

HAMPSHIRE COUNTY COUNCIL**Report**

Committee	River Hamble Harbour Management Committee
Date:	6 January 2012
Title:	Marine Director's Current Issues
Reference:	3519
Report From:	Director of Culture, Communities and Business Services

Contact name: David Evans

Tel: 01489 576387

Email: david.evans@hants.gov.uk

1. Summary

- 1.1. This report consists of an update on consultation on the draft Strategic Vision, together with a final draft; seeks advice on the installation of three new navigation piles and a new navigation buoy; provides an update on progress with the Asset Enhancement programme, and provides some useful information on the current regime for collecting Harbour Dues.

2. Strategic Vision

- 2.1. Members of the Management Committee were asked to consult those whom they represent and provide feedback on the draft Strategic Vision to the Marine Director by 30 November 2011.
- 2.2. Feedback and comments were received from Hamble Parish Council (as submitted to Eastleigh Borough Council), The Association of River Hamble Yacht Clubs, and the Hamble River Boatyard and Marina Operators Association. A meeting of the sub-group took place on 13 December to discuss how best to incorporate the comments received and, as a result, a revised final draft is at Appendix 1.

3. Navigation buoys and piles

- 3.1. Following an internal review of the location and purpose of the navigation buoys and piles in the harbour, approval is sought to install three new piles and one additional buoy, as follows:
- a. Swanwick Bend. A new starboard hand marker pile is proposed, in the location shown (in yellow, for contrast) on the attached aerial photograph (Appendix 2). This will assist navigators who are unfamiliar with the harbour to negotiate the sharp turn to port on the

approach to Swanwick Marina. Initially, this pile will be unlit, pending consultations with Trinity House and local residents, but with the intention of fitting a green flashing light if possible. Estimated cost - £4000.

- b. Riverside Boatyard. A shallow mud bank extends north-eastwards from Riverside Boatyard, on the straight-line approach to the central span of the M27 bridge. Although recent survey data indicates that there has been little, if any, change in depths, this shallow patch has been the cause of a number of reported grounding incidents involving vessels approaching and leaving Eastland's Boatyard, upstream of the M27 bridge. A new small port-hand marker buoy is proposed, in the location shown in red on the attached aerial photograph (Appendix 3). The purpose of the buoy would be to encourage navigators to take a wide sweep around the bend to the north of Riverside Boatyard, thus avoiding the shallow bank. Estimated cost - £2000.
 - c. No 1 Pile. At present, there is a double pile at No 7 pile. The purpose of the double pile is to support a large sign which displays a 'welcome' notice, 6-knot speed limit, CCTV warning and VHF radio information. Anecdotal and visual evidence suggests that many skippers believe that this sign indicates the start of the six-knot, minimum wash limit which actually starts at No 1 pile, some three cables (600 yards) further to seaward. The proposal is to install two new tubular steel piles about 2.5 metres apart in the current location of No1 pile, so that an additional sign can be installed, clearly indicating where the speed limit starts. The existing sign on No 7 would remain in place, both as a reminder and to attract the attention of skippers entering the River from the north-west (down Southampton Water) who may not see the sign at No1 pile if they cut the corner. Estimated cost - £7000.
- 3.2. If approved, it is possible that the three piles can be driven at the same time as the Crown Estate pile replacement programme scheduled for February 2012, thereby saving on deployment costs for the piling barge, which will already be on site. Further, it is anticipated that the requirement at Swanwick Bend could be met by re-using one of the greenheart mooring piles which are scheduled for replacement by The Crown Estate, at a considerable cost saving. The proposed new No 1 piles require tubular steel piles (to replace the existing plastic), so that signage can be more robustly attached.

4. Asset Enhancement

- 4.1. The Harbour Board has agreed to make an application to Eastleigh Borough Council for planning permission to extend the Hamble Jetty.
- 4.2. The Harbour Board has decided not to proceed with the proposals to provide additional 'toast rack' tender storage on the Hamble and Warsash jetties, but has asked that some additional work be carried out to investigate other options to enhance tender storage ashore and afloat.

