

AT A MEETING of the RIVER HAMBLE HARBOUR BOARD held at the Royal Southern Yacht Club on 19 April 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. Tomson

**Marine Director**

p D. Evans

**218. APOLOGIES FOR ABSENCE**

None.

**219. 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.

**220. MINUTES**

The Minutes of the meeting of the Board held on 11 January 2013 were confirmed as a correct record and signed by the Chairman.

## **221. ANNOUNCEMENTS**

The Chairman announced that he would accept declarations of interest when relevant to each of the items on the Agenda and that Deputations in relation to Item 7 on the Agenda would be received immediately before this item.

## **222. RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE 15 MARCH 2013**

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

## **223. DEPUTATIONS**

Three deputations were received by the Harbour Board with regard to the Call-in of the consent to grant Harbour Works Consent – Crown Estate for Mercury Gardens (Item 7 in the Minute Book).

Mr David Anderton of the River Hamble Mooring Holders Association included in his deputation the standard of the applicant's drawings which he felt had been an obstacle to understanding the impact on navigational safety of the extended downstream pontoons and questioned the risk assessment of their position meeting the ALARP (As Low as Reasonably Practicable) criteria of the Port Marine Safety Code.

Mr Tony Blewett, a Civil Engineer and a River Hamble user, referred to the standard of the applicant's drawings and the impact of narrowing the auxiliary channel for individual river users' safety and their enjoyment of the River, he contended, would change with faster, bigger craft being encouraged. Mr Blewett concluded his deputation by drawing attention to the negative impact on the River landscape and boat security were the Board to grant consent.

Mr Stephen Butterfield on behalf of the Crown Estate confirmed to the Board that the proposal had remained unchanged from the original submission and had had its MMO (Marine Management Organisation) licence granted. He also confirmed that the Crown Estate had received a letter of full endorsement from the Vice Captain of the XOD Fleet and invited the Board to grant consent for the Crown Estate's application.

## **224. HARBOUR WORKS CONSENT, MERCURY GARDENS: CALL IN**

The Board received the report of the Director of Culture, Communities and Business Services (Item 7 in the Minute Book) in response to the call-in of the Harbour Board's decision of 11 January 2013 in respect of a Harbour Works Consent Application for the area known as Mercury Gardens.

The Chairman of the Management Committee addressed the Board at the invitation of the Chairman and summarised its concerns regarding the cumulative adverse effects of development and environmental impact were the decision of 11 January 2013 to be confirmed.

The report was introduced by the Marine Director. Natural England's letter dated 23 October 2012 was highlighted confirming no adverse environmental impact was anticipated if construction conditions were followed by the applicant together with the position of the XOD Fleet whose Vice Captain had written a letter of endorsement of the proposed works.

Members reviewed their earlier recommendation in light of the deputations made and the comments of the Chairman of the Management Committee with regard to their own remit when considering applications for harbour works consent.

Members reflected on issues of navigational safety, their wider role as custodians of the River and impact on the environment. The Board noted it had no remit as River custodian in reaching its decision and acknowledged that a review of the Board's Strategic Vision was under way.

The Board voted on the recommendations in the Report and it was resolved:

That the River Hamble Harbour Board grants Harbour Works Consent to the Crown Estate for its application for the area known as Mercury Gardens subject to compliance with the conditions set out in paragraphs 5.1.1 – 5.15 of the Report.

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

The Board received the report of the Director of Culture, Communities and Business Services (Item 8 in the Minute Book) regarding recent incidents and events in the Harbour from 11 January 2013.

The Marine Director introduced the report and the Board noted the late onset of Spring weather as the likely cause of there being no further incidents since publication.

It was reported that the Designated Person had carried out a six-monthly audit of the Harbour Authority's major incident processes and the report would be received by the Management Committee.

It was resolved that:

The River Hamble Harbour Board note the report.

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

The Board considered the report of the Director of Culture, Communities and Business Services (Item 9 in the Minute Book), regarding specific issues in the Harbour.

The Marine Director updated the Board that since publication of this item, Associated British Ports had formally notified its intention to carry out the capital dredge of Southampton Water starting during Winter 2013 with the required monitoring equipment being installed in the River six months in advance.

The Board thanked Dr Susie Thomson, as her term of office drew to a close and were assured as to the recruitment process in the appointment of her successor.

It was resolved that:

The River Hamble Harbour Board note the report.

## **227. COMMERCIAL HARBOUR DUES**

The Board considered the report of the Director of Culture, Communities and Business Services (Item 10 in the Minute Book), which was introduced by the Marine Director with regard to the procedure and collection of commercial Harbour dues.

Mr Moody, who led the Working Group, reported it had concluded a Memorandum of Understanding (MOU) suitable for formalising the current arrangement, balancing effective collection and relationships with River users

The Board was advised that MOUs are indicative of parties' intentions.

It was noted that further consultation was required with organisations based on the River, with the aim of expanding the acceptance of the MOU's terms. To assess its effectiveness the Board would review its operation in April 2014. The Marine Director agreed that monitoring the collection of harbour dues would be combined with the implementation of the SmartWater project.

It was resolved that:

The River Hamble Harbour Board approves the proposed new Memorandum of Understanding and agrees to review its effectiveness after April 2014.

## **228. ASSET ENHANCEMENT RESERVE: BID FOR GRANT**

The Board considered the report of the Director of Culture, Communities and Business Services (Item 11 in the Minute Book), which was introduced by the Marine Director regarding the request from the Hamble Lifeboat Charity for a grant towards the cost of rebuilding the Hamble Lifeboat Station.

Members noted the recommendation of the Management Committee (Minute 179) which was supportive of the application.

The Board considered the proposal and agreed in principle to support the project but felt it had insufficient financial information on which to decide the size of the funding pledge.

It was resolved that:

The River Hamble Harbour Board receive sufficient financial information to reconsider the application at a future meeting.

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

The Board considered the report of the Director of Culture, Communities and Business Services (Item 12 in the Minute Book), regarding forthcoming items for future meetings.

The report was noted with the addition of several items since publication.