

HAMPSHIRE COUNTY COUNCIL

Report

Committee	River Hamble Harbour Management Committee
Date:	13 March 2015
Title:	Collection of commercial and daily/weekly Harbour Dues Memorandum of Understanding Review
Reference:	6461
Report From:	Director of Culture, Communities and Business Services

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1. Summary

- 1.1. This report covers an annual review of the Memorandum of Understanding introduced in 2013 concerning the payment of 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 the Hamble River Boatyard and Marina Operators Association (HRBYMOA), under the Chairmanship of Harbour Board member Chris Moody, to establish and record principles for charging Harbour Dues for boats berthed in marinas, boatyards and yacht clubs and those stored ashore and only launched when required (i.e. dry-sailed boats and dry-stacked power boats).
- 2.2. Members of the Harbour Board requested that the MoU should be subject to an annual review of its efficacy.
- 2.3. The MoU is attached at Appendix 1 for ease of reference. In the past year, the revised layout of Deacon's Marina, the new fuel jetty at Swanwick Marina and the new Prince Philip Yacht Haven have been assessed for Harbour Dues using the formula set out in the MoU, all of which have resulted in an increase in revenue to the Harbour Authority. Furthermore, the introduction of a large dry-stack facility at Swanwick Marina is likely to increase Harbour Dues revenue in the future.
- 2.4. In 2013, a total of £22,500 was collected for boats kept ashore and required to be paid *en bloc* at the end of the year. To date, £10,000 has been collected for 2014, with an estimated £11,000 still to come.

3. Recommendation

- 3.1. It is recommended that the River Hamble Harbour Management Committee advises the River Hamble Harbour Board to note this report and endorse the continued application the Memorandum of Understanding.**

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. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

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:

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.

30th January 2013
MEMORANDUM of UNDERSTANDING

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 operated 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 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.

Note, that for 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.

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.