- 4.3. The Harbour Board has requested further information regarding the possibility of funding improvements to the slipway at Shore Road, Warsash and the concrete slipway at Hamble dinghy compound.

5. Harbour Dues

- 5.1. At its meeting on 2 December 2011, the Harbour Board considered a report setting out the details of the regime for collecting Harbour Dues for various categories of vessel. Members agreed that the same details should be provided to the Management Committee, for information. The report is attached at Appendix 4.

6. Recommendation

6.1 It is recommended that the River Hamble Harbour Management Committee:

- a. Advises the River Hamble Harbour Board to adopt and publish the Strategic Vision;**
- b. Notes the progress report on the Asset Enhancement programme;**
- c. Notes the information on the collection of Harbour Dues; and,**
- d. Advises the Harbour Board to approve and fund the proposals for new navigation marks and signage.**

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
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. A full Equalities Impact Assessment for the River Hamble Harbour Authority's compliance with the Port Marine Safety Code 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 because the proposed navigation lights will be solar powered.
- 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.

The Strategic Vision for the future of the River Hamble

1. Introduction

- 1.1 The River Hamble is a popular waterway and harbour with a unique history and a diverse range of uses. Hampshire County Council (HCC) is the statutory Harbour Authority (River Hamble Harbour Authority (RHHA)). The Harbour Board, advised and scrutinised by the Management Committee, is appointed by HCC as the governing body to ensure that the RHHA fulfils its statutory responsibilities. The Harbour Board wishes to provide clear leadership and direction for all interested parties, including the three riparian local authorities, to achieve a universally agreed approach to the evolution of the harbour.
- 1.2 This Strategic Vision seeks to meet the aspirations of all those users who have an interest in the future prosperity of the River Hamble, be it commercial, recreational or environmental.

2. Background

- 2.1 The role of the Harbour Authority is to manage, maintain and improve¹ the River Hamble harbour. There have been previous attempts to set out medium to long-term plans for the future of the River Hamble, but these have tended to be over-prescriptive and, for practical reasons, have not withstood the test of time. Whilst the Harbour Authority is not the planning authority for the River Hamble – this role falls to the three riparian authorities (Eastleigh, Fareham, and Winchester) – nonetheless, it should play a key role in defining the harbour's future, primarily by considering and determining consent for harbour works.
- 2.2 The Harbour is limited by statute to the Mean High Water Mark. However, its full enjoyment is dependent on the relationship with adjoining land uses and so its true non-statutory extent may be said to be all that land which supports and sustains the Harbour activities.
- 2.3 For clarity, the Harbour Board has no desire to extend either its statutory jurisdiction or its statutory responsibilities.

3. Vision

- 3.1 The Harbour Board's Vision is to conserve the natural beauty, character and history of the harbour, while taking account of the needs of the many people who use it. The Board will seek to provide a safe, enjoyable harbour that is

¹ Harbours Act 1964

accessible to as many people as possible. There is a clear desire to balance peoples' diverse enjoyment with the level of activity and usage. There is also a clear commitment to understand the commercial and recreational demands placed on this busy waterway and to maintain a balance between them.

