutory harbour authority for North Pier within the limits of jurisdiction provided in section 22 of the 1896 Order. .....To the extent that those limits are coextensive with the limits of jurisdiction relating to the Railway Pier, the Council's jurisdiction takes precedence.*

2.4 A plan showing the current extent of the area of jurisdiction associated with the North Pier is shown in Figure 2.1. Note that this is plotted on a current OS baseline plan rather than that which was available at the time the Act was drawn up. Consequently, the southern limit of the boundary as defined in the Act now appears to be on dry land. The methodology that was used to plot this boundary line is explained in detail in Appendix A to this document.

Figure 2.1 Geographical extent of jurisdiction relating to the North Pier as defined in Section 22 of the Oban Pier and Harbour Order (1896), plotted onto a current (2019) Ordnance Survey base map. All parties agree that this jurisdiction still applies.

3 South Pier

3.1 As with the North Pier, there appears to be general agreement on the history of the South Pier, albeit with one difference in opinion. Broadly speaking the same 1896 Order that gave 'the Commissioners' (now ABC) jurisdiction around the North Pier also gave them jurisdiction of an area of Oban Bay adjacent to the South Pier. This extent of this jurisdiction was defined in Section 18 of the Order and is plotted in Figure 3.1[2]. As with the North Pier, the area of jurisdiction for the South Pier takes precedence over that of the Railway Pier, as confirmed by MP (5.8).

3.2 The SDA (Oban South Pier) Order 1988 and its associated Act gave the SDA powers to extend and rebuild the South Pier, although no mention was made of the transfer of jurisdiction. The pier was subsequently acquired by Caledonian MacBrayne Ltd in 1990 (now CMAL). As with the transfer to the SDA there was no mention of the transfer of the regulatory powers.

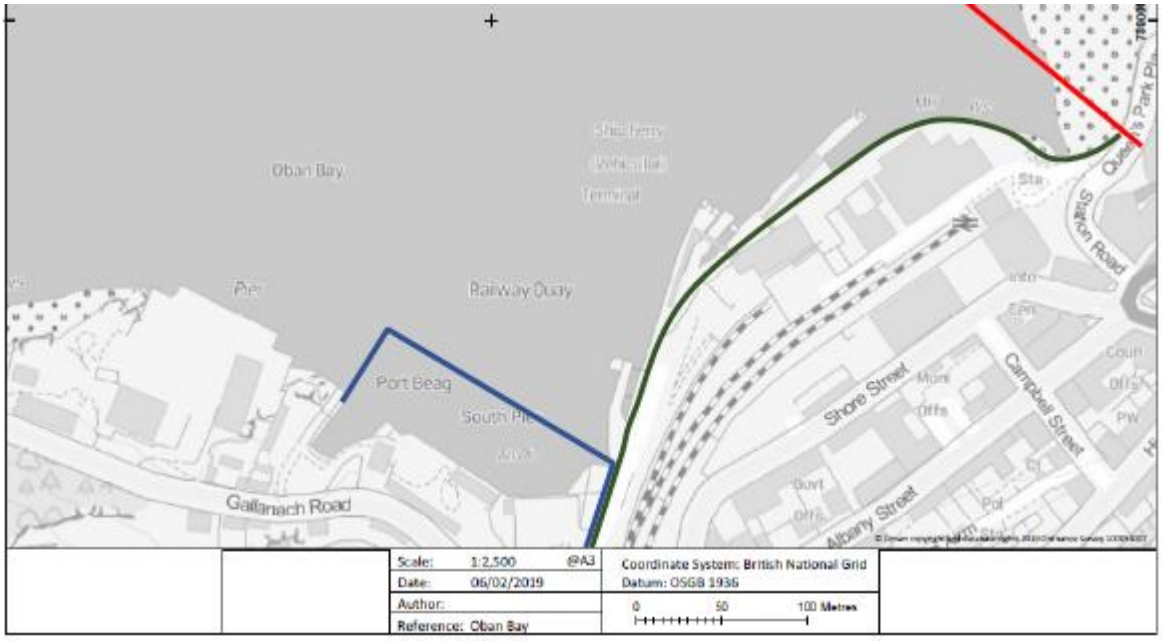


Figure 3.1 Geographical extent of jurisdiction relating to the South Pier as defined in Section 218 of the Oban Pier and Harbour Order (1896), plotted onto a current (2019) Ordnance Survey base map and reduced to the edge of the existing pier.

3.3 The only point on which BH and MP appear to disagree is whether or not the regulatory powers over the area in Figure 3.1 still exist. MP considers that as the powers were not transferred to either the SDA or CMAL *'this <u>may</u> be an indication that they have been impliedly repealed'* (my emphasis), a view which BH disagrees with. The limited research that I have been able to undertake using more recent

[2] This was the most difficult of the three SHA areas to determine due to the extent of the changes that have taken place at the southern end of the harbour since the late 1890s. Having said that, I am confident that it is still within the tolerances defined in the 1847 Act which, in Section XI, defines the acceptable limit of deviation as 10 yards. The original boundary extended further inland than shown.

HEO and HRO legislation leads me to agree with BH[3], in which case I also consider that the area shown in Figure 3.1 is still under the jurisdiction of ABC.

3.4 It must be noted that MP later comments on the limits of this jurisdiction being referred to in the Section 14 of the Scottish Transport Group (Oban Quay) Order (1974) (MP para 5.8). To me this confirms that as recently as 1974 the then legislators still felt it necessary to refer to the area of jurisdiction that was associated with the South Pier.

4 Railway Pier

4.1 Once again the history of the Railway Pier seems to be relatively straightforward with BH, MP and FG agreeing on the vast majority of events. There is one significant difference between the views of BH and MP and, as I shall later explain, on this occasion I think further analysis of the relevant Act supports the statement made by MP, although BH does subsequently refer to the same section of the legislation.

4.2 The Callander and Oban Railway Act 1878 authorised the railway company to construct what eventually became the Railway Pier,[4] and in Section 3 of the Act defined the seaward extent of the 'harbour'. At this time, should their areas of jurisdiction overlap then the 'harbour' that was to be created would take precedence over that created under the 1864 Act, i.e. the North Pier. This was subsequently reversed in section 28 of the later 1897 Act.

4.3 Given the significance of the 1878 Act to the debate that is currently underway regarding the management of Oban Bay, the portion of the Act that specifically relates to the harbour is actually very small and only includes a few paragraphs. The primary query raised by BH relates to MP's reference to the railway company being given 'jurisdiction' over the area described in section 3 of the Act: BH questions what type of jurisdiction is being referred to. As MP explains, Section 39 of the Act defines what this jurisdiction includes, and repeats the description of the area to which it applies (i.e. section3). BH does subsequently refer to this in paragraph 7.5 of his paper, so maybe they do agree after all?!

4.4 All parties appear to accept that the waters defined in Section 3 of the Act became what we would now call a SHA as a result of the 1878 Act. The subsequent evolution of the Railway Pier is also agreed, as summarised by MP in paragraphs 5.3 to 5.12. For the purposes of this document it is the redefining of the seaward extent of the harbour associated with the Pier, the final (and current) definition being provided by the section 14 of the Scottish Transport Group (Oban Quay) Order 1974. This is shown in Figure 4.1, together with the area of jurisdiction of the North and South Piers.

[3] This is primarily because a number of Harbour Orders that I have consulted contain a section at the back of the document which lists the various Orders , Acts and parts thereof that have been repealed by the legislation.

[4] At that time the sea wall ran along the side of Shore Street.

