

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee</b>	River Hamble Harbour Board
<b>Date:</b>	23 September 2011
<b>Title:</b>	Southampton Channel Dredge – River Hamble Safeguarding Agreement
<b>Reference:</b>	3226
<b>Report From:</b>	Director of Culture, Communities and Business Services

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### 1. Summary

- 1.1. This report provides a detailed overview of the contents of the confidential legal agreement between Hampshire County Council (HCC) and Associated British Ports (ABP) regarding the Southampton Approach Channel Dredge (SACD). The legal agreement between HCC and ABP will provide sufficient protection for the Harbour and its users from potential impacts that may result from the SACD. The agreement is now in the process of being finalised and forms an accurate representation of the complex negotiations leading up to finalisation of the terms of the agreement by both parties. It is anticipated that the agreement will be signed shortly by an appropriate official of Hampshire County Council.

### 2. Background

- 2.1 ABP are planning to undertake a major capital dredge (known as the Southampton Approach Channel Dredge) in the near future. The legal agreement arises out of concern that the dredging could have negative impacts upon the River Hamble. The primary concerns are that the dredging could result in sedimentation (i.e. loss of depth) and that the location of the main channel could move. ABP do not believe that this will happen but are prepared to enter into a legal agreement with HCC in order to allay the River Hamble Harbour Authority's (RHHA) concerns.

### 3. Monitoring

- 3.1 The RHHA have devised a monitoring programme which will identify any negative impacts should they occur within the River. The monitoring will start

no less than 6 months prior to the start of the SACD works and will continue for 6 months after the works have been completed.

- 3.2 There will be 2 main parts to the monitoring programme. Firstly, hydrographic surveys will be carried out every month at 9 transects throughout the River (as shown in Appendix 1). Secondly, three turbidity monitors (which continuously measure levels of suspended sediment) will be installed at locations near the River mouth, mid-way and near the A27 bridge.
- 3.3 The pre-dredge monitoring will chart the depths of the River and this data will be used along with existing historical data to calculate the actual sedimentation rate throughout the Hamble.
- 3.4 The amount and quality of historical data will vary throughout the River; locations such as marinas are likely to have very detailed records whilst there will be much less information regarding intertidal areas.
- 3.5 It is in the interest of the businesses, sailing clubs and riparian landowners on the Hamble to carry out hydrographic surveys to establish their own historical data. The more information that is available, the easier it will be to demonstrate whether the dredging works are having an impact.
- 3.6 To reflect the difference in data quality, the River has been divided up into 8 zones (Appendix 2). The differences in data quality throughout the River will determine what constitutes a significant change in depth. This is known as the Significance Threshold (Appendix 3).
- 3.7 Once the SACD works are underway, the monitoring will continue and the data obtained will allow the RHHA to calculate whether the levels of sedimentation are higher than they were before the works started. This will be known as Excess Sedimentation.
- 3.8 The costs of the turbidity monitors, the hydrographic surveys, consultancy analysis and agreement legal costs will be paid by ABP.

#### **4. Remediation**

- 4.1 If Excess Sedimentation is recorded, further hydrographic surveys will be undertaken to determine the extent of the Excess Sedimentation.
- 4.2 If the Excess Sedimentation exceeds the Significance Threshold and in RHHA's opinion is detrimental to the estuary and its users and is caused by the capital dredging works, ABP will meet the reasonable costs of removing the Excess Sedimentation.
- 4.3 For those sites which routinely undertake maintenance dredging, ABP will pay the market rate to remove the excess material. For those sites which do not carry out maintenance dredging, ABP will meet the cost of removing the excess material, the mobilisation of plant and the cost of obtaining the licenses (except for Environmental Impact Assessments).
- 4.4 The remediation works will only cover the removal of sediment down to the surveyed level before the commencement of the Capital Dredge Works, allowing for any sedimentation which would have naturally occurred. It will

be up to the individual site to procure a dredging contractor. ABP will not undertake the dredging themselves.

- 4.5 RHHA must submit an invoice to ABP in respect of dredging Excess Sedimentation within 6 months of completion of the monitoring of the Capital Dredge Works.
- 4.6 If the hydrographic surveys show that the nature or location of the main channel or the Hamble or Hook Spit exceed that anticipated by RHHA through natural processes and both parties agree that it is attributable to the Capital Dredge Works, within a period of 2 years from the completion of the works, then ABP will meet the costs of relocating the navigation piles and markers within the RHHA's jurisdiction.