- 3.2 The Vision is not a plan – but it is a starting point and a statement of shared values and intent. It aims to take a pro-active approach to the evolution of the harbour, as a centre for a wide range of recreation, as an economic hub and as a site of environmental importance. It seeks to avoid being over prescriptive and, to that end, stops short of setting out detailed proposals for future development activity. It is intended, however, that this Vision will help to guide the Harbour Board when considering future applications for Harbour Works Consent. It is also intended to be a living document – comment and feedback are welcome and it will be subject to regular review. A measure of its success will be its adoption by a wide range of interested parties as the primary reference by which proposals for change can be fairly judged.
- 3.3 The Harbour Board will seek to maintain the visual balance of the harbour, with its panoramic views. It will also seek to influence local planning authorities and developers to find a balance between contemporary design and conservation of the quintessential character of the harbour. The Board has expressed a firm commitment that, within the Harbour Authority's jurisdiction, it will not permit any further marina or boatyard development north of the currently consented extent of Eastland's Boatyard.
- 3.4 There has been some disquiet among harbour users and other interested parties about the cumulative effects of river development. This is due, in part, to the increasing diversity of harbour users and a perceived increase in congestion, but also stems from the lack of a vision to guide future development activity. There is a clear requirement for a process that is seen to be transparent in safeguarding the river and its amenities, and in balancing user needs and entitlements, be they environmental, recreational or commercial. As a finite resource, the harbour requires careful husbandry to ensure that it is sustainable as a thriving centre for a diverse range of marine activity.
- 3.5 In support of this Vision, an inter-active multi-layer mapping system has been created which depicts key aspects of the harbour and surrounding area to demonstrate how diverse marine activities currently co-exist, and could be used in the future as a tool to assist in highlighting areas of conflicting interest and identifying where opportunities may arise to improve the environment and facilities. It depicts the situation as it is today but can be easily updated as changes occur in the future.

4. The Harbour Board's objectives are to:

4.1 Maintain Safety

4.1.1. Safety within the harbour is the primary responsibility of the Harbour Board (as Duty Holder for the Port Marine Safety Code). The Board seeks to:

- ensure that all users feel safe, and are safe, on the water;

- ensure that all users understand and respect the needs of other users;
- accommodate the diverse range of craft currently found in and around the Harbour;
- ensure that appropriate navigation channels are available to meet their needs, whether in terms of depth, width, accessibility, shelter or crossing places, and;
- provide relevant information on safety which can be widely disseminated to harbour users.

The Harbour Board recognises the importance of safety for sailing dinghies and other small craft in the harbour and will seek to ensure the preservation of safe areas for these activities. The Board will also encourage the safe use of the harbour by children and, where possible, provide access for the disabled.

4.2 Preserve and enhance the harbour's environment.

4.2.1. The Harbour Board will ensure its compliance with appropriate environmental legislation. In carrying out its statutory functions, it must have regard to nature conservation, water quality, waste management and heritage features. Thus, protection of the precious environment of the harbour is a key aspect of the Harbour Authority's statutory responsibilities. It is vital that the protected habitats such as salt marsh and intertidal mud be conserved in order to perform their natural functions such as sea defence and support a range of species of flora and fauna. The rural aspect of the upper reaches of the River should remain as such to be enjoyed by future generations. The Board is aware of the possible impact of climate change and sea-level rise, and will continue to recognise, monitor and raise awareness of the potential effects upon the harbour. The Board also recognises that maintenance dredging and, occasionally, capital dredging is necessary to maintain navigable depths for access and to safeguard useable waterways.

4.3 Ensure commercial and recreational balance.

4.3.1. The Hamble is a busy recreational harbour and is widely recognised as an important boating centre, appealing to owners of vessels of all types, including racing and cruising yachts, motor cruisers, kayaks, canoes, rowing boats and sailing dinghies. Other, new, water-based activities may also become popular in the future. Furthermore, the river is popular for fishing, bird-watching, dog-walking, swimming and simply 'sitting and watching'. It is a vibrant and important commercial location, with businesses offering almost every boating service, adding millions of pounds and many employment opportunities to the local economy. The harbour's recreational activity is vital for the survival of these businesses, and conversely without the businesses, many recreational boat owners would be forced to invest and spend elsewhere, or perhaps choose other recreational alternatives. Thus, it is imperative that a balance is maintained to ensure that businesses, investment and employment can thrive alongside the demands of all recreational activity.