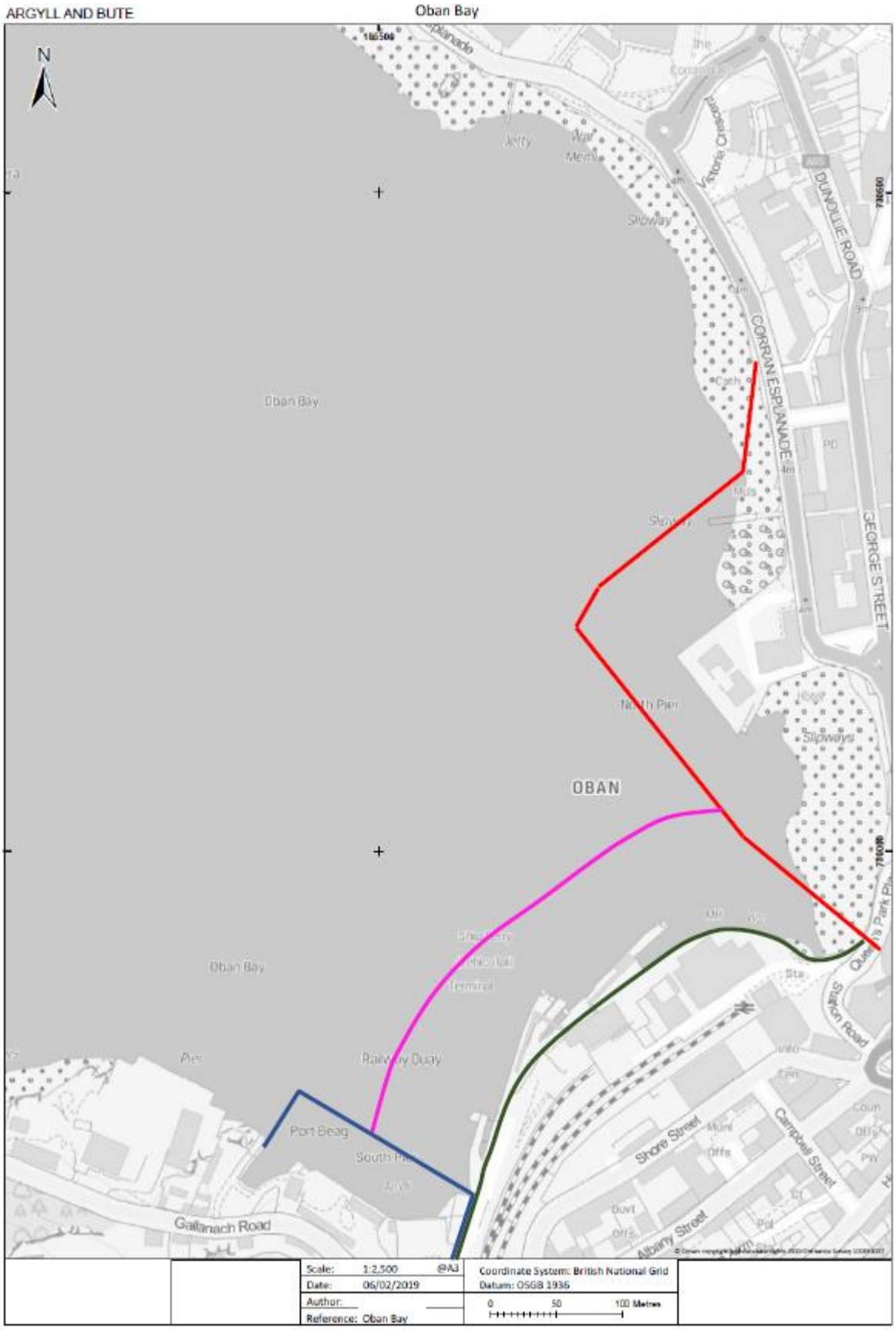


Figure 4.1 Most recent geographical extent of jurisdiction relating to the North, South and Railway Piers, plotted onto a current (2019) Ordnance Survey base map.

4.5 MP provides a succinct summary to the final status of the Railway Pier which is one that I agree with (almost) entirely in her paragraph 5.13:

In conclusion, CMAL is the statutory harbour authority for the Railway Pier within the limits of jurisdiction prescribed by section 28 of the 1897 Act, as amended by section 14 of the 1974 Order.....To the extent that those limits of jurisdiction overlap with those relating to the North Pier, the powers of the Council override those of CMAL. However, if a general harbour master were to be appointed under sections to 40 to 42 of the 1878 Order, the general harbour master could not exercise any powers within those limits.

The only query I have regarding this statement is the final sentence, which I think should instead state 'However, a general harbour master appointed under sections 40 to 42 of the 1878 Order could not exercise any powers within those limits'. This will be explained in the following section.

5 Jurisdiction of the outer part of Oban Bay

5.1 Thus far the different representations that have been made with regard to the jurisdiction around the three piers in Oban Bay have been almost completely in agreement. Apart from the finer detail of the use of specific words or phrases, or subtle emphasis, the only significant difference is with regard to whether or not the waters lying off the South Pier are under the jurisdiction of the Council. As already stated, my view is that they are - not least because the 1974 Order specifically referred to them more than 75 years after the original Act was passed. If agreement can be reached on this then I believe that what we now refer to as the 'Statutory Harbour Authority' areas associated with each of the three piers are as shown in Figure 4.1.

5.2 The single issue which has still to be resolved with regard to the management of Oban Bay relates to the area which lies outwith the three SHAs. Even on this, the most controversial of the identified issues, there is a degree of consensus:

- BH and MP agree that sections 40 to 42 of the 1878 gave powers to appoint of what was referred to as a 'general harbour master' (GHM);
- The list of potential bodies and individuals who could appoint the GHM is included within the 1878 Act, and that a subset of this list could make the appointment;
- The salary of the GHM would be paid equally by those making the appointment;
- The area of jurisdiction of the GHM would extend across Oban Bay to an imaginary straight line joining the Dog Stone to the Brandy Stone, but excluding what are now referred to as the SHA areas that are nested within this line.

However, beyond this my views are in general more closely aligned to those of BH than MP.

5.3 As BH states, the use of the phrase 'there is some evidence that a general harbour master was appointed in the past' by MP in paragraph 6.5 understates the case and is somewhat unfortunate, particularly as paragraphs 6.5.1 and 6.5.2 then go on to provide evidence that a GHM was appointed. As BH also states, the fact that there is a set of by-laws from 1882 provides further evidence.

5.4 Subsequent paragraphs in the MP report appear to try and cast doubt on whether the 1878 Act led to the creation of a 'Harbour Authority' for Oban Bay. The specifics of individual points have been addressed by BH in his document of 21st January 2019, the majority of which I agree with. I shall therefore take a different approach to exploring this important issue. In part this is based on a 'before and after' comparison as mentioned in my paragraph 2.2, but also using documented evidence in addition to that which has already been referenced and statutory documents such as the Admiralty sailing directions that refers to the 'Oban Harbour Authority'.

5.5 Rather simply, it could be argued that as the different parties all seem to agree on (i) the relevance of the historic legislation with regard to the areas of jurisdiction for each of the three SHAs (as they are now referred), (ii) that the GHM's jurisdiction did not extend to these 'nested' areas, and (iii) a GHM was appointed by the proprietors of the (now) SHAs, then the GHM had to have an additional harbour area over which he had jurisdiction - if not then why would he have been appointed?!

5.6 Similarly, the fact that the 1878 Act did not refer to a Harbour Authority does not mean that, in today's language, this is not what was created. As already stated, language and terminology evolve. The original legislation from which CMAL now claim SHA status did not refer to a Statutory Harbour Authority, but common-sense dictates that this is where the legislation has ended up.

5.7 Argyll and Bute Council have recently changed the access arrangements to their archives and now allow members of the public to inspect these by prior arrangement. Appendix B contains a selection of extracts that relate to Oban Bay from between 1927 and 1960. Most of these speak for themselves so I shall just draw attention to some specific examples.

5.8 Appendix B.1 is a letter from the Depute Town Clerk dated 21 June 1927 in which he states that:

"*The Town Council of Oban are not the Harbour Authority at Oban. The Authority consists of three representatives, two from the Council as owners of the North and South Piers and one from the L.M.&S. Railway Company as proprietors of the Railway Pier*'

This clearly demonstrates that a Harbour Authority did exist in Oban by 1927, and that it was operated in accordance with the requirements of section 40 of the 1978 Act. Whatever we may try and deduce from the legislation almost a century later, this

is how the Act was both interpreted and applied for the majority of the twentieth century.

5.9 Appendices B.2 and B.3 are copies of the annual accounts of the Oban Harbour Authority. Aside from noting that it was then possible to run a Harbour Authority for £45 a year, both documents are titled:

THE OBAN HARBOUR AUTHORITY acting under 'The Callander and Oban Railway Act, 1978'

Further confirmation that there was an Oban Harbour Authority, and that this was formed as a result of the 1878 Act.

5.10 Additional extracts contained in Appendix B confirm the appointment of representatives from both the Council and railway company to what would now be referred to as a Harbour Board. Appendix B.8 introduces the term of 'Piermaster' for the South Pier, the inference being that the Piermaster sits below the GHM (who by then was being referred to as the Harbour Master). Finally, Appendix B.11 shows that by 1960 both the North and South Piers were being overseen by a single Piermaster who answered to the Town Council and the Piers Committee.

5.11 In addition to the documentary evidence presented in Appendix B the historic charts which form part of Appendix C provide a useful insight into the status of Oban Bay before and after the 1878 Act:

- Both the 1856 and (somewhat scruffy) 1865 Admiralty Charts show no separation between Oban Bay and the rest of the waters. In fact, Oban Bay is not labelled in any way, even though Ardentrive Bay is at that time.
- By 1893 (i.e. after the 1878 Act) there is now a line delineating the boundary defined in Section 40 of the 1878 Act from the waters to the west. At this time Oban Bay is labelled as 'Oban Anchorage', reflecting both the practices of the day and the available facilities.
- The 1933 chart also shows the line separating the Oban Harbour Authority from the waters to the west. By this time the inner bay is now labelled Oban Bay.

