

AT A MEETING of the RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE  
held at The Royal Southern Yacht Club on 6 September 2013

**PRESENT**

**Chairman:**

**p Councillor S. D. T. Woodward**

**Vice-Chairman:**

**p Councillor Rob Humby**

**Councillors:**

p G Burgess  
a M.G. Cooper  
p. P Fawkes  
p S Culley

p. D Harrison  
p. F Pearce  
p. A W Rice TD  
p. G Ringrow

**Eastleigh Borough Council**

p Councillor Suzy Hamel

**Fareham Borough Council**

p Councillor T. M. Cartwright

**Winchester City Council**

p Councillor Victoria Weston

**Associated British Ports**

a Captain Martin Phipps

**Association of River Hamble Yacht Clubs**

p Mr David Le Mare

**British Marine Federation**

p Ms N Walsh

**Hamble River Boatyard and Marina Operators Association**

p Mr. R. Boissier

**Berth and Mooring Holders Representative**

p Mr D. O'Malley

## **Royal Yachting Association**

### **15. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cooper and from Captain Martin Phipps of Associated British Ports.

### **16. 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 Code.

Mr Rupert Boissier declared a Disclosable Pecuniary Interest in respect of Item 9 (Application for Harbour Works Consent at Swanwick Marina).

Councillor Weston declared an interest by reason of being a Mooring or Berth Holder on the River Hamble, as did Mr. Le Mare and Mr Boissier. Ms Walsh declared an interest as an employee of Marina Developments Ltd.

Councillors Cartwright and Weston, along with Mr Le Mare and Mr O'Malley also declared interests as members of local Yacht or Sailing Clubs.

### **17. MINUTES**

The Minutes of the River Hamble Harbour Management Committee meeting held on 6 June 2013 were confirmed as a correct record and signed by the Chairman.

### **18. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Cllrs Rob Humby and David Harrison and Roger Pritchard, proposed new representative for the Royal Yachting Association.

The Committee's legal advisor provided a presentation on the governance of the Hamble Harbour Authority's Board and Management Committee; their composition and roles in decision making. The Management Committee had its own Terms of Reference and its primary role was to act in an advisory capacity to the Harbour Board and to scrutinise decisions taken by the Board

When considering matters before it, individual members should consider those matters with an open mind.

The Chairman announced that following Deputations, the Committee would immediately proceed to consider Item 9 on the Agenda (Harbour Works Consent Application – Swanwick Marina Hoist Dock).

## **19. DEPUTATIONS**

Deputations were received in relation to Agenda Item 9 (Harbour Works Consent Application – Swanwick Marina Hoist Dock).

Mr John Mitchell addressed the meeting on behalf of the River Hamble Mooring Holders Association. Mooring holders in the vicinity of the Swanwick Marina were concerned about the proposed works' impact on the available turning circle for boats where the River's tidal streams were notoriously fast as it was felt that increased river traffic generated by the revised siting of pontoons would increase the likelihood of collisions and/or near misses with moored boats. Members were referred to the Applicant's Walcon drawing M1661/308 sheet 2 and an email from Mr Phil Clifford dated 29 August 2013.

Mr Tony Blewett addressed the meeting as an individual mooring holder. Mr Blewett's concern was similar to that of Mr Mitchell, citing at least 12 near misses to his own boat since the Bursledon Regatta, the combined causes of which were poor boat handling (use of power and steering) at the river's sharp bend, the fast ebb tide and the channel's narrow width.

With the Chairman's agreement, Mr Rupert Boissier addressed the meeting on behalf of the Applicant Company.

The Committee was reminded that the Applicant already had Harbour Works Consent and the relevant Planning Consent from Fareham Borough Council for the substantive works and this application was to obtain authorisation to alter the design for the siting of the western hoist dock and reconfiguring of the pontoon layout as a result of recently concluded negotiations with the Crown Estate.

Granting the application would enable the Marina to sensibly and practically divide its leisure and commercial operations both of which were active sectors of the industry in this part of the River. In doing so, Premier believed health and safety risks were isolated or eliminated by the re-siting of the hoist dock from the site's centre to its western end.

Members were told that making the operational division would also enable residential development in an area that had not had any infrastructure works since the 1960/1970s; likely to directly generate 200-250 jobs and maintain its position as one of the prime marinas in the United Kingdom.

Mr Boissier declared a pecuniary interest in the application for Works Consent (Item 9 in the Minute Book) and withdrew from the meeting for that item.