**5. Recommendation**

**It is recommended that this report be noted.**

**CORPORATE OR LEGAL INFORMATION:**

**Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	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. A full Equalities Impact Assessment for the River Hamble Harbour Authority's compliance with the Port Marine Safety Code (including environmental responsibilities) has been carried out and this report does not raise any issues not previously covered by that Assessment.

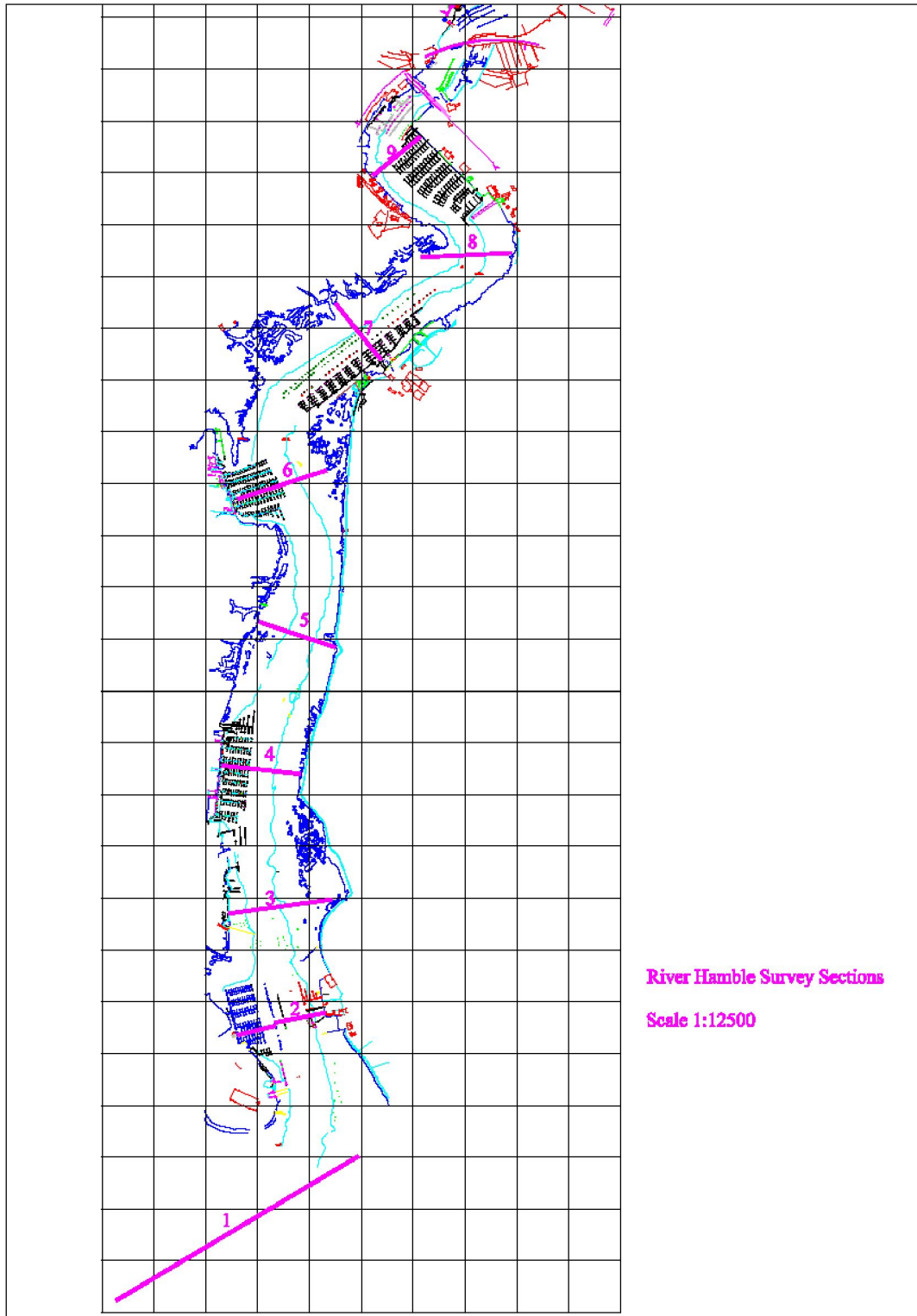
### **2. Impact on Crime and Disorder:**

- 2.1. This report does not deal with any issues relating to crime and disorder.