5.12 Further evidence exists with regard to the formation and operation of the Oban Harbour Authority but hopefully all parties can now agree that the information referred to above is sufficient to confirm that the 1878 Act did lead to the formation of the Oban Harbour Authority.

5.13 In paragraph 6.5.2 MP states that:

'*As far as we are aware no general harbour master has been appointed for some time – possibly not since the local government reorganisation under the Local Government (Scotland) Act 1973.'*

5.14 Although there is circumstantial evidence that this was not the case and a GHM was appointed after the 1973 Act, that is a matter which is primarily of academic interest. The evidence confirms that a GHM was appointed as a result of the 1878 Act - subsequent inactivity through the indolence of successive SHAs does not override this. Furthermore, it could be argued that the more relevant point is whether or not the Harbour Authority existed after this time. Research has shown that the 1984 Oban Marine Development Plan report referred to the Harbour Authority, the owners of the north and south piers and the Railway Quay owners. More recently (2017), Argyll and Bute Council's Legal Manager has referred to the Harbour Authority for Oban Bay.

5.15 I am not competent to give an opinion on this, other than to say that there is evidence of several instances where either Oban Harbour Authority or its successors are referred to. Whilst my own view is the perceived lack of recent activity relating to the OHA is as much an academic point as that of the appointment of the GHM, the important thing is that the OHA did exist after the 1878 Act, and that subsequent inactivity by successive SHAs does not override this. Should this point be considered to have greater significance than I think it has then further inspection of the records relating to both of the Argyll and Bute Councils and the Strathclyde Regional Council may provide additional clarification.

5.16 To summarise, I think the evidence that has been collated demonstrates that

- A general harbour master for Oban Bay was appointed as a result of the 1878 Act;
- The 1878 Act led to the formation of the Oban Harbour Authority;
- There is documentary evidence that the OHA was active until at least the late 1960s or early 1970s;
- There is circumstantial and documented evidence that the role of the OHA has been acknowledged more recently.

5.17 The final section of MP's consideration of jurisdiction over the Oban Bay is primarily concerned with the Port Marine Safety Code. Given that this arose from the Sea Empress running aground at the entrance to Milford Haven in 1996, it is not surprising that the 1878 Act is not consistent with the Code. The whole purpose of the exercise in which we are all currently engaged is to address this situation and thereby improve safety in Oban Bay. To paraphrase Boyd Holmes:

The way forward to secure a compliant harbour authority is for ABC and CMAL to acknowledge that they are the inactive guardians of the moribund but extant old-style trust port, OHA, and to discharge their obligations by seeking the necessary authorisation for the conversion of that body to a modern trust port whilst incorporating an extension of its geographical limits of jurisdiction.

5.20 I support this conclusion, with the additional comment that in the spirit of both section 40 of the 1878 Act and the current emphasis on community empowerment by the

Scottish Government this should be done in collaboration with other Stakeholders and interested parties

A M Bennett
9th February 2019

Appendix A Explanation of how the map showing the area of jurisdiction for the SHA at the North Pier was derived

A.1 When starting to prepare this document I realised that, other than the line showing the area of jurisdiction for the Oban Harbour Authority arising from the 1878 Act, I had not seen any visual representation of the areas over which each of the three 'nested' harbour authorities have jurisdiction. Furthermore, I could find no such plan, chart or map despite looking and asking a number of public and private agencies. As someone who has previously studied cartography this was both a surprise and a frustration, so I decided to try and produce indicative maps myself.

A.2 As it appears to be the least contentious of the three nested authorities I started with the North Pier. There is consensus that the definition of the area is contained within section 22 of the Oban Piers Order 1896, as quoted by MP in her Appendix 1.1. The description contained in this text was converted into a series of vectors as follows:

1. All distances were converted from yards to metres;
2. All quoted headings were converted from the 32-point compass rose (ie the eight principal cardinals, the eight half cardinals and the sixteen quarter cardinals) to degrees;
3. The distances in metres were scaled to cm for the basemap onto which the vectors were to be plotted.

A.3 In order to plot these on a modern Ordnance Survey map it was first necessary to establish the point of origin. The 1896 Order defines this as *'the face of the sea wall at the point where the burn passes through the wall near the north end of Alexandra Road*' which appears relatively straightforward. However, neither Alexandra Road nor the burn are marked on the current OS maps. The archives of the National Library of Scotland were therefore used to find the map which would have been in use at the time the 1896 Order was drafted. The relevant extract from this is shown in Figure A.1, from which it can be seen that Alexandra Road is (unsurprisingly) what is now referred to as the Corran Esplanade, and the point at which the burn passes through the sea wall can be clearly seen.

Figure A.1
Extract from the 1897 Ordnance Survey sheet for Oban showing the point of origin for the area of jurisdiction that is associated with the North Pier. The actual map was from the 25 inches to one mile series, the most detailed available at that time.

A.4 This origin was therefore marked onto the current OS sheet for Oban and the five different vectors were plotted. The resultant boundary appeared as shown in Figure A.2 below:

Figure A.2 Initial plot of the North Pier area of jurisdiction based on the vectors derived from the definition given in section 22 of the 1896 Order.

A.5 Whilst the boundary plotted in Figure A.2 may appear on first impressions to be reasonable, closer inspection confirms that it is in fact rather 'random' and is not consistent with the definition given in the 1896 Order. This is most obvious from the end point which, in the Order, is described as being '*where it meets the sea wall at a point fifty yards or thereby from the east side of the road bridge over the Black Lynn'.* In contrast to this, when the southern limit of the boundary line as shown in Figure A.2 is plotted on the 1871 OS map and most relevant Admiralty chart it appears to be below the low water mark, a considerable distance from the point described in the Order. Furthermore, no segment of the boundary seems to be parallel with any of the pier structure, yet various acts and orders appear to suggest that this should be the case.

A.6 Considerable time was spent trying to establish why the boundary did not appear to end where it was described. Initially it was thought that the use of the 32 compass cardinals may have introduced systematic errors into the process due to the fact that each point refers to a range of 11.25 degrees - I had just taken the midpoint of each cardinal. However, adjusting each vector in turn, and combinations of vectors, did not seem to approve either the location of the end point or the alignment of the boundary with the pier structure.

A.7 One detail which I kept coming back to was that the end point was described as being at the east side of the road bridge, yet on all of the OS maps this was shown as running north-south. For there to be an east side either the bridge or the whole map had to be rotated. Whilst this might sound to be improbable, the solution turned out to be quite similar (and, to someone who spends so much of his time working with charts, embarrassingly obvious).

A.8 Reference to the 1893 Admiralty chart for Oban Bay (i.e. at around the time of the 1896 Order) shows that at that time the magnetic variation was 21.15 degrees west. This is very much higher than exists today (approximately 4 degrees west). Whilst we may tend to use 'True' headings these days due the assistance given by modern navigational aids, the reality is that in 1896 everything would have been done relative to magnetic north. Consequently, the boundary line shown in Figure A.2 was rotated by 21 degrees about its point of origin off Alexandra Road/Corran Esplanade to give the revised boundary as shown in Figure A.3.