4.3.2 The Harbour Board understands the great importance of the marine businesses around the harbour and will seek to provide support for the appropriate infrastructure so that economic and employment benefits are realised into the future. These businesses include large commercial marinas, smaller specialist boat yards, mooring providers/maintainers, yacht clubs, specialist engineering and support businesses, and those services such as local shops, pubs and amenities, the water taxi, ferry and river bus, which enable both boat owners/users and non-boat owners to have access to and experience the water. The Harbour Board will encourage marine businesses around the harbour and will continue to be flexible, open to change and adaptable to the diverse demands of harbour users in the future.

4.3.3. The Harbour Board recognises the equal importance of the harbour as a recreational resource. The harbour has something to offer across a wide range of recreational activities. The Board believes that the harbour should continue to meet this recreational demand and will seek to ensure that such activities can take place safely and with the minimum of conflict between users or negative impact on the natural environment. Ensuring that there is sufficient space for recreational activity is important but the Board also recognises the need to balance this against demand for an appropriate distribution of moorings and berths so that the full range of activities may take place safely.

4.4 Ensure our financial future

4.4.1. The Harbour Authority forms part of Hampshire County Council, but it is largely self funding (mainly through the collection of Harbour Dues, plus fees for services and consents). The Harbour Authority is a 'not-for-profit' organisation and the Board is committed to ensuring that any surplus is re-invested in the infrastructure of the harbour.

4.5 Respond to future demand

4.5.1. There are considerable pressures upon the Harbour Authority and a great deal of competition for space within the harbour. In balancing future demand, the Harbour Board will seek to preserve public access to the harbour for all types of recreation (with appropriate restrictions to ensure safety of navigation and environmental protection). It will work with local planning authorities to maintain access to the shoreline for non-boat users, and seek to encourage the provision of facilities for non-boating visitors where appropriate.

4.5.2. The Harbour Board aspires to manage the space available for all categories of harbour users, and to give due consideration to 'zoning' of activities where practicable. Optimal use of space may involve the clearing of moorings from specific areas, but the Harbour Board accepts that moorings elsewhere will almost certainly need to be reconfigured or expanded to accommodate displaced boats. The Board will, where necessary, seek the agreement of The Crown Estate to do this. Competition for space is not limited to the water and the Board recognises the importance of facilities for

car and trailer parking, and will maintain a dialogue with local planning authorities to encourage the provision of adequate parking. The Board wishes to encourage access to river facilities for boat owners of all means.

5. Engagement and consensus building

- 5.1 The Vision is for a harbour where there is a shared understanding between all the individuals and groups who use it. The Harbour Board is committed to building consensus between these individuals and groups. In turn, the Harbour Management Committee will continue to consult through its Members the groups they represent and will advise the Board where wider consultation is required. Consultation and engagement will be open and accessible where possible. The Board will also work to disseminate information about the harbour, how it is managed and operates, its history and environment, so as to inform local communities and build mutual ownership of this valuable resource. To this end, the Board seeks to encourage a more 'joined-up' approach to planning and development in the harbour, working in cooperation with the local planning authorities and other interested parties.
- 5.2 This Strategic Vision is intended to be a 'living' document. It will be reviewed, modified and updated to reflect and guide the evolving needs of the river and aspirations of its users.

