

AT A MEETING of the RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE held at Royal Air Force Yacht Club, Hamble on 14 December 2012

PRESENT

Chairman:
p Councillor S. D. T. Woodward

Vice-Chairman:
a Councillor Dr. R. J. Ellis

Councillors:

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|--------------------|-----------------|
| a Mrs C. A. Bailey | p C. Davidovitz |
| p G. Burgess | p A. Gibson |
| p A. Broadhurst | p F. Pearce |
| p M.G. Cooper | p A.W. Rice, TD |

Eastleigh Borough Council

a Councillor S. Hamel

Fareham Borough Council

p Councillor T. M. Cartwright

Winchester City Council

p Councillor Victoria Weston

Association of River Hamble Yacht Clubs

p Mr David Le Mare

British Marine Federation

p Mr M. Glanville

Hamble River Boatyard and Marina Operators Association

p Mr. R. Boissier

Berth and Mooring Holders Representative

p Mr D. O'Malley

Royal Yachting Association

p Mrs P. Dorothy

169 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bailey, Ellis and Hamel.

170 **DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with Code..

Councillor Woodward and Councillor Weston declared an interest by reason of being a Mooring or Berth Holder on the River Hamble, as did Mrs Dorothy, Mr. Le Mare and Mr Boissier. Mr Glanville declared an interest as an employee of Marina Developments Ltd.

Councillors Cartwright and Weston, along with Mr Le Mare, Mr O'Malley and Mrs Dorothy, also declared interests as members of local Yacht or Sailing Clubs.

171 **MINUTES**

The Minutes of the River Hamble Harbour Management Committee meeting held on 7 September 2012 were confirmed as a correct record and signed by the Chairman.

It was brought to Members' attention that the final decision of the Harbour Board, with respect to the Harbour Works Consent for Deacon's Boatyard, differed from the recommendation of the Management Committee by virtue of changes to some of the conditions.

172 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that Mr Middleton had resigned as the Secretary of the Association of River Harbour Yacht Clubs and therefore also as the Association's representative on the Management Committee. The Association's Chairman, David Le Mare had been appointed as representative in his place, and the Chairman welcomed

him to the meeting and thanked Mr Middleton for his contribution to the Committee.

The Chairman also announced that Mr Glanville was standing down as the British Marine Federation representative and that this would be his final meeting. It was confirmed that Nicola Walsh, Regional Director Central Region Marina Developments Limited would take his place. Mr Glanville was thanked for his contribution to the Committee and, noting that Ms Walsh was observing the meeting, she was welcomed by the Chairman.

173 DEPUTATIONS

Deputations were received in relation to the Harbour Works Consent application by the Crown Estate (Agenda Item 8 in the Minute Book):

Mr Colin Brooks addressed the meeting on behalf of the River Hamble Mooring Holders Association. He explained that he felt the three proposals should be considered separately. He outlined his objections to them on the basis that they would cause navigational difficulties, spoil the appearance of the River, set a precedent for future development and lead to a likely rise in mooring fees. Mr Brooks also claimed that the proposals were in contradiction to the Harbour Authority's Strategic Vision for the River.

Mr John Selby made a deputation on behalf of the Executive Committee of Warsash Sailing Club. He objected to the proposals, principally on the grounds of cost, claiming that the fees for the new moorings would be five times as expensive for the owner of a 30' vessel and that there were no plans for alternative, cheaper moorings. He felt that this effectively reduced the number of moorings for small boats. Mr Selby objected further to the proposals on the grounds that they would make navigation more difficult, that they would obstruct the view of the ferry and that the charm of the River lay in individual moorings. He also highlighted the disproportionate level of public opposition to the proposals evident in the summary of consultation responses.

In making his deputation, Mr Derek Gange confirmed that he was a member of the Royal Southern Yacht Club, but spoke as an individual mooring holder. As a result of his experience of the River, he objected to the proposals, specifically regarding the Mercury Gardens scheme, on the basis of the navigational difficulty that would arise from smaller gaps and the tidal flow, as well as reduced turning opportunities, especially for large boats.

Mr William Dibben addressed the meeting as an individual mooring holder, setting out his sailing experience on the Hamble and confirming that he was a Fellow of the Royal Institute of Chartered Surveyors. He did not accept the claims in the report with regards to the dinghy racing

area and sightlines, navigation and the current problems with entanglement. Mr Dibben also questioned the scale of the plans, the potential impact on security and the aesthetic impact on the River. He felt that the consultation process had not been adequate and asked that the Committee recommend the proposals be rejected.

Following this deputation, the Chairman announced a change to the published agenda, in order that the item relevant to the deputations could be considered by Members.

174 **HARBOUR WORKS CONSENT APPLICATIONS – CROWN ESTATE**

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 8 in the Minute Book) regarding an application by the Crown Estate for Harbour Works Consent for three geographically separate schemes.

The Marine Director introduced the report, explaining that the three schemes had been combined into a single application due to their similar nature. He confirmed that the Harbour Authority's standard consultation process for such applications had been followed and addressed some of the other concerns raised in the deputations regarding navigation, tidal flow, entanglement on moorings and theft from boats.

The Chairman confirmed that despite their similarity, the three proposals were independent of each other and each should be considered separately. It was noted that only the proposal relating to Warsash Pool would require planning authority approval, as the site fell within the jurisdiction of Fareham Borough Council.

