

AT A MEETING of the RIVER HAMBLE HARBOUR BOARD held at the Warsash Sailing Club on 11 January 2013.

PRESENT

**Hampshire County Council**

Councillors

p. K Evans (Chairman)  
p. G Hockley  
p. K House

**Independent Members**

p. Mr D Jobson  
p. Mr C Moody  
p. Dr S Thomson

**Marine Director**

p. Mr D Evans

**205 APOLOGIES FOR ABSENCE**

None.

**206. 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 the Code.

It was agreed that interests in a particular item should be declared at the time of the discussion of that item.

**207. MINUTES**

The Minutes of the meeting of the Board held on 28 September 2012 were confirmed as a correct record and signed by the Chairman.

## **208. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed everyone to the meeting and announced his intention to hear Deputations (Item 5 on the Agenda) after consideration of the Minutes of the Management Committee (Item 6 on the Agenda) and furthermore bring forward discussion of the Crown Estate's application for Harbour Works Consent (Item 9 on the Agenda).

## **209. RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE 14 DECEMBER 2012**

The Board received the Minutes of the recent River Hamble Harbour Management Committee and noted their content.

## **210. DEPUTATIONS**

A number of deputations were received by the Harbour Board, all with regard to the consideration of the application for Harbour Works Consent – Crown Estate (Item 9 in the Minute Book).

A deputation was received from Mr David Anderton of the River Hamble Mooring Holders Association. Mr Anderton outlined his objections to the proposals, which centred around safety and ease of navigation, the appearance of the River, the danger of setting a precedent for mooring provision and the likely increased costs to River users.

A deputation was received from Mr William Dibben FRICS. Mr Dibben explained his objections to the applications, suggesting that entanglement was not a significant issue or justification for the proposed changes. He criticised the undefined but likely increased costs to be borne by existing berth/mooring holders and questioned whether pontoons would lead to improved marine security because boats are easier to board when on a fixed mooring. He also questioned the effectiveness of the public consultation.

A deputation was received from Mr Michael Sterne, Honorary Secretary of Warsash Sailing Club. Mr Sterne objected to the applications on the basis that they were inconsistent with the Board's Strategic Vision, that they would reduce sight lines for walkers and the Hamble-Warsash Ferry operator and that they would result in a reduction in low cost moorings

A deputation was received from Mrs Louella Kemp, a River Hamble user. Mrs Kemp detailed her family's long association with the River and contended that in much the same way as affordable housing was a provision in a land developer's planning application, similar consideration should be given to affordable boat moorings to sustain the River's use by the local population. She also felt that the Crown Estate's proposals were counter to the objectives of the Olympics-London 2012 legacy ethos.

A deputation was received from Mr Tony Blewett, a Civil Engineer and a River Hamble user. Mr Blewett's objections centred on the cumulative effect of introducing continuous pontoon moorings, namely a reduction in navigational safety, especially for children and young sailors in dinghies; creating a solid linear marina effect when boats are moored; increased costs to berth/mooring holders and an increased security risk as demonstrated by a comparable development in Portsmouth. He was also concerned about the potential loss of a line of sight for the Ferry, especially at the weekend when the River was busy.

A deputation was received from Mr Robert Hughes, a River Hamble user of more than 50 years. Mr Hughes suggested that the promotion of safer dinghy sailing was disingenuous and that income generation for the Crown Estate was the most likely driver. He contended that the development would effectively become a car park for vessels owned by an affluent London-based population who used their boats as marine weekend country cottages.

A deputation was received from Mr Stephen Butterfield on behalf of the Crown Estates. Mr Butterfield's deputation in support of the application addressed the two duties of navigational safety and environmental protection to be discharged by the Board in reaching its decisions. He highlighted that in essence, the proposed works would reduce the assessed marine safety risks when compared with the existing configuration and both Natural England and the Environment Agency had no objections to the proposals.

The Chairman thanked all the deputees for their contribution and confirmed that the points each of them had raised would be addressed when the item was discussed.