## **20. HARBOUR WORKS CONSENT APPLICATION – SWANWICK MARINA HOIST DOCK**

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 9 in the Minute Book) regarding the application for Harbour Works Consent by Premier Marinas for the re-siting of its hoist dock facility at Swanwick Marina and the reconfiguration of existing and consented pontoon layouts.

The report was introduced by the Marine Director and Members were referred to the Walcon Sheet 2 drawing (Appendix 1c) which illustrated the already consented works and the proposed works in this application.

Noting the 4% reduction in the available turning circle were the revised pontoon siting granted, the Marine Director opined that this part of the River was used by professional sailors, well-experienced in manoeuvring large boats in a space three times their length. Advisory signage was discouraged by Trinity House. The Applicant Marina had indicated it did not intend to manoeuvre boats when the ebb tide was in flow thereby avoiding or reducing the risk of collision or near miss.

Near misses and collisions as highlighted in the Deputations were inherent to leisure-sailing and although numbers had risen during 2013, the Marine Director felt this was attributable to out-of-practice sailors on the River in consistently better weather.

Members noted that Natural England had considered the application and subject to conditions set out in its letter dated 22 July 2013, opined that the proposal would not be likely to have a significant effect on the designated environmental sites in the locality.

At the conclusion of questions and debate, Members voted unanimously in favour of the application and RESOLVED:

To advise the River Hamble Harbour Board to approve the Harbour Works Consent for the proposal subject to the conditions set out in paragraphs 9.1.1 – 9.1.4 of the Recommendation.

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

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 6 in the Minute Book) regarding incidents and events in the Harbour from 26 June to 26 August 2013.

The Marine Director introduced the report and circulated photographs of a boat that had keeled over on the Land's End maintenance piles. During the report period, there had been 32 reported incidents reflecting more usage because of the prolonged period of good weather. Members were told the Harbour Authority levied a charge for towing craft to a mooring of choice where it was requested by the owner, but did not charge for towing to the nearest safe mooring.

The presence of Personal Water Craft (PWCs) on the River continued to increase with a mixed response to speed compliance, although the Marine Director did observe that more often than not, PWCs appeared to be travelling faster than their measured speed because of their movement and wake stream. Whilst there were byelaws prohibiting the use of boats whilst under the influence of alcohol, the Harbour Authority had no means to prove an offence and therefore no prosecutions had taken place.

RESOLVED:

That the report be noted.

## **22. MARINE DIRECTOR'S REPORT: CURRENT ISSUES**

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 7 in the Minute Book).

The Marine Director introduced the report highlighting progress being made with current projects at the Warsash Slipway and Fishermen's Jetty.

The Working Party on the revision of the Strategic Vision had met twice and had reflected on how it could directly contribute to future decision-making; and the local heritage aspect of its role in Conservation.

In discussion, some Members indicated wishes to use Plain English rather than jargon in any re-writing of the Strategic Vision and for the document to more concisely reflect its purpose.

RESOLVED:

That the report be noted.

## **23. ENVIRONMENTAL UPDATE**

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 8 in the Minute Book).

The report was introduced by the Environment and Development Manager which summarised a focus on emergency response (planning and rehearsal).

Members were told that whilst the Authority had successfully demonstrated its compliance with EU Regulation on catering waste from vessels, the auditing

Defra agency had highlighted to officers the need to check River users' awareness of the authorised routes for domestic animals arriving in the United Kingdom to contain the risk of spreading animal-borne disease and that a Pet Passport did not mean that an animal could be brought back into the country on a private vessel.

RESOLVED:

That the report be noted.

#### **24. HARBOUR DUES 2014**

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 10 in the Minute Book) recommending the rate for Harbour Dues for 2014.

The Chairman confirmed that the Committee's Members had been granted a Dispensation under the Members' Code of Conduct (Part 4 Appendix A, Paragraph 1.5) to enable Members to discuss and vote on this item.

The Marine Director introduced the report and confirmed that the proposed increase of 1% would enable the Harbour Authority to cover the pay award of 1% made by the County Council without jeopardising the improvement and maintenance projects already under way.

Members were told there had been no increase over the previous two-three year period and the Authority was not a body that could recover VAT.

RESOLVED:

That the River Hamble Harbour Management Committee recommend to the River Hamble Harbour Board the proposed increase of one(1) per cent to the Harbour Board as set out in the report's table.

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

The Committee considered the report of the Director of Culture, Communities and Business Services (Item 11 in the Minute Book) with regard to the future business items for the Committee and Harbour Board agendas.

RESOLVED:

That the report be noted.