Appendix 4**Analysis of arrangements for collecting Harbour Dues**

1. **Mid-stream Crown Estate moorings:** Paid annually in advance by individual mooring holders, direct to the Harbour Office (invoice date 1st October of the preceding year). Dues levied are based on the maximum size of boat which can be accommodated on each mooring. A 10% surcharge, over and above the basic rate of Harbour dues, is payable to cover the costs of invoicing on an individual basis, and dealing with bad debt. 100% collection rate. A 50% rebate is allowed for newly allocated moorings taken up after 1 July each year. Those who surrender moorings part way through the year receive a pro-rata refund of Harbour Dues from the date that the mooring is re-allocated.
2. **Mid-stream club and commercial moorings:** Paid *en bloc* annually by Clubs and commercial operators, direct to the Harbour Office (invoice date 1st January each year). Dues levied are based on the maximum size of boat which can be accommodated on each mooring. 100% collection rate. Refunds and rebates are a matter for the Club or commercial operator. The Harbour Authority does not refund Harbour Dues for moorings which are left empty for all or part of the year.
3. **Temporary licences for Crown Estate moorings (sub-lets):** Temporary licence fees include an element for Harbour Dues. 100% collection rate for sub-lets arranged through the Harbour Office. (Any sub-let of a Crown Estate mooring arranged without the approval of the Harbour Office constitutes a breach of The Crown Estate's mooring licence).
4. **Boatyards and marinas:** Paid *en bloc* annually by boatyards and marinas, direct to the Harbour Office (invoice date 1st January each year). 100% collection rate. Dues are levied on the basis of the maximum capacity of the boatyard or marina, calculated using a formula originally developed by The Yacht Harbours Association for a different purpose, but agreed and adopted for this purpose by the River Hamble Marina and Boatyard Operators Association. Refunds and rebates are a matter for the Club or commercial operator. The Harbour Authority does not refund Harbour Dues for berths which are left empty for all or part of the year.
5. **Boatyard and marina visitors:** Harbour Dues are not levied separately for vessels visiting boatyards and marinas. The visitor fees which are collected by the boatyards and marinas include an element for Harbour Dues but this is not passed on to the Harbour Authority because Dues for the berth have already been paid for (see above). In theory, each yacht visiting a boatyard or marina should be required to pay Harbour Dues at the daily rate, but the additional administrative effort required would be out of proportion to the amount raised. Boatyards and marinas should issue visiting yachts with a 'temporary' Harbour Dues label upon payment, but

this means that a visiting yacht arriving in the River and bound for one of the marinas has no means of indicating that Harbour Dues have been paid until after it arrives in the marina and the owner has paid.

6. **Harbour Authority visitors:** Visitor fees for visitors using Harbour Authority visitor moorings include an element for Harbour Dues. Some visiting yachts (typically those arriving late at night) have been known to moor on vacant privately owned pontoons throughout the River. If they depart early enough in the morning, they can avoid payment altogether, but the Harbour Authority has the powers to charge at three times the normal visitor fee where deliberate evasion is involved.
7. **Slipway launched boats:** Trailer launched boats from public slipways may pay daily, weekly or annual Dues. Those which elect to pay daily are expected to do so at the Harbour Office or via a Patrol Officer afloat. To a large extent, this depends on the honesty and goodwill of the individual. In practice, a fairly high percentage (probably 75%) of those using the Warsash slipway do pay. The percentage is significantly lower for those using Hamble and Swanwick slipways. If the Patrol is on scene at the time of launch, collection of Dues is straightforward, but once a trailer launched boat is underway on the River, collecting monies is virtually impossible.
8. **Dry sailed boats – from Clubs:** Yacht clubs which offer a dry-sailing option, whether launched from a crane or slipway, have agreed to collect Harbour Dues from their members on an annual basis. In return for collecting Dues on behalf of the Harbour Authority, the boatyards and marinas receive 20% of the total collected each year. There is no requirement for a dry-sailed vessel to pay Harbour Dues whilst it is kept ashore, but payment becomes due as soon as a vessel is launched. Alternatively, members may elect to pay daily or weekly, whenever their vessel is launched, direct to the Harbour Office or a Patrol Officer. The Harbour Authority has no jurisdiction to check vessels ashore in Club pounds to ascertain whether or not they have paid Harbour Dues.
9. **Dry sailed and dry-stacked boats – from boatyards and marinas (including marina slipway launches):** Boatyards and marinas which offer a dry-sailing option, whether launched from a crane, fork-lift system or slipway, have agreed to collect Harbour Dues from their clients on an annual, weekly or daily basis, depending on how frequently each boat is used. In return for collecting Dues on behalf of the Harbour Authority, the boatyards and marinas receive 20% of the total collected each year. There is no requirement for a dry-sailed or dry-stacked vessel to pay Harbour Dues whilst it is kept ashore, but payment becomes due as soon as a vessel is launched. The Harbour Authority has no jurisdiction to check vessels ashore to ascertain whether or not they have paid Harbour Dues.
10. **'In-out' without stopping:** For practical reasons, vessels which enter the River but do not secure alongside or anchor are not charged Harbour Dues. This does not apply to commercial vessels (such as sight-seeing boats), which are charged commercial rates for each visit.