The Committee discussed general issues relating to all three proposals. Concern was expressed about the consultation process and the level of opposition to the schemes that had been voiced was highlighted. It was suggested that the Strategic Vision had not been taken into account in the recommendations and clarification was sought on the criteria that could be taken into account in determining the application. A Member also raised concern about the environmental and aesthetic impact, including the cumulative effect of development and the precedent that approval would set. The affordability of the moorings was raised and several Members were of the view that this was a factor that should be taken into account. The Committee's views were divided on the matter of navigational safety, with some Members seeing the proposals as detrimental, whilst others felt there would be a benefit. In particular it was felt that tacking along the river, between continuous pontoons would be more difficult and therefore dangerous than being able to manoeuvre around and between individual moorings. Furthermore that a boat entangled on a continuous mooring would have more difficulty in extracting themselves from the situation than they would from an individual mooring. In contrast, it was

suggested that continuous moorings were more visible and therefore it would be less likely that boats would become entangled.

The Marine Director confirmed that the only statutory grounds upon which an application could be rejected were environmental. However there was also a significant expectation that all applications met the requirements of the Port Marine Safety Code which, although not statutory, requires that all risks within the harbour should be reduced to As Low As Reasonably Practicable (ALARP). With regard to the environmental impact, it was noted that the Environment Agency and Natural England had been consulted and that neither considered that the proposals would have a significant effect or detrimental impact. The charges associated with the new moorings were not available, but it was noted that the cost of similar moorings varied according to their location on the River. In response to a question, it was also confirmed that the rights to appeal regarding the Harbour Authority's decision on any Harbour Works Consent application were for the applicant only and related only to timescales for a decision to be made and conditions associated with the approval.

It was pointed out that all the objections did not necessarily apply to all three schemes and it was argued that in the case of the Hamble River Sailing Club moorings, continuous pontoons would be more stable in the high tidal flow. It was also noted that this proposal was made with the support of the Club's members.

A separate vote was held for the respective proposals in paragraphs 9.1, 9.2 and 9.3 of the report, on the basis of which the Committee rejected the proposals relating to Warsash Pool and Mercury Gardens, whilst supporting the proposed development at Hamble River Sailing Club.

RESOLVED:

1. That the River Hamble Harbour Management Committee advises the Harbour Board to refuse Harbour Works Consent for the proposed works at Warsash Pool and Mercury Gardens on the basis of the Committee's concerns relating to navigational safety as detailed above and the likely affordability of the new moorings as well as the lack of coherence between the proposals and the Strategic Vision.
2. That the River Hamble Harbour Management Committee advises the Harbour Board to grant Harbour Works Consent for the proposed works at Hamble River Sailing Club with the conditions 9.2.1 – 9.2.5 set out in the report.

175 HARBOUR MASTER'S REPORT

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 6 in the Minute Book)

regarding incidents and events in the Harbour from 28 September 2012.

The Marine Director introduced the report and invited questions on any of the incidents detailed. He also highlighted recent staff training, in particular relating to dealing with a boat fire and oil spills.

RESOLVED:

That the report be noted.

176 ENVIRONMENTAL UPDATE

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 7 in the Minute Book) regarding environmental management of the Hamble Estuary since July 2012.

RESOLVED:

That the report be noted.

177 RIVER HAMBLE BUDGET 2012/13 AND 2013/14

The Committee considered the report of the Director of Culture, Communities and Business Services and the Director of Corporate Resources (Item 9 in the Minute Book) regarding the River Hamble budget.

Members were invited to ask questions relating to the budget and the level of capital expenditure was queried. The Marine Director confirmed that there was no significant capital expenditure planned and that the annual transfer of £35,000 to the asset replacement reserve was included.

RESOLVED:

That the River Hamble Management Committee advise the River Hamble Board to approve the budget as presented in the report.

178 REVIEW OF FEES AND CHARGES

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 10 in the Minute Book) reviewing fees and charges (except for privately owned leisure vessels) for the River Hamble.

RESOLVED:

That the River Hamble Management Committee advise the River

Hamble Board to approve the fees and charges set out in the report and advertise them on the River Hamble website.

179 REPORT OF THE WARSASH FORESHORE WORKING GROUP

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 11 in the Minute Book) on the findings of the Warsash Foreshore Working Group.

It was noted that the group had been led by Councillor Cartwright and thanks were extended to Clifford Hughes and Don Alexander for their contribution. The diagram demonstrating the works proposed was highlighted and explained. It was asked whether these proposals would adequately address the problem of seaweed build-up, how the proposed gravel beach would be retained and maintained, and how much the project would cost in capital and revenue terms. It was noted that the working group had concentrated on finding out what people wanted in relation to the slipway and therefore were recommending that feasibility and cost be established through professional advice.

RESOLVED:

That the River Hamble Management Committee advises the River Hamble Board that the proposals of the working group should be subject to a detailed feasibility study by professional experts. This work should also include detailed estimates of the costs to carry out the works.

180 FORWARD PLAN FOR FUTURE MEETINGS

The Committee received and noted the report of the Director of Culture, Communities and Business Services (Item 11 in the Minute Book) with regard to the key issues anticipated to appear on future River Hamble Harbour Management Committee and Board meeting agendas.

RESOLVED:

That the report be noted.

181 PRESENTATION ON WATER QUALITY

The Committee received a presentation on water quality from the Environment Agency.

The presentation introduced Members to the Environment Agency and set out its role in managing and protecting marine environments and ensuring compliance with EU Directives. In particular the presentation focused on the three main threats to the Hamble estuary: of eutrophication as a result of high nutrient levels, the high concentration

of copper, and the potential impacts of dredging. The causes and possible solutions for these were identified and, following the presentation, Members were given the opportunity to ask questions. The Environment and Development Manager also took the opportunity to explain the contribution made by the Harbour Authority to managing these threats.