## **210. HARBOUR WORKS CONSENT APPLICATIONS – CROWN ESTATE**

In relation to this item, non-pecuniary interests were declared by Dr S Thomson, Mr D Jobson and Mr D Evans by virtue of their being mooring holders on the River and Members of local yacht clubs

Mr Jobson also declared that he had been a member of the working group involved with the original compilation of the proposals relating to Hamble River Sailing Club confirming that this did not prejudice his judgement with regards to the applications for harbour works consent.

The Board received a report from the Director of Culture, Communities and Business Services (item 9 in the Minute Book) with regard to the replacement of midstream moorings with continuous midstream pontoon moorings in three separate locations.

The Board noted the resolutions of the River Hamble Harbour Management Committee in relation to each location (Minute 174 of the Management Committee refers).

Members were reminded of the Board's two duties to discharge when considering the application, namely navigational safety and any potential adverse impact on the environment.

It was noted that the Board was being asked to consider three separate applications for works by the Crown Estate and it was agreed that each be determined separately.

The Marine Director introduced the report and in response to questions from Board members, he clarified a number of details regarding the applications. In particular that up to eight of the permitted 42 moorings would be retained in Warsash Pool, that the pontoons at the Hamble River Sailing Club would potentially accommodate 12 boats, depending on size and that the size of boats being moored at each of the three sites was dependent on demand. He furthermore confirmed that entanglement statistics had been compiled from the incident log, which itself only recorded significant incidents. He confirmed that the available records regarding the location of thefts on the River showed that the trend was for marine crime to focus on individually-moored boats, where thieves were less likely to be caught. He also confirmed that the risks associated with every application for harbour works consent were assessed by reviewing the activity-based risk assessments for navigational safety on the River and that the risks associated with the proposals could be managed to As Low As Reasonably Practical (ALARP) without the need for additional control measures.

Members discussed the proposals and their observations on the applications included disquiet about the marine equivalent of creeping industrialisation and sympathy for individual moorings holders' concerns about crime and escalating costs. The Harbour Board also considered the arguments around granting Harbour Works Consent and the potential adverse impact on ease and safety of navigation, particularly for vessels under sail, in the vicinity of the proposed continuous pontoons in the specific locations. It was noted that the development was perceived to be contrary to some of the aspirations relating to the character and visual appearance of the River as stated in the 'River Hamble Harbour Board's Strategic Vision for the Future of the River Hamble'.

With this in mind, the recommendations at paragraph 9.1 to 9.3 of the report were voted upon and it was resolved:

- That the River Hamble Harbour Board refuses Harbour Works Consent for the proposal at Warsash Pool by The Crown Estate.
- That the River Hamble Harbour Board grants Harbour Works Consent for the proposal at Hamble River Sailing Club by The Crown Estate with the conditions set out in paragraphs 9.2.1 to 9.2.5 of the report.
- That the River Hamble Harbour Board grants Harbour Works Consent for the proposal at Mercury Gardens by The Crown Estate with the conditions set out in paragraphs 9.3.1 to 9.3.5 of the report.

## **211. HARBOUR MASTER'S REPORT**

The Board received a report from the Director of Culture, Communities and Business Services (item 7 in the Minute Book) with regard to recent incidents and events in the Harbour from 28 September 2012.

An additional incident on 4 January 2013 was notified, when the patrol assisted with a collision between a motor boat and a moored yacht.

It was asked why there were no reports of crime activity and the Marine Director confirmed that the period had generally been quiet and that the attempted theft of six large outboard engines over Christmas was outside the Harbour Authority's jurisdiction and therefore not included in the report. The Board was also informed that adverse weather had reduced reported crime on the River and Members noted the continuing benefit being achieved through Project Kraken and the Authority's good relationships with the marine and land police.

The recent training that had been undertaken, as well as the outcomes and subsequent actions resulting from the Port Marine Safety Code audit were highlighted and noted.

RESOLVED:

That the Harbour Master's Report be noted.

## **212. ENVIRONMENTAL UPDATE**

The Board received a report from the Director of Culture, Communities and Business Services (item 8 in the Minute Book) with regard to the environmental management of the Hamble Estuary since July 2012.