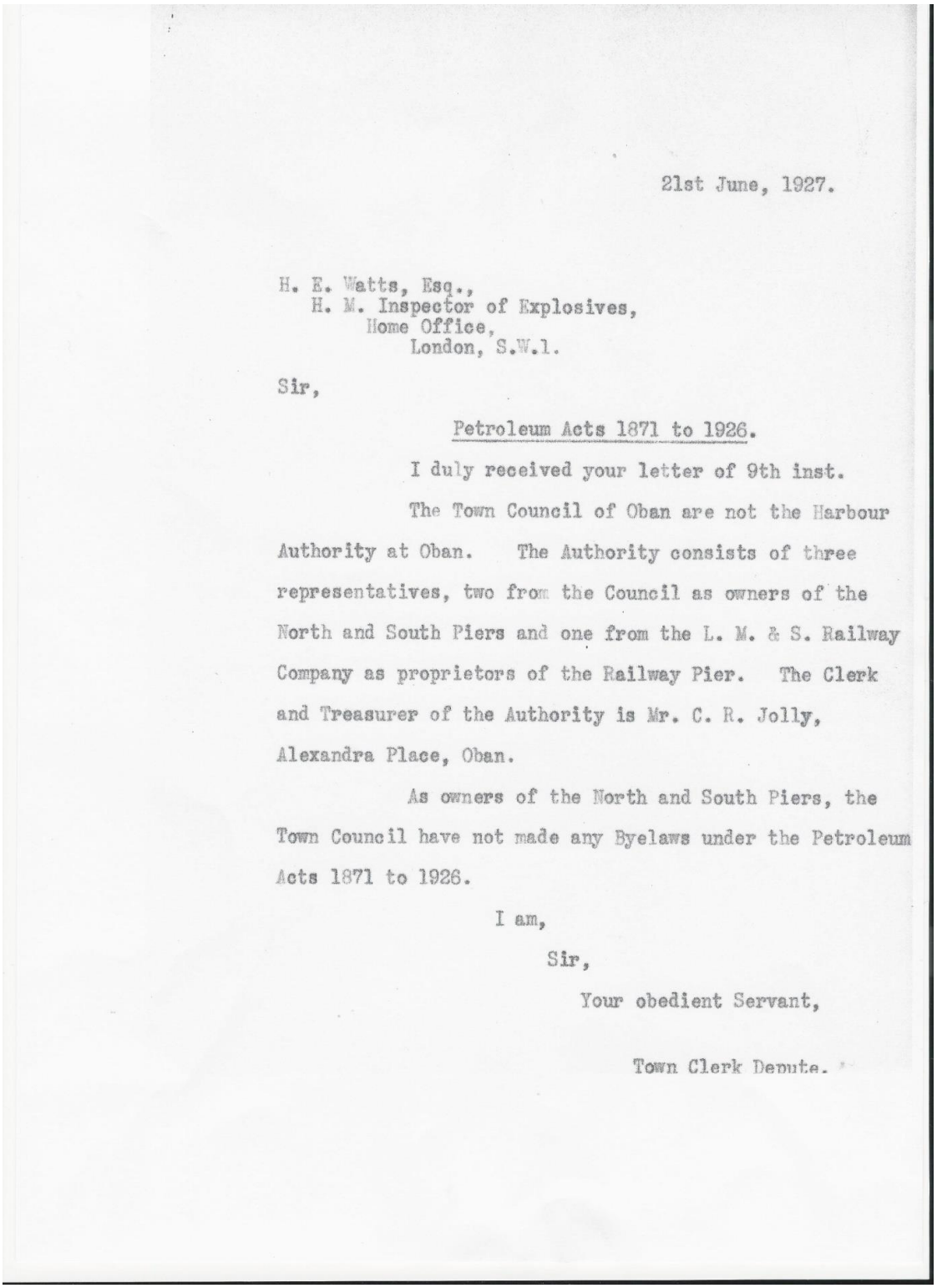
A.9 Cross reference to earlier maps and charts shows that the boundary as plotted in Figure A.3 is not only consistent with the description given in the 1896 Order but also has two vectors which are parallel to the pier faces, as referenced in later legislation. This was therefore taken to be the definitive plot of the area of jurisdiction associated with the North Pier, as presented in Section 2 of this document.

A.10 The same approach was taken in plotting the extent of the jurisdiction around both the Railway and South Piers. In the case of the Railway Pier the main issue was establishing the line off which the 100-yard distance was taken, whilst for the South Pier it was necessary to apply the rotational correction to take account of the magnetic variation.

Figure A.3 Final version of the geographical extent of jurisdiction relating to the North Pier as defined in Section 22 of the Oban Pier and Harbour Order (1896), plotted onto a current (2019) Ordnance Survey base map.

Appendix B Samples of documents contained in the Argyll and Bute Council Archives.

Appendix B.1



21st June, 1927.

H. E. Watts, Esq.,
H. M. Inspector of Explosives,
Home Office,
London, S.W.1.

Sir,

Petroleum Acts 1871 to 1926.

I duly received your letter of 9th inst.

The Town Council of Oban are not the Harbour Authority at Oban. The Authority consists of three representatives, two from the Council as owners of the North and South Piers and one from the L. M. & S. Railway Company as proprietors of the Railway Pier. The Clerk and Treasurer of the Authority is Mr. C. R. Jolly, Alexandra Place, Oban.

As owners of the North and South Piers, the Town Council have not made any Byelaws under the Petroleum Acts 1871 to 1926.

I am,
Sir,
Your obedient Servant,

Town Clerk Depute.

Appendix B.2

THE OBAN HARBOUR AUTHORITY acting under "The Callander and Oban Railway Act, 1878".

Statement of Accounts for Year ending 31st January 1928.

Income.				Expenditure.			
To Balance at credit per last Statement	£ 5	- 11	- 10	By paid Salary of Harbour Master	£ 30	- 0	- 0
				" " contributions for National Health and Unemployment Insurance	3	- 13	- 8
" Balance due to Bank at 31st January 1928	43	- 10	- 0	" paid for Harbour Master	1	- 5	- 0
				" paid Employers' Liability Insurance			
				" " Harbour Master's Allowance for Uniform	5	- 0	- 0
				" paid expenses in connection with Fair-way Buoys	3	- 18	- 2
				" paid Salary of Clerk & Treasurer ...	5	- 0	- 0
				" " for Stationery and Postages ...	0	- 5	- 0
	£ 49	- 1	- 10		£ 49	- 1	- 10

Clerk & Treasurer.

Appendix B.3

THE OBAN HARBOUR AUTHORITY.
(acting under "The Callander and Oban Railway Act, 1878".)

STATEMENT of ACCOUNTS for Year ending 31st January 1934.

Income.

To received from Contributing Parties :-

For Year to 31st Jan. 1933 -

Oban Town Council	£	15 - 0 - 0	
Do. as Owners of South Pier		15 - 0 - 0	
L. M. S. Railway Company		15 - 0 - 0	
		45 - 0 - 0	
" Debit Balance at 31st January 1934		53 - 11 - 0	
	£	98 - 11 - 0	

Expenditure.

By debit Balance at 31st Jan. 1933	£	48 - 11 - 8	
" paid Salary of Harbour Master		30 - 0 - 0	
" " Contributions for Health and Unemployment Insurance for Harbour Master ...		4 - 2 - 4	
" " Employers(Liability Insurance Premium		1 - 5 - 0	
" " Harbour Master's allowance for Uniform		5 - 0 - 0	
" " Expenses in connection with Fairway Buoys		1 - 15 - 0	
" " Salary of Clerk & Treasurer		7 - 10 - 0	
" " for Stationery and Postages		0 - 5 - 0	
" " Bank Interest		0 - 2 - 0	
	£	98 - 11 - 0	

Clerk & Treasurer.

OBAN, 12th December 1934. We certify that we have examined the Accounts of the Oban Harbour Authority for the year ending 31st January 1934, compared them with the Vouchers, and that we find them correct as above stated, - the debit balance at the close of the Accounts being Fifty-three pounds eleven shillings (£53-11-0).

(Signed) D. W. Barrie)
(Do.) Archibald MacAlister (Members.
(Do.) John L. McKerchar.)

Appendix B.4

MES ORR,
SOLICITOR.
ROCURATOR FISCAL
LORN, MULL AND
RDNAMURCHAN.
ELEPHONE Nos
OFFICE 163.
HOUSE 253.

Commercial Bank Buildings,
Argyll Square,
Oban 10th November 19 38

J. W. N. Black, Esq.,
Town Clerk,
OBAN.

Dear Sirs,

I have to thank you for your letter of 7th instant, intimating that Provost MacNaughton was appointed to represent the Council qua Council and Councillor Campbell was appointed to represent the Council as Owners of the South Pier on Oban Harbour Authority for the ensuing year.

Yours faithfully,

James Orr Dull

Clerk & Treasurer.

Appendix B.5

LONDON MIDLAND AND SCOTTISH RAILWAY COMPANY. E.R.O. 24574

Telephones :
5. Ext.....

Telegrams :
'rie, Railway, Perth."

D. W. BARRIE,
t Goods and Passenger
Manager, Perth.

DISTRICT GOODS AND PASSENGER MANAGER'S OFFICE,
GENERAL STATION,
PERTH,

In your reply please
B. 929/40.
quote this reference
YOUR REFERENCE

C.E.R. 15th November 1940.

Dr. John Ivor Campbell,
OBAN.

Dear Sir,

Oban Harbour Authority.

I understand we are to lose the services of Mr. Orr, Clerk and Treasurer to the Oban Harbour Authority, due to his being called upon as from the 22nd current to take up full time duty with the Royal Air Force Volunteer Reserve, and accordingly will require to sever his connection with us for the time being at least.

Mr. Beattie, Chief Assistant with Messrs. Borland, King, Shaw and Company, Solicitors, Glasgow will take over control of Mr. Orr's business in Oban during his absence on service, and I presume you will be agreeable tothat gentleman being appointed Interim Clerk and Treasurer to the Oban Harbour Authority.