11. **'In-out' for pick up/drop off or very short stay:** Use of Harbour Authority berthing facilities is free of charge for the first 30 minutes for those vessels displaying a valid annual Harbour Dues sticker, provided that the vessel is attended throughout its stay. Other vessels which stay for less than 30 minutes are required to pay a short stay visitor's fee, which includes an element for Harbour Dues. Enforcement of this is difficult, particularly for very short stays to pick-up or drop-off crew or stores.
12. **Vessels anchored in upper Hamble:** Vessels are only permitted to anchor in the River above the M27 road bridge. The very few visiting craft which do anchor should pay Harbour Dues, but collection is difficult unless a Patrol is on station in the upper Hamble at the time.
13. **Vessels launched from yards for sea trials/demos etc:** Many of the boatyards and marinas have business tenants within their curtilage who have a requirement to launch boats for sea trials or demonstration purposes. Such vessels are deemed to have paid Harbour Dues by virtue of the fact that they are using boatyard or marina facilities which have been paid for *en bloc*.
14. **Visitors for events – racing:** Vessels visiting the River to take part in racing events must pay Harbour Dues (normally at the daily or weekly rate). Such vessels have a number of berthing options. They can either use Harbour Authority, boatyard or marina facilities, in which case normal visitor fees apply, or they can berth at the organising Club's facilities, in which case Harbour Dues may be levied separately (normally as part of the event entry fee), but see paragraph 16 below.
15. **Visitors for events – rallies:** Vessels visiting Harbour Authority facilities as a part of an organised rally pay an element of Harbour Dues as part of their visitor fees.
16. **Visitors using Club facilities:** Those Club's with permanent alongside berths which are normally occupied by vessels belonging to Club members may choose to make temporarily vacant berths available to visiting yachts. The Clubs are not required to levy additional Harbour Dues for these vessels because the Dues for the berths have already been paid *en bloc*. However, if berths which are normally used for a single vessel (ie without rafting) are used for two or more visiting vessels (ie with rafting), Harbour Dues are payable for the additional vessels.
17. **Visitors using maintenance piles:** Vessels displaying a valid annual Harbour Dues sticker may use the maintenance piles free of charge for the first 24 hours (2 tides). Thereafter, use of the piles is charged at £25 (inc VAT) per 24 hours. Vessels which are not displaying a valid Harbour Dues sticker do not get the initial 24 hours free of charge.
18. **Fishermen:** Commercial fishing vessels with Crown Estate moorings in the River pay Harbour Dues as part of their annual mooring fees. Visiting fishing vessels pay Harbour Dues as an element of their visitor fees. Some fishing vessels use boatyard and marina facilities and pay Harbour Dues as

part of their berthing fee.

19. **Jetties which do not have permanent moorings:** Some jetties in the River do not have consent for use as permanent moorings but are occasionally used for short stays and overnights, particularly where the jetty belongs to a Club. In most case, these jetties are used by members of the Club and their guests, but some members may not keep their vessel permanently in the River Hamble and will not, therefore, have paid annual Harbour Dues. To overcome this, Clubs and others which allow occasional berthing for non-Harbour Dues payers on their facilities pay an agreed annual sum, based on the capacity of their jetty, in lieu of paying Harbour Dues for each visiting vessel.