

HAMPSHIRE COUNTY COUNCIL

Report

Committee	River Hamble Harbour Board
Date:	23 September 2011
Title:	Proceedings of Annual Forum 2011
Reference:	3229
Report From:	Director of Culture, Communities and Business Services

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1. Summary

- 1.1. The purpose of this paper is to report the proceedings of the River Hamble Annual Forum, held at Hamble Primary School, Hamble, on Tuesday 29 March 2011

2. Background

- 2.1. The sixth River Hamble Annual Forum was held on Tuesday 29 March 2011 at Hamble Primary School, Hamble, and chaired by Councillor S D T Woodward. Some 30 members of the public were present, along with members of the Harbour Board, Management Committee and Harbour Office staff.
- 2.2. No deputations were made, but there were a number of questions from the floor. These were all answered at the time, but a brief synopsis of the answers is provided (in italics) in the Appendix.

3. Recommendation

- 3.1 It is recommended that the River Hamble Harbour Board notes this report.**

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. Full Equalities Impact Assessments for all the River Hamble Harbour Authority's responsibilities under the Port Marine Safety Code and the management of moorings have been carried out and this report does not raise any relevant issues not previously covered by that Assessment.

2. Impact on Crime and Disorder:

- 2.1. The contents and recommendations of this report have no impact on crime and disorder.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption? The contents and recommendations of this report have no direct impact on the carbon footprint or energy consumption of the Harbour Authority.
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable to this report.

Report of proceedings of River Hamble Annual Forum 2011

Councillor S D T Woodward opened the proceedings at 1930.

Apologies

Apologies were not read out at the meeting, but had been received from: Cllrs Ingram, Allgood, Bailey, Hockley and Weston, and Mr Mike Granville

Annual Report

The Marine Director and Harbour Master delivered his Annual Report. It was subsequently posted on the Harbour Authority website.

Questions from the floor

A number of questions were asked, as set out below. A synopsis of the answer given at the time has been included after each question (in italics):

Jeremy Clark - asked about ABP dredge of Southampton Water and the arrangements for informing riparian landowners.

The Marine Director replied that briefings had been arranged for clubs, marinas and moorings operators to explain the process. He offered to brief Mr Clark if he so wished.

John Mitchell – asked about Harbour Dues for vessels in dry-stacks, having heard that vessels on 6 month dry-stack contracts were not being charged for Harbour Dues by the dry-stack operators.

The Marine Director replied that he was unaware of this and undertook to investigate further. After the meeting, it was ascertained that one boat which had been kept in a dry-stack for a 6 month contract had not been charged Harbour Dues, but that the boat had not been launched during this period, so was not required to pay anyway. The Marine Director will liaise with dry-stack operators to re-iterate the rules for Harbour Dues.

Ian Underdown – asked about the Harbour Authority's policy on Blue Areas (Mooring Restricted Areas)

The Marine Director replied that this was a matter for the local planning authorities since the Blue Areas were their initiative. Following the meeting, there has been an exchange of correspondence between Mr Underdown and Councillor Woodward (in his capacity as Executive Leader of Fareham Borough Council).

David Gange – asked about ownership, pressure washing and risk assessments for the concrete base of Warsash maintenance piles.

The Marine Director confirmed that the concrete base and maintenance piles are owned by the Harbour Authority. Weed is cleared from the concrete base from time to time, but it tends to build up quickly again, particularly during the summer. He confirmed that there is no specific risk assessment for the maintenance piles (with the exception of limitations placed on the maximum length and weight of vessels which can use the piles) and indicated that it was up to the individual user to determine whether or not it was safe to use the piles in any given set of conditions (taking into account the size of vessel, the weather, height and strength of tide and the state of the piles and concrete base at the time).

Gordon Butler – asked about keeping Warsash foreshore clean and tidy, especially with regard to lobster pots

Councillor Cartwright answered that Warsash residents Association (WRA) had voted (on two occasions) in favour of retaining the lobster pots because they added atmosphere and character to the foreshore. Paul Hobbs added that the WRA votes had been some time ago, and the amount of lobster pots had increased significantly since then.

Colin Brookes – asked about the process for selecting new Harbour Board members.

The Marine Director explained that the positions would be widely advertised in mid-April for a period of three weeks. If necessary, a shortlist would then be drawn up for interviews in late May, so that the members would be appointed and given some training in time for their first Harbour Board meeting in July. Appointments will be made in accordance with the Nolan principles and the appointments panel would be established in accordance with Hampshire County Council's constitution.

Jeremy Clark – asked about risk assessment for works consent applications. His question is reproduced below, in full.

“May I ask a question about risk assessments and development proposals, and ask if there has been a formal change of policy on the River and if so, at which Board meeting this policy change was agreed

I am referring of course to the recent application by RK Marine, which came before a recent Harbour Management Committee

In previous years, the Harbour Master would have prepared a risk assessment which would have been made public, presumably on the Harbour website.

This enabled River Users to consider any risks as part of the consultation process. I suggest that the recent consultation was severely flawed or invalid as a result of the omission of a risk assessment. I realise that there will be no requirement under The Southampton Harbour Acts of 1863 for consultation, but

no one wants to go back to 1863 and consultation is sound modern practice and possibly County Council policy

In one sense the position of Management Committee and Board Members is the most worrying as members may be asked to give a decision based on navigational safety without the benefit of a formal report from the Harbour Master

God forbid that there should be an accident but imagine the position of Board members called before an Inspector or Coroner and having to reply

“Oh No we did not ask to see a risk assessment before passing a measure that will increase or encourage 40 ton vessels in a part of the river which has fast flowing streams and restricted width. Oh No certainly not ”

The system of granting consents on this river is far from satisfactory. The Harbour Authority states that it can only consider applications in the light of navigational safety. But the position is that at least two Board members are chosen by the County Council for their knowledge of community affairs.

They are then prevented from using that specialist knowledge and are expected to grant permissions, which have no time limit and have no consideration for future developments, such as perhaps rising sea levels. Decisions must be based on Navigational considerations alone and now are to be without the benefit of a risk assessment prepared by the Harbour Master

My questions therefore:

Has there been a formal change of policy?

At which Board meeting was it ratified?

Can we expect to see a risk assessment published before the Board is required to consider this application for the benefit of both River Users and Board Members?”

The Marine Director answered as follows:

Has there been a change of policy? No, apart from a shift from geographically based risk-assessments towards activity based risk assessments, to ensure a better targeted Safety Management System.

At which Board meeting was it ratified? Not applicable.

Can we expect to see a risk assessment published before the Board is required to consider this application for the benefit of both River Users and Board Members?

The Management Committee has asked that a risk assessment be provided prior to consideration of the application by the Harbour Board. (This was subsequently completed and the application approved). The process for dealing with future applications will be that the risk assessments for any activities which have the potential to be impacted by any proposed development will be reviewed and any additional control measures required to reduce the risks to As Low As Reasonably Practicable (ALARP) will be identified and included in the draft conditions (if

approval of the application is recommended). If the increased risks are such that it proves impossible to reduce the risks for a given activity(ies) to ALARP, it will be recommended that the application be turned down on safety grounds.

Presentation

The Forum concluded with a presentation by the Marine Police Unit of Hampshire Constabulary on 'Project Kraken'. For full details, see the 'Project Kraken' website: <http://www.hampshire.police.uk/internet/advice/kraken>