I am given to understand that Mr. Beattie is fully qualified, and I have, therefore, no objection to his appointment, but I shall be glad to have your views on the subject in course.

Yours faithfully,

D. W. Barrie

Appendix B.6

19th November, 1940.

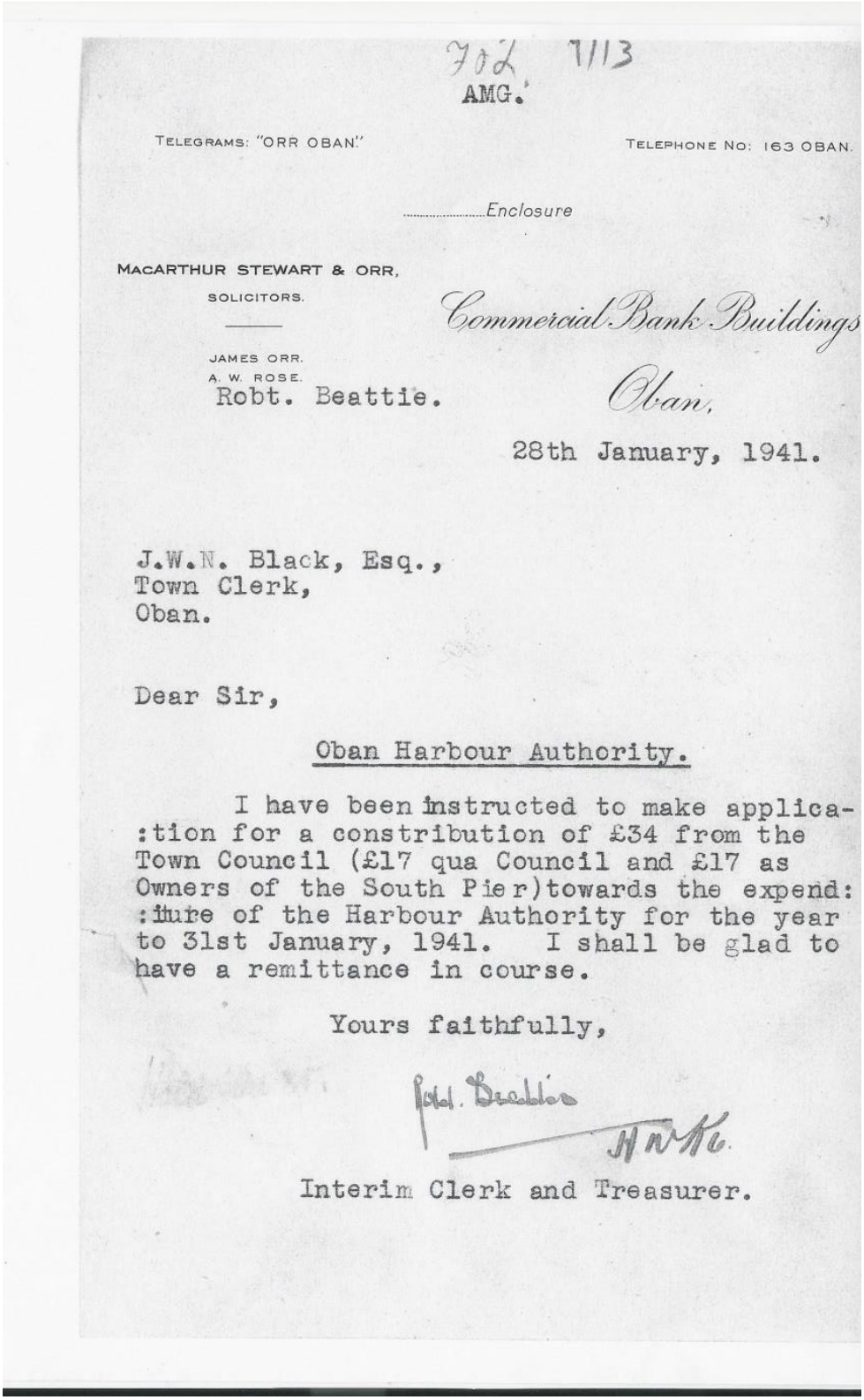
James Orr, Esq.,
Clerk,
Oban Harbour Authority,
OBAN.

Dear Sir,

At a meeting of the Town Council held on 8th inst., Provost William Hunter was appointed to represent the Council qua Council on Oban Harbour Authority for the ensuing year. In ordinary course the other member to the authority is the Convener of the Piers Committee but as that Convenership is at present vacant I cannot now let you have a note of his name. However, when the appointment is filled up I will at once let you have it.

Yours faithfully,

Appendix B.7



702 7113

AMG.

TELEGRAMS: "ORR OBAN."

TELEPHONE No: 163 OBAN.

.....Enclosure

MACARTHUR STEWART & ORR,
SOLICITORS.

JAMES ORR.
A. W. ROSE.

Commercial Bank Buildings,
Oban,

Robt. Beattie.

28th January, 1941.

J.W.N. Black, Esq.,
Town Clerk,
Oban.

Dear Sir,

Oban Harbour Authority.

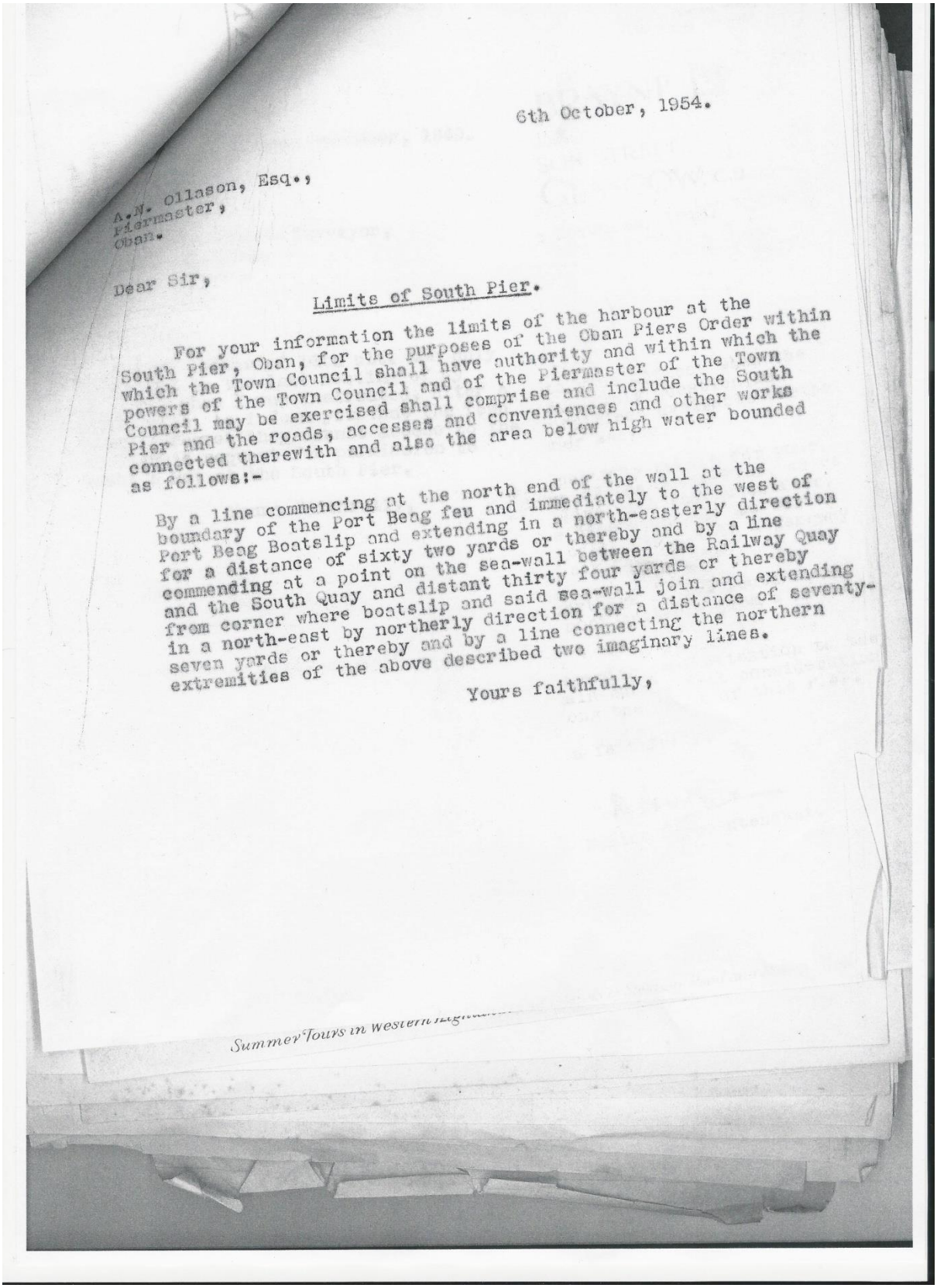
I have been instructed to make applica-:tion for a constribution of £34 from the Town Council (£17 qua Council and £17 as Owners of the South Pier)towards the expend:-:iture of the Harbour Authority for the year to 31st January, 1941. I shall be glad to have a remittance in course.