The report was introduced and key issues relating to marine licensing, marine planning, oil spill and pollution response and saltmarsh restoration at Lymington were highlighted to the Board.

RESOLVED:

That the River Hamble Harbour Board note the report.

## **213. RIVER HAMBLE BUDGET 2012/13 AND 2013/14**

The Board received a report from the Director of Culture, Communities and Business Services and the Director of Corporate Resources (Corporate Services), item 10 in the Minute Book, regarding the Budget of the Harbour Authority.

Members were given an update on the position of the 2012/13 budget and were informed that the situation would remain relatively static for 2013/14. The cost of seaweed clearance (shared with Fareham Borough Council) was highlighted as a potential additional draw on the budget and it was confirmed

that in 2013/14 the work could be funded from the projected surplus, although it was likely to be a long term commitment which would require a separate budget allocation when the sums involved became clear.

RESOLVED:

That the River Hamble Harbour Board approve the budget as presented in the report.

#### **214. REVIEW OF FEES AND CHARGES**

The Board received a report from the Director of Culture, Communities and Business Services (item 11 in the Minute Book) with regard to the review of fees and charges.

The Marine Director confirmed the proposed increase in fees and charges was in line with inflation and would not seek to undercut fees and charges for similar services found in the commercial sector.

RESOLVED:

That the River Hamble Harbour Board approve the fees and charges set out in the report and authorise their advertisement on the River Hamble website.

#### **215. REPORT OF THE WARSASH FORESHORE WORKING GROUP**

The Board received the report from The Director of Culture, Communities and Business Services (item 12 in the Minute Book) regarding the options for improving the Warsash foreshore and slipway/hard.

The Marine Director outlined the background to the establishment of the working group as well as the key issues that had been considered and the conclusions that had been reached. He highlighted in particular the recommendation that professional advice be sought on the feasibility and cost of the proposed works and confirmed that two consultants had been approached with a view to taking this forward.

The Board discussed the implications of the proposals and clarified details relating to the ownership of the fisherman's jetty and the usage of the mooring cleats on it.

Councillor Cartwright was thanked for his work as Chairman of the working group.

RESOLVED:

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

That the River Hamble Harbour Board authorises the Marine Director to seek professional advice at a maximum cost of £5000 (with up to 10% discretion), to be funded from the Asset Enhancement Reserve.

## **216. FORWARD PLAN FOR FUTURE MEETINGS**

The Board received the report from The Director of Culture, Communities and Business Services (item 13 in the Minute Book) regarding forthcoming items for future meetings.

It was agreed that the Board review its Strategic Vision document at the July meeting. Furthermore that consideration be given to setting a deadline for spending the Asset Enhancement Reserve and the formulation of proposals to achieve this.

It was noted that a request for financial assistance had been received from Hamble Inshore Lifeboat in respect of the proposed re-build of the Lifeboat Station and the provision of facilities. It was agreed that this be discussed in detail at the April meeting.

## **217. MARINE DIRECTOR'S CURRENT ISSUES**

The Board received the report from The Director of Culture, Communities and Business Services (item 14 in the Minute Book) on two asset enhancement projects.

The Marine Director updated the Board on the latest position on the Educational Resource Project designed to support the National Curriculum. Particular features will include a time-lapse video of a journey up the River and the siting of QR coding points on Information Boards around the River to maximise access by visitors to the background of the River Hamble and its environment. The Marine Director confirmed that the project was in line with the projected budget and would become live in the Spring.

The Board agreed to discuss and conclude business in relation to the Forensic Marking Project without reference to the commercially confidential material in the exempt appendix. Members were supportive of the proposal to appoint the successful tender applicant and proceed with the implementation plan.

Clarification was sought regarding the shelf life of the product once purchased and the unit costs to provide kits over and above the initial purchase for supply to new boat owners and it was agreed that the Marine Director would update Members outside the meeting.

**RESOLVED:**

That the River Hamble Harbour Board note the report.