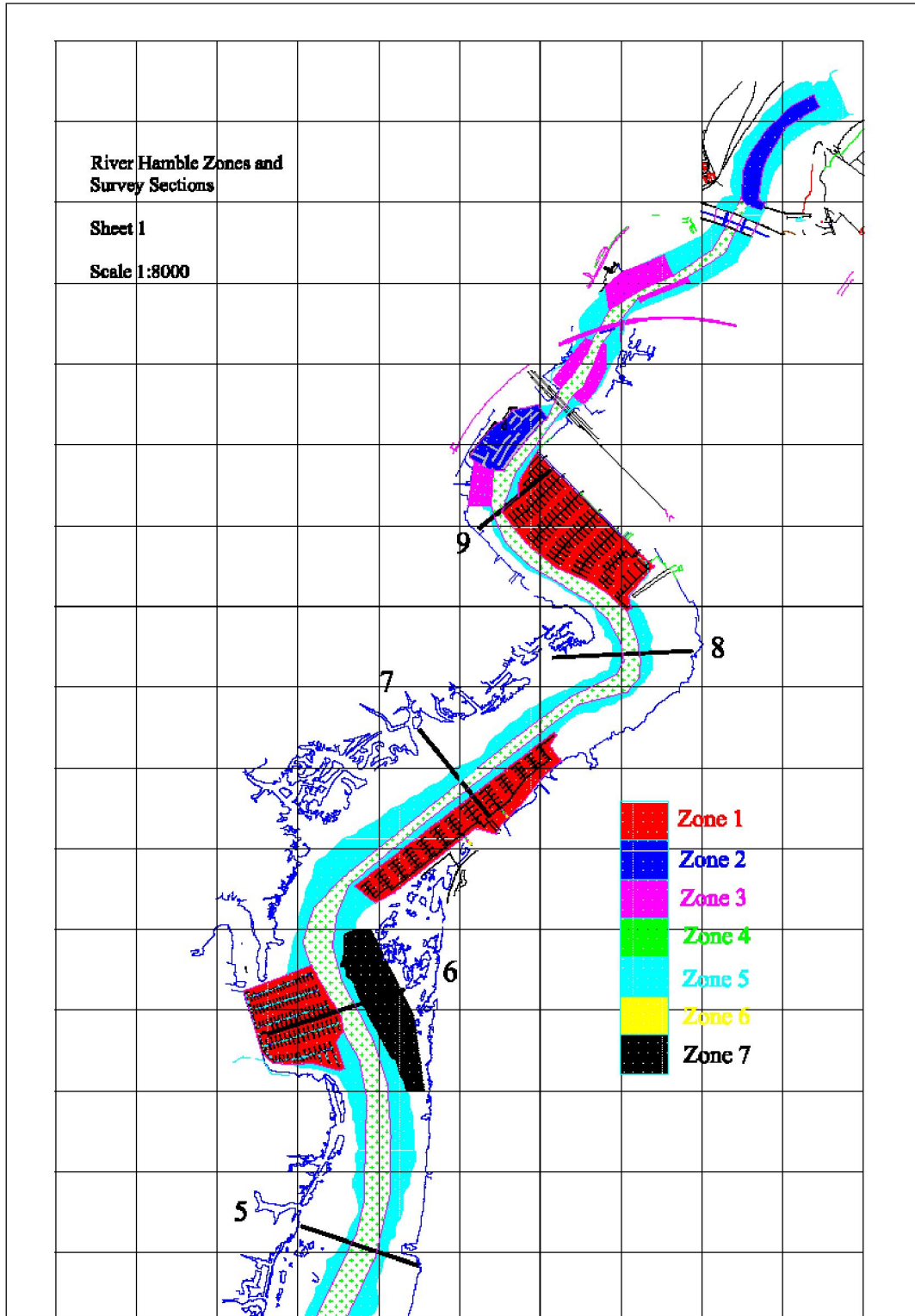
### **3. Climate Change:**

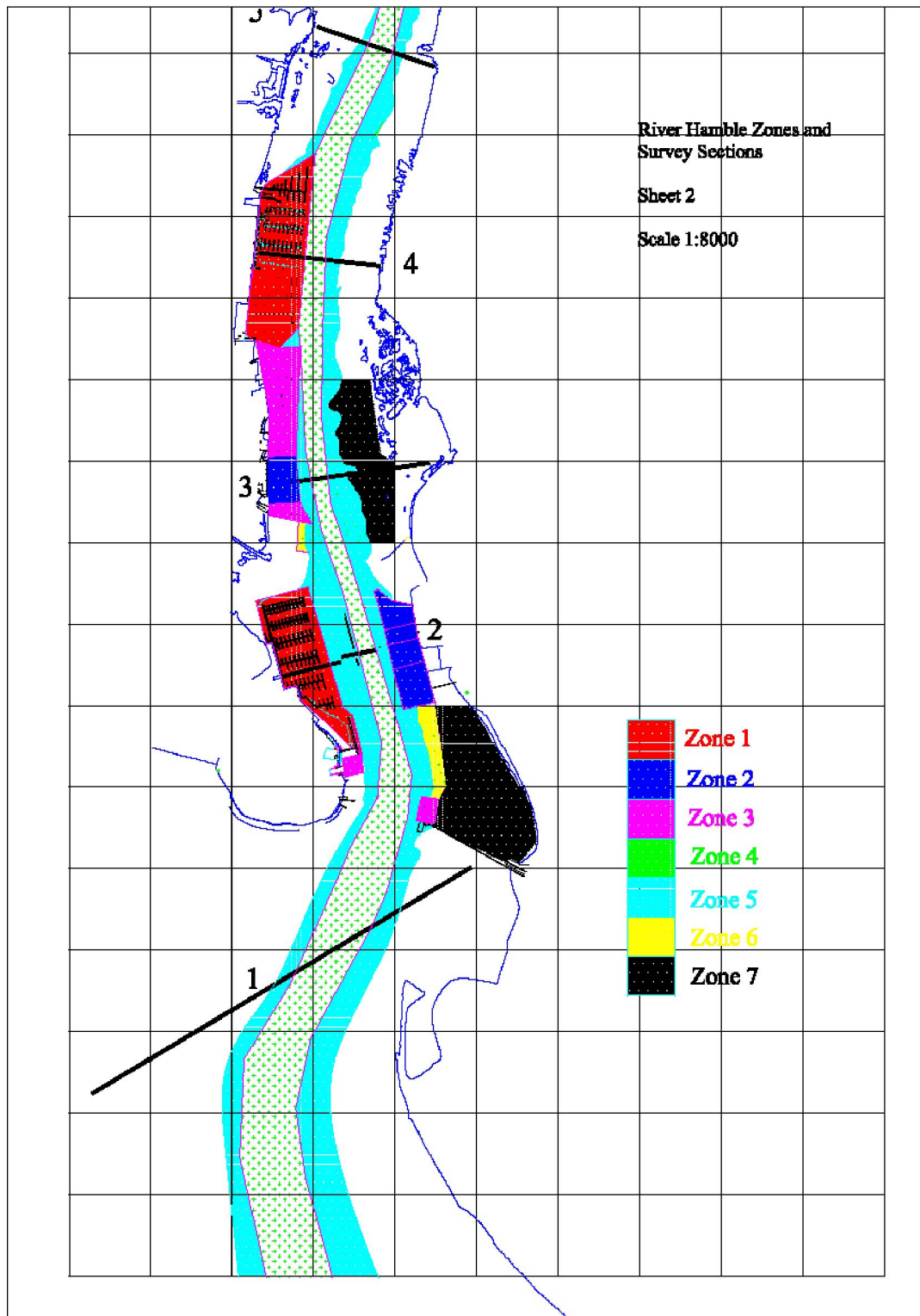
- a) How does what is being proposed impact on our carbon footprint / energy consumption? The contents of this report have no impact on carbon footprint or energy consumption
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?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

Appendix 1



Appendix 2





**Appendix 3**

<b>Zone</b>	<b>Description</b>	<b>Significance Threshold</b>
1	Hamble Point, Port Hamble, Mercury, Universal and Swanwick marinas	Excess Sedimentation of 0.1m or more over an area of 5m x 5m or more.
2	Smaller yards or clubs that have recent detailed surveys and RHHA survey data for the site. Including Stone Pier, RHHA Jetty, Deacons and Eastlands	Excess Sedimentation of 0.1m or more over an area of 10m x 10m or more.
3	Other yards or clubs with only RHHA survey data	Excess Sedimentation of 0.15m or more over an area of 15m x 15m or more.
4	Navigational channel	Excess Sedimentation of 0.15m or more over an area of 15m x 15m or more.
5	Navigational channel margins below chart datum	Excess Sedimentation of 0.15m or more over an area of 15m x 15m or more.
6	Inter-tidal mooring areas	Excess Sedimentation of 0.15m or more over an area of 20m x 20m or more.
7	Inter-tidal area actively used for dinghy sailing	Excess Sedimentation of 0.2m or more over an area of 20m x 20m or more.
8	The remainder of the river up to MHWS	Excess Sedimentation of 0.2m or more over an area of 20m x 20m or more.