Yours faithfully,

Robt. Beattie
H W K

Interim Clerk and Treasurer.

Appendix B.8



6th October, 1954.

A.N. Ollason, Esq.,
Piermaster,
Oban.

Dear Sir,

Limits of South Pier.

For your information the limits of the harbour at the South Pier, Oban, for the purposes of the Oban Piers Order within which the Town Council shall have authority and within which the powers of the Town Council and of the Piermaster of the Town Council may be exercised shall comprise and include the South Pier and the roads, accesses and conveniences and other works connected therewith and also the area below high water bounded as follows:-

By a line commencing at the north end of the wall at the boundary of the Port Beag feu and immediately to the west of Port Beag Boatslip and extending in a north-easterly direction for a distance of sixty two yards or thereby and by a line commending at a point on the sea-wall between the Railway Quay and the South Quay and distant thirty four yards or thereby from corner where boatslip and said sea-wall join and extending in a north-east by northerly direction for a distance of seventy-seven yards or thereby and by a line connecting the northern extremities of the above described two imaginary lines.

Yours faithfully,

Summer Tours in Western

Appendix B.9

GRAMS {"ORR, OBAN."
"ORR, LOCHGILPHEAD."

TELEPHONES {OBAN 2215-2216.
LOCHGILPHEAD 224.

4/13

ARTHUR, STEWART & ORR
SOLICITORS & ESTATE AGENTS.

JAMES MacCONNELL ORR.
ROBERT BEATTIE.
J. FRANCIS WATT.

LOCHGILPHEAD OFFICE:
POLTALLOCH STREET.

Commercial Bank Buildings,
Oban,
3rd April, 1957.

A. MacInnes, Esq.,
Town Clerk,
Municipal Buildings,
Oban.

Dear Sir,

Oban Harbour Authority

At a recent meeting of the Oban Harbour Authority held on 15th March I was instructed to apply to you for an increase of 50% in your contribution to this Authority. The Income is insufficient to meet the annual payments and at present the Accounts show a debit balance of £2:15:8d. The Authority have agreed that in view of the fact that the salaries paid by the Board have not increased for many years to grant an increase of 50% in the salary of the Harbour Master and Clerk. The present salaries are the Harbour Master £30 and Clerk £10. My Authority will be pleased to know if your Council are agreeable to the proposed increase. You will see that it is necessary for an increase in the contributions to meet current expenditure.

Yours faithfully,

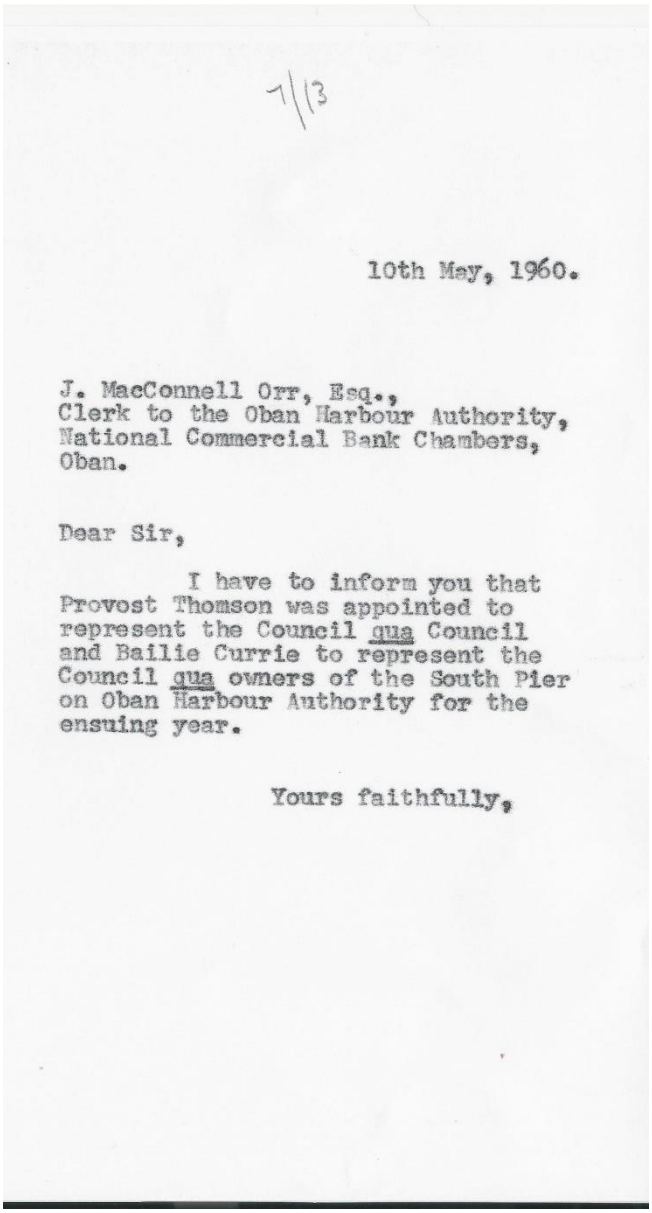
J. MacConnell Orr.

Clerk.

50% Increase by Town Council

1878

Appendix B.10



7/13

10th May, 1960.

J. MacConnell Orr, Esq.,
Clerk to the Oban Harbour Authority,
National Commercial Bank Chambers,
Oban.

Dear Sir,

I have to inform you that Provost Thomson was appointed to represent the Council qua Council and Bailie Currie to represent the Council qua owners of the South Pier on Oban Harbour Authority for the ensuing year.

Yours faithfully,

Appendix B.11

BURGH OF OBAN

Terms and Conditions of Appointment and List of Duties of Piermaster at Oban North and South Piers

Terms and Conditions of Appointment

1. The person appointed shall be not more than 45 years of age. A seafaring experience may be considered an advantage for any applicant to possess.

2. He will require to reside at the South Pier House, free of Rent and Local Rates - but will be liable for payment of Lighting and Fuel.

3. He will be paid at the rate of £5.5/- per week, less insurance and Superannuation contributions. This is an all-in Wage, and covers Sunday duty and any overtime that may be necessary. Wages will be paid at the Burgh Chamberlain's Office, every Saturday forenoon.

4. The person appointed will come under the Local Government Superannuation Scheme.

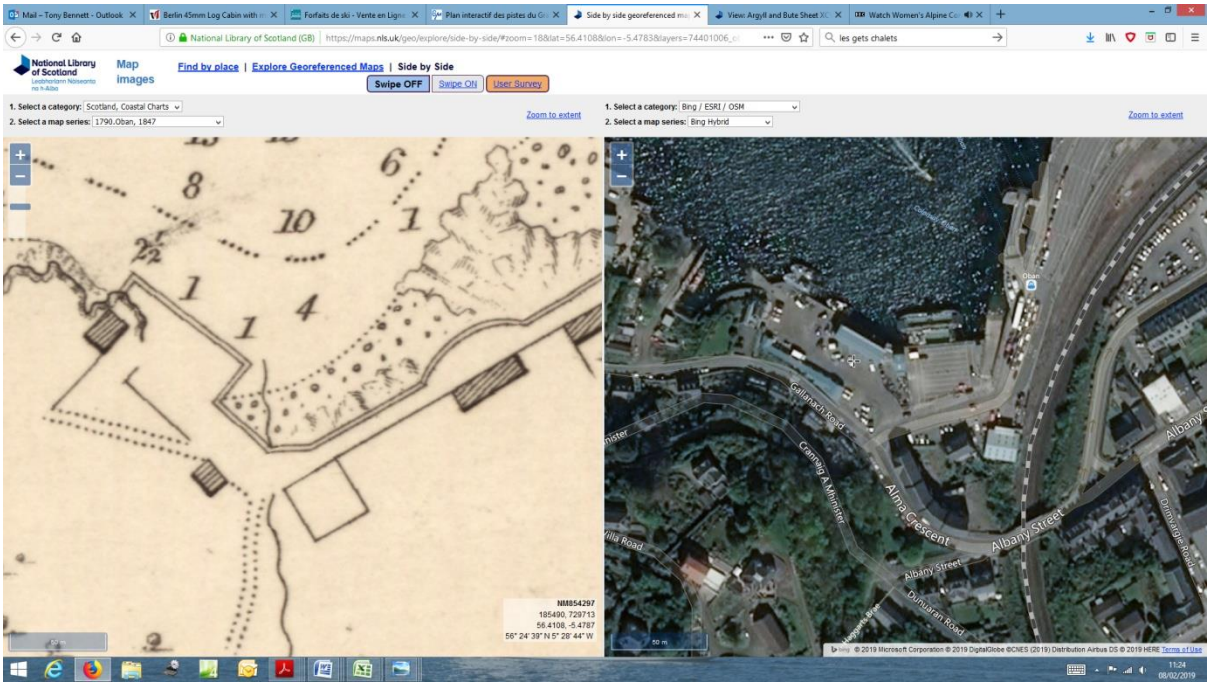
5. The person appointed will be entitled to two week's holidays annually. He will not be entitled to local holidays.

