

Minutes of the meeting of the OCHDA Management Committee

April 15th 2021 15:00 – 16:30

This meeting was held by Zoom

Present: Ross Wilson (Chair), Peter Tosh, Tony Bennett, Duncan Martin, Robert Kincaid, Andy Spence, Keith Miller, David Vass, Alison Rennie, Phil Hamerton, Tony Hammock, Mike Thoms.

Apologies John MacAlister

1. Urgent business requiring to be addressed

1.1. There was none proposed.

2. Draft minutes of the meeting of 11 March (revised draft attached)

2.1. These were approved, proposed by Duncan Martin and seconded by Peter Tosh.

3. Matters arising not covered elsewhere

3.1. 2.1 - (VAT registration) We have not heard anything about this yet. John MacAlister is seeking advice from his accountant.

3.2. 5.6 – (e-mail update) Members of OCHDA have had a very brief update. There has been no press release or newsletter yet, pending the outcome of tomorrow's meeting (see 4.2).

4. Update on contact between OCHDA and A&BC

4.1. Tony Bennett reported on his phone conversation with Rory Colville, Chair Argyll & Bute Harbour Board. It is understood that Rory Colville is planning a Management Review of the situation and appeared to be unaware of the OBMG-commissioned review by Fisher Associates.

4.2. Following correspondence with Pippa Milne (Chief Executive A&BC), there is a meeting arranged for Friday 16th April between Kirsty Flanagan (A&BC Executive Director whose responsibilities include ports and harbours), Ross Wilson, Tony Bennett and Jim Smith.

4.3. There was a discussion about whether we need to use the Treasury's "Green Book" guidance (the 5 Case model) for our project, as requested by A&BC, given the scale of the project. There was general agreement that this is excessive but that preparation of the 5 Cases should proceed.

4.4. Concern was expressed that Transport Scotland, the MCA and the Oban Bay Management Group may become frustrated with the length of time this project is taking.

The group considered engaging MCA and Transport Scotland in these considerations and also considered the appropriateness of contacting our MSP.

- 4.5. It was noted that not only is the port getting busier but the size of the vessels using it is increasing, thus increasing the risk of an incident occurring, and that this year might be particularly busy as a result of increased 'staycation' taking. There was general agreement that, depending upon the outcome of tomorrow's meeting, we might need to take a more assertive approach, advising our members and the wider community over the difficulties we are experiencing and the risks.

5. Memorandum of Understanding

- 5.1. The Committee was reminded that the need for the MoU stems from the obligation to demonstrate satisfactory negotiation with existing HAs and with stakeholders in the preparation of the Harbour Order. [our MOU work suggests that HA is the accepted abbreviation for "Harbour Act" – no change suggested here but something to be aware of]
- 5.2. Members were very disappointed with the MoU produced by A&BC, and that it is not fit for purpose. It was felt that the Mo U demonstrates a lack of understanding of this project, the need for the establishment of a new HA, the agreements already made to progress this and the risks/benefits associated. The draft is considered to reflect badly on A&BC after 15 months' work/delay in its production.
- 5.3. It was felt that safety and also environmental issues are becoming more important the longer the delay.
- 5.4. It was noted that A&BC will not engage with us without a Business Case however the figures we have been given are confusing and appear to be inconsistent. This makes it impossible for us to write a meaningful business case.
- 5.5. It was agreed that, depending on tomorrow's meeting with A&BC, we will prepare a new MoU, based on existing templates. We will propose that Kirsty Flanagan should be the principal contact with A&BC with detailed work undertaken directly with others, as appropriate, with all correspondence copied to her.

6. Business planning working group

- 6.1. As the figures we have been given are obviously incorrect we cannot use them. However we now have a structure for the Business Plan and can apply the correct figures once we get them.

7. Urgent business

- 7.1. It was noted that there is a need to update Community Councils, and other members/supporters on progress. The OCC next meets on Monday 26 April, 3 days before the Oban Bay Management Group meeting. In view of tomorrow's meeting with

A&BC it was not felt appropriate to plan a detailed update at this point.

8. **Dates of future meetings: May 13, June 24 and July 22, all at 15:00 hours.**