

HAMPSHIRE COUNTY COUNCIL**Report**

Committee	River Hamble Harbour Board
Date:	4 April 2014
Title:	Collection of Commercial Harbour Dues Memorandum of Understanding Review
Reference:	5733
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 covers an initial review of the efficacy of the Memorandum of Understanding introduced in 2013 concerning the payment of commercial Harbour Dues by marinas, boatyards and yacht clubs.

2. Background

- 2.1 In 2013, a Memorandum of Understanding (MoU) was drawn up and agreed by members of by the Hamble River Boatyard and Marina Operators Association (HRBYMOA), under the Chairmanship of Harbour Board member Chris Moody, to establish and record the principles for charging Harbour Dues for boats berthed in marinas, boatyards and yacht clubs, and those stored ashore and only launched when required (ie. dry-sailed yachts and dry-stacked power boats).
- 2.2 Members of the Harbour Board requested that the efficacy of this MoU be reviewed after 12 months and in the light of experience.
- 2.3 The MoU, dated 30 January 2013, is attached at Appendix 1 for ease of reference. The arrangements for collecting Harbour Dues for vessels kept afloat have been in place for many years and have clearly stood the test of time. There is no requirement to make any changes. Marina and boatyard capacities change with modifications to layouts, and this results in re-assessment of capacity and amended annual charges where appropriate.
- 2.4 For the most part, the MoU has worked reasonably well. It records all the agreed 'rules' in a single document and there has been very little dispute over the past year. One important element is in Note 2 – i.e. it is up to individual marinas, boatyards and yacht clubs to determine how they charge

their clients and/or members for the appropriate Harbour Dues. This flexibility is important and is working well.

- 2.5 Harbour Dues for boats kept ashore are required to be paid *en bloc* at the end of the Harbour Dues year and by no later than 31 March of the following year. This is designed to accommodate, as far as possible, those organisations which operate to a financial year rather than the Harbour Dues calendar year. It is therefore still too early to report to the Management Committee on the total collected for 2013, although it is estimated that it will be in the order of £22,000.

3. Recommendation

- 3.1 **It is recommended that the River Hamble Harbour Board notes this report and endorses continued application of the Memorandum of Understanding.**

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:	no
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.)

<u>Document</u>	<u>Location</u>
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:

- 3.1. 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
- 3.2. 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.

30th January 2013

MEMORANDUM of UNDERSTANDING

For Payment of Harbour Dues for vessels in Marinas, Boatyards and Yacht Clubs

1. Vessels moored afloat

Harbour Dues for vessels kept afloat on pontoon berths in operation by Marinas, Boatyards and Yacht Clubs will continue to pay using the current formula, namely:

- Hammerheads and long pontoon berths (over 22 metres) are charged at 80% of the actual length (to allow for spaces between boats).
- Charges for finger pontoons vary according to their length: up to 7.5 metres charged at 133.3% of actual length; 8 - 13.5 metres charged at 114.3% of actual length; 14.5 - 21.5 metres charged at 100% of actual length.

2. Vessels launched from ashore

- Marinas, Boatyards and Yacht Clubs shall ensure that all vessels launched from ashore have paid appropriate Harbour Dues and display the appropriate Harbour Dues 'sticker' or 'label'. Stickers for vessels launched from ashore are a different colour to those for vessels which are kept afloat.
- The Harbour Dues year runs from 1 January to 31 December.
- Harbour Dues for vessels launched from ashore can be paid daily, weekly or annually at the rates set by the Harbour Board.
- Harbour Dues for vessels launched from ashore shall be paid *en bloc* in arrears at the end of the Harbour Dues year (and by no later than 31 March of the following year). Each Marina, Boatyard and Yacht Club shall submit to the Harbour Master a year-end report detailing the length (in metres or part thereof) of all vessels for which Harbour Dues for vessels launched from ashore have been collected during the year, and noting which have paid for daily, weekly or annual Dues. This submission is to be accompanied by payment for the full amount collected, less a retained administration fee of 20%.
- Random checks of vessels afloat will be made by the Harbour Master or his staff at any time during the year to ensure compliance.

Agenda Item: 10

There are five colours of sticker each year:

- Mid-stream Crown Estate moorings

- Mid-stream commercial and Yacht Club moorings
- Marinas - afloat
- Sub-Lets
- Dry-sailed, dry-stacked and trailer launched vessels

Notes:

1. Owners of those vessels which elect to pay Harbour Dues on a daily basis, payment must be made for each day that a vessel is afloat in the harbour – e.g., a vessel launched on Friday and retrieved on Monday must pay for four days of Harbour Dues. Vessels which are launched and leave the River on the same day must pay Harbour dues for that day.
2. It is up to individual Marinas, Boatyards and Yacht Clubs to determine how they charge their clients and/or members for the appropriate Harbour Dues. All vessels afloat must display a valid Harbour Dues sticker of the appropriate colour. Stocks of stickers for annual Dues, and labels for daily or weekly Dues, are available from the Harbour Office.
3. Harbour Dues are not payable by vessels kept ashore at all times throughout an entire calendar year.