6. He will be provided with a Uniform, extra pair of Trousers, and Dungaree Suit, every two years.

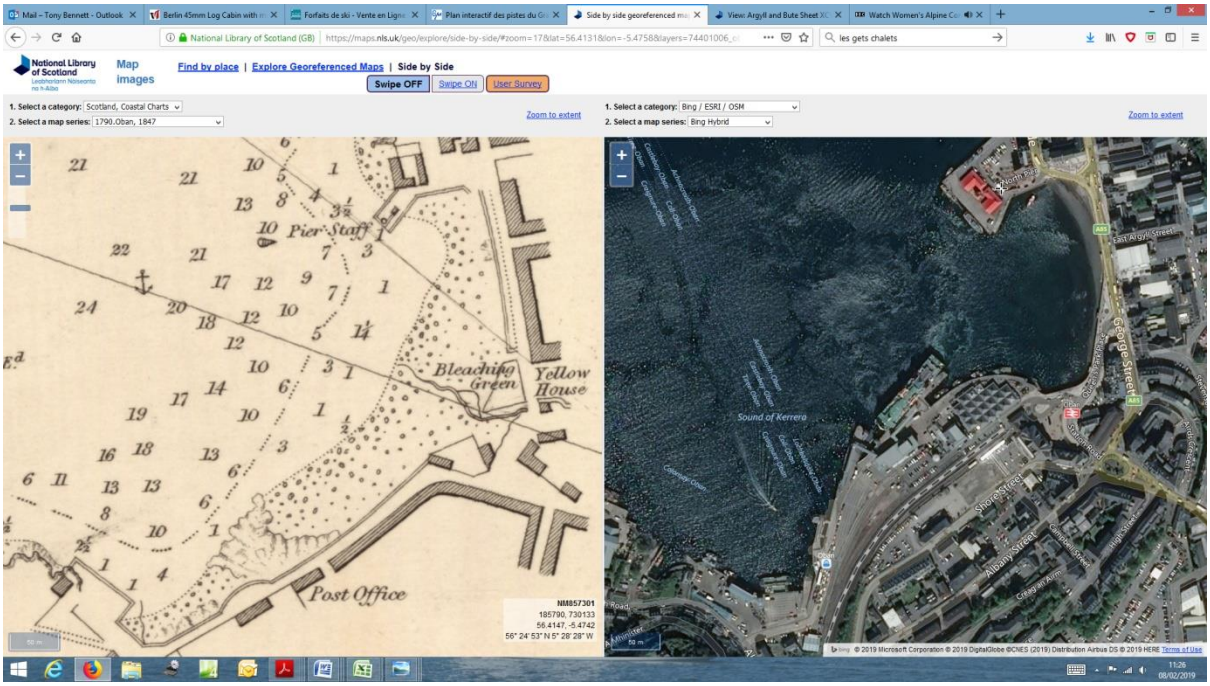
7. He will attend Meetings of the Town Council and of the Piers Committee when required to do so.

8. The appointment may be determined at the pleasure of the Town Council on one month's notice or on one month's salary in lieu of notice and may be terminated by the person appointed on his giving one month's notice.

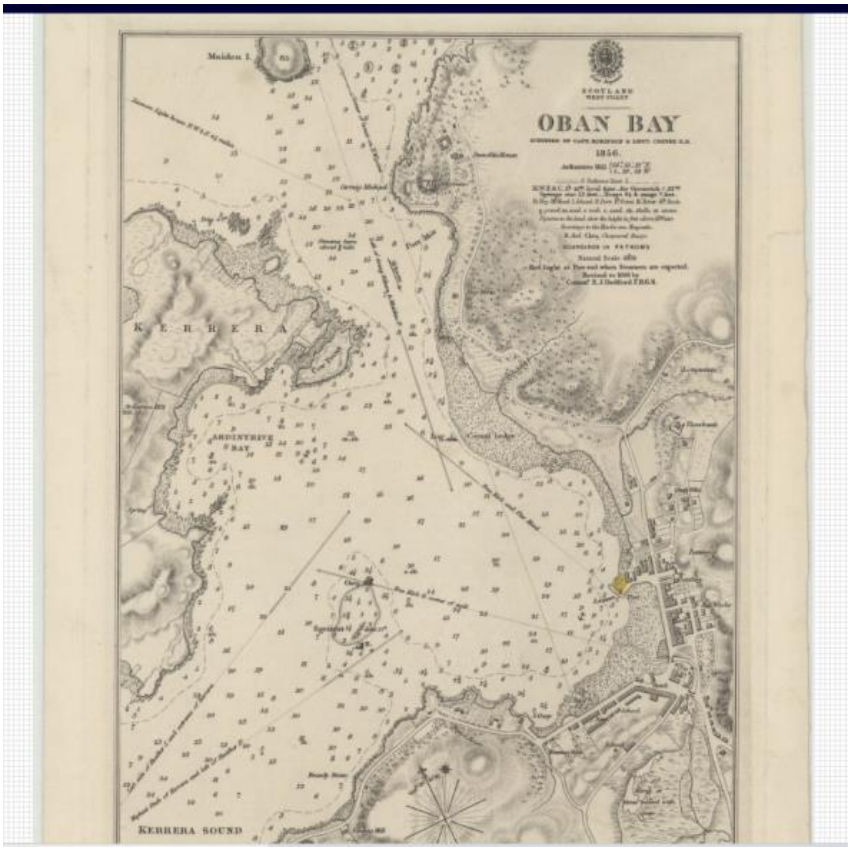
Appendix C
'Screen dumps' of old Ordnance Survey maps and Admiralty charts used to determine the areas of SHA jurisdiction



1847, with current satellite image of identical area alongside



1847 with current satellite image of identical area alongside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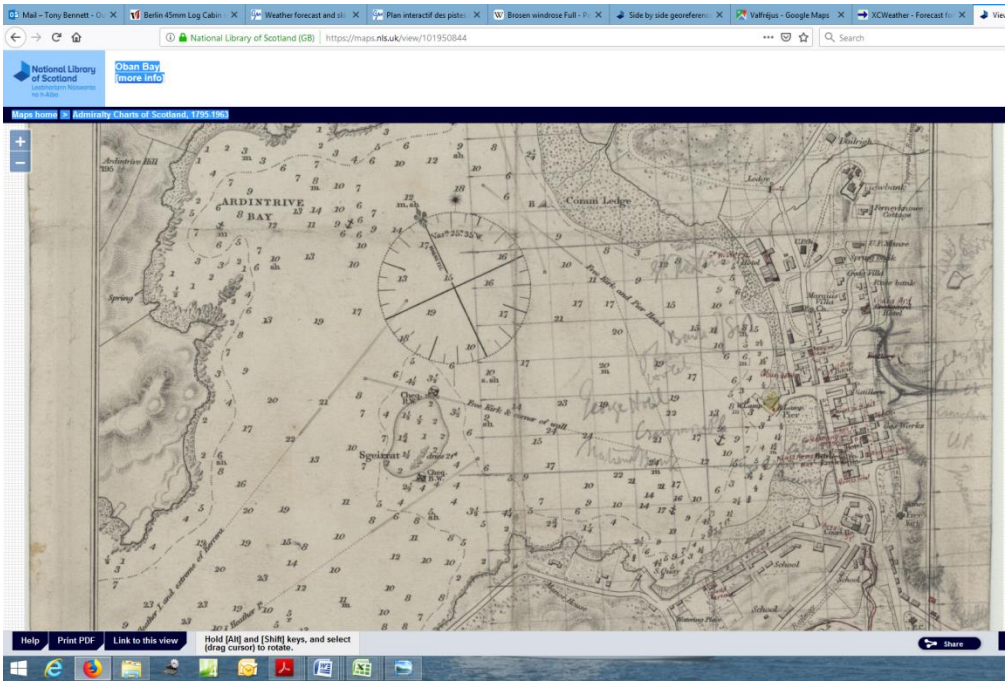
KERRERA
ARDINTRIVE BAY
KERRERA SOUND

