

Harbours (Scotland) Act

RESPONDENT INFORMATION FORM

Please Note this form must be returned with your response to ensure that we handle your response appropriately



The Scottish
Government
Rialtas na h-Aiba

1. Name/Organisation

Organisation Name The Highland Council

Title Mr

Surname Usher

Forename Tony

2. Postal Address

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3. Permissions - I am responding as a Group/Organisation

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Yes

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

(c) The name and address of your organisation will be made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your response to be made available?

Yes

Yes, make my response,
name and address all
available

or

Yes, make my response
available, but not my
name and address

or

Yes, make my response
and name available, but
not my address

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

CONSULTATION QUESTIONS

Q1. Do you agree with the Government's plan to repeal section 10 of the Ports Act 1991 (which gives Scottish Ministers' powers to require Trust Ports over a certain turnover threshold to prepare privatisation proposals)

Yes

Comments

There are five substantial Trust Ports within the Highland Region, Cromarty Firth, Inverness, Mallaig, Scrabster and Wick each providing relatively significant levels of both direct and indirect employment in the region. Over the years each of these ports has made significant investments in their infrastructure from their own financial reserves which have resulted in strengthening the local and overall Highland economy.

The Highland Council supports the Trust Port model as a proven method of reinvesting in the financial future of the Highlands and agrees with the proposal to repeal section 10 of the Ports Act 1991.

Q2. Do you have any comments on the proposed introduction of a mediation step in section 31 of the Harbours Act 1964

Comments

The Highland Council recognises the importance of harbour users being able to challenge the level of dues set by a Harbour Authority and that this ability serves to ensure that dues are set at a reasonable level.

The current system of referring the challenge to Scottish Ministers appears to be an adequately functioning method for our peers to assess and make a gravitas judgment on whether or not dues are reasonable.

The current proposal lacks any detail on how a mediation system might work, who would undertake the mediation, how it would be funded, whether or not the decision would be binding and for what period.

Without such detail it is not possible to comment if the mediation step would be a worthwhile exercise.

Q3. Do you have any comments on the proposal to remove the requirement for six copies of a draft Harbour Order to be submitted along with the application for the Order (Schedule 3 to the Harbours Act 1964)

Comments

The Highland Council believes that in the modern world where conserving resources is a high priority and IT services are common place that the need to provide 6 hard copies of a draft Harbour Order at application is now redundant.



**The Scottish
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Riaghaltas na h-Aiba

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