1856


National Library of Scotland
Oban Bay
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Maps home > Admiralty Charts of Scotland, 1795-1963
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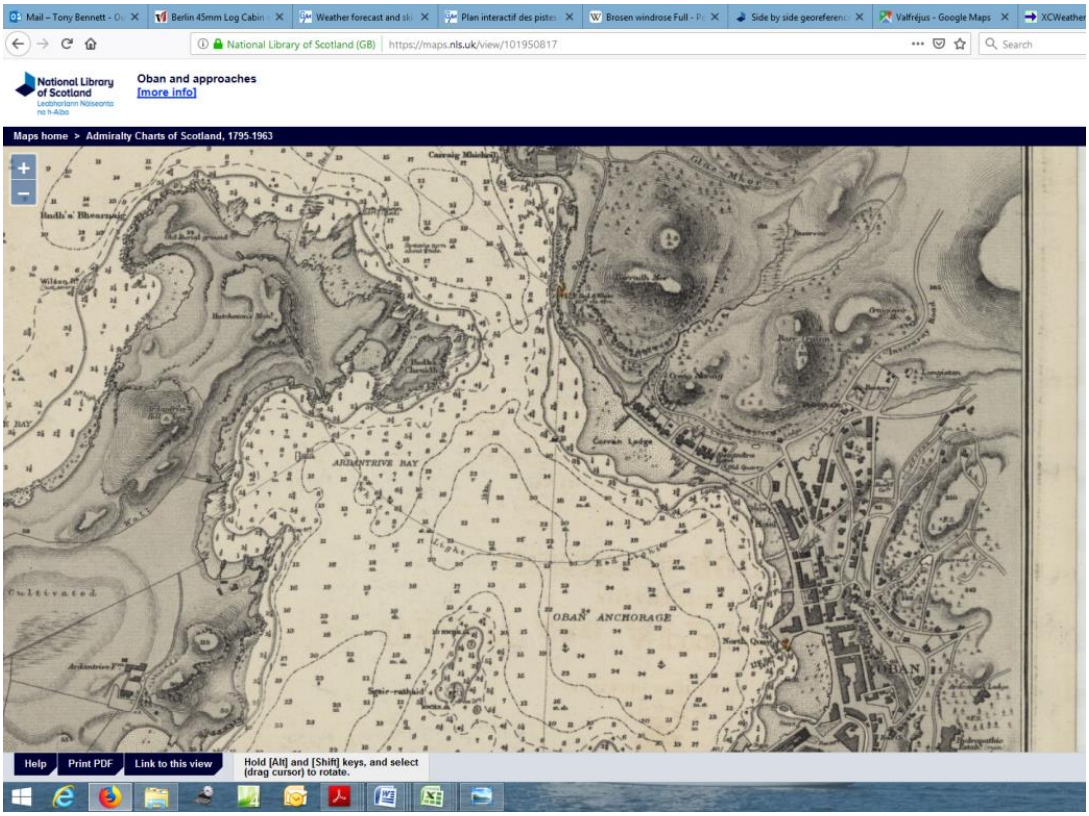
National Library of Scotland (GB)
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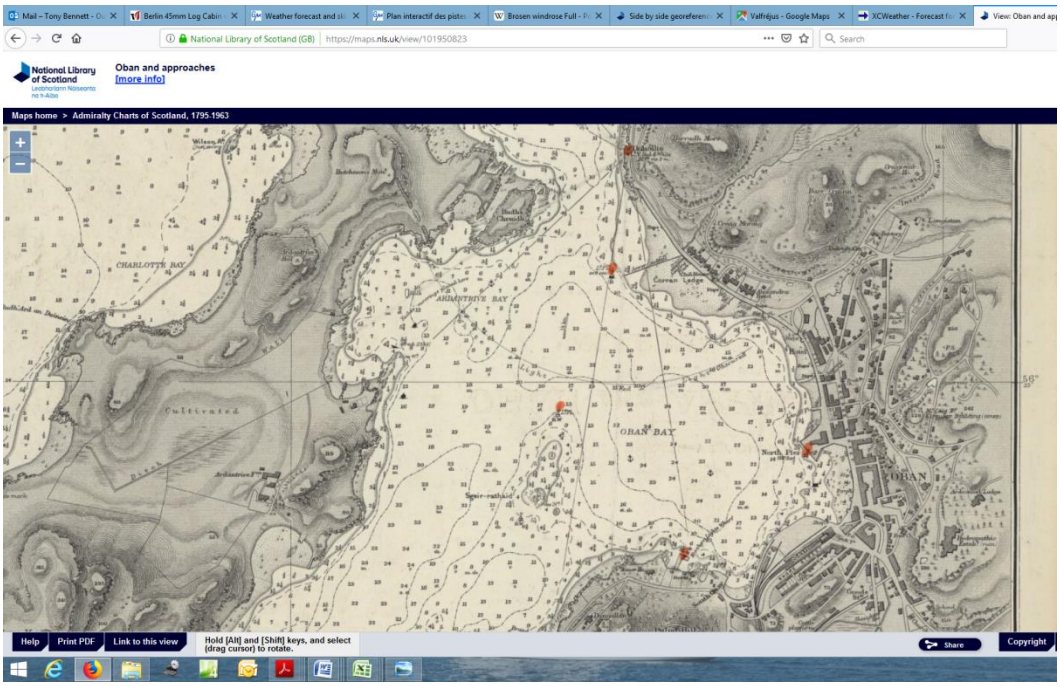
National Library of Scotland (GB)
https://maps.nls.uk/view/101950823
National Library of Scotland
Oban and approaches
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Maps home > Admiralty Charts of Scotland, 1795-1963
CHARLOTTE BAY
ARDANTRIVE BAY
OBAN BAY
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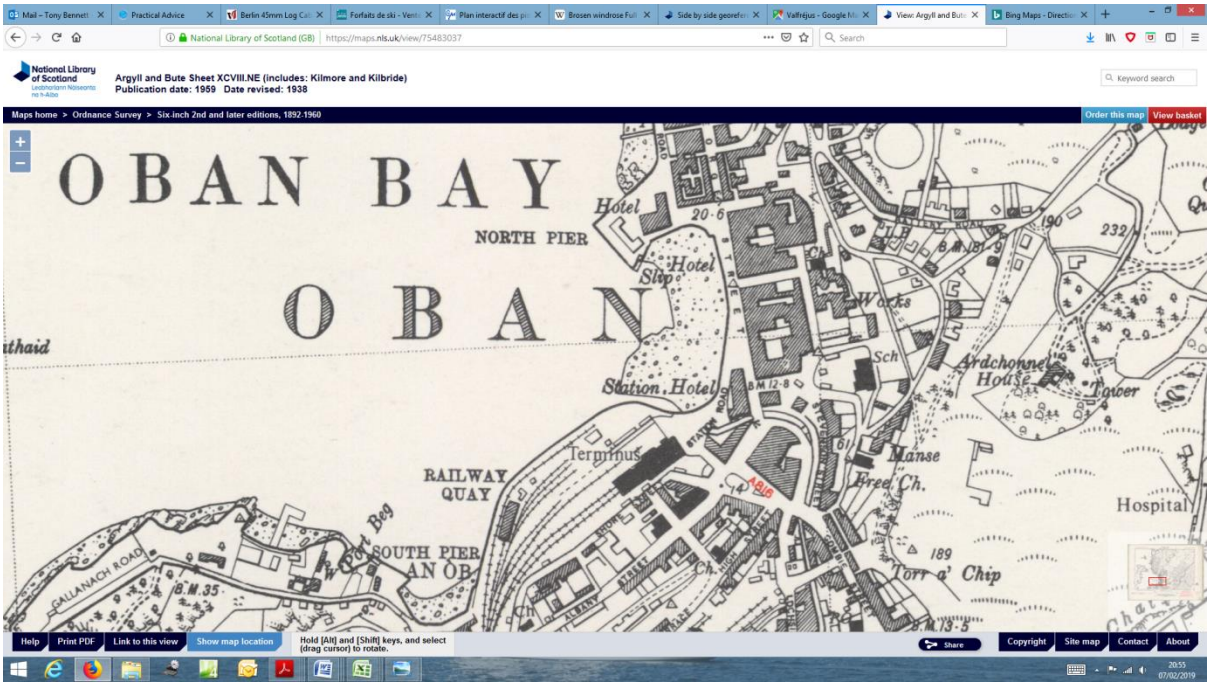
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Publication date: 1959 Date revised: 1938
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NORTH PIER
OBAN
Hotel
Slip
Station Hotel
Terminus
RAILWAY QUAY
SOUTH PIER
Works
Sch
Ardchonnel House
Tower
Manse
Free Ch.
Hospital
Torr a' Chip
GALLANACH ROAD
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1959