

HAMPSHIRE COUNTY COUNCIL**Report**

Committee	River Hamble Harbour Management Committee
Date:	13 March 2015
Title:	Marine Director's Current Issues
Reference:	6458
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 the issues currently under consideration by the Marine Director.

2. Review of Strategic Plan and Strategic Vision

- 2.1 A working group consisting of Councillors Evans and Cartwright, Mr Dermot O'Malley and Mr Rupert Boissier met on 18 February 2015 to conduct a detailed review of the River Hamble Harbour Board's Strategic Plan and Strategic Vision. As a result, paragraphs 11 and 12 of the Strategic Plan have been updated and the Strategic Vision has been slightly re-structured and re-edited. The documents, with the proposed revisions incorporated, are at Appendices 1 and 2 respectively.

3. Warsash Slipway

- 3.1. A site meeting was held on 24 February 2015. Councillors Evans and Cartwright were in attendance, together with the Marine Director and a representative of Hampshire County Council's Engineering Consultancy. As a result of the meeting it was agreed that the Engineering Consultancy would draw up a proposal to complete all the slipway works apart from the gravel beach and would provide the Harbour Board with an estimate of the total cost to complete the project (including fees). The proposal document (excluding costs, not yet available) is at Appendix 3.

4. Recommendations

- 4.1 **It is recommended that the River Hamble Harbour Management Committee recommends that the River Hamble Harbour Board:**
- a. **approves the changes to the Strategic Plan and Strategic Vision, and;**
 - b. **agrees to go ahead with the revised slipway improvement project, subject to satisfactory cost estimates.**

**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:	yes
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents	
<p>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.)</p>	
<u>Document</u>	<u>Location</u>
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. This report includes an Equalities Impact Assessment within the draft Strategic Plan.

2. Impact on Crime and Disorder:

2.1. This report does not deal directly 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.

RIVER HAMBLE HARBOUR AUTHORITY STRATEGIC PLAN 2015

1. Introduction

- 1.1 This document forms the Strategic Plan for the River Hamble Harbour Authority. It has been developed by the Harbour Board, with advice from the Management Committee and officers of Hampshire County Council. It sets out the framework for what the Harbour Authority must do, and what it would like to do, over the next ten years or more. The Strategic Plan and its supporting documents, including the Harbour Board's Strategic Vision, will be used to inform decision-making by the Harbour Board. Detailed planning for each year will take the form of an annual Business Plan and forward budget. This will be based on the Strategic Plan but will need to be more flexible and responsive as unanticipated issues and problems arise. The Strategic Plan will be reviewed annually.

2. The River Hamble

- 2.1 Situated at the heart of the Solent, the River Hamble is widely recognised as a major centre for recreational boating, important both regionally and nationally. Commercial activities on and around the River bring considerable benefits to the local economy and are a significant factor in the local employment market. The River is also a very important part of the local environment and supports many species of birds, plantlife, fish and invertebrates. The Hamble valley is covered by several national and international environmental designations in recognition of its importance as a rich and diverse habitat. The navigable part of the River extends over 6 nautical miles from Southampton Water as far upstream as Botley and Curbridge. It is home to over 3000 recreational craft berthed afloat and many more kept ashore. Leisure activities on and near the River include yachting and power-boating, dinghy sailing and windsurfing, rowing, kayaking and canoeing, swimming, fishing, bird-watching, rambling and sightseeing.

3. Mission Statement

- 3.1 Hampshire County Council is the River Hamble Harbour Authority and delegates its executive decision-making function to the River Hamble Harbour Board. The Management Committee provides policy advice and scrutinises the Harbour Board's decisions.
- 3.2 The Mission of the Harbour Authority is:
"To ensure that the harbour is operated safely and efficiently so as to safeguard the harbour, its users, the public and the environment, both now and in the future. It is committed within its powers to fulfilling all its duties and responsibilities in a safe and efficient manner, to the enhancement of access and facilities for river users, and to the enhancement of the well-being, enjoyment and economic benefit of the River for all."
- 3.3 The Harbour Authority will:
- (i) Comply with all legal requirements.
 - (ii) Aim to meet the national requirements of the Port Marine Safety Code.
 - (iii) Heed the Guide to Good Practice on Port Marine Operations, published by the Department for Transport (Ports Division).

- 3.4 The Harbour Authority's functions will be conducted openly and transparently in the overall long-term interests of the harbour's River users and other interested parties and beneficiaries.

4. **Port Status and Governance Arrangements**

- 4.1 Responsibility for the governance of the River Hamble was transferred to Hampshire County Council in 1970 and the harbour has been operated as a municipal port ever since. It is assumed that this arrangement will continue for the foreseeable future. Hampshire County Council is also a major riparian landowner. An on-line multi-layer map of the River, known as Hamble Riverview, is available on the harbour website and displays a wide variety of information about the harbour. The County Council and the representatives on the Harbour Board form a democratically accountable body responsible for overseeing the operation of the harbour and the impacts arising from it. The Management Committee (constituted in accordance with the River Hamble Harbour Revision Order 1969 (as subsequently amended) provides advice to the Harbour Board and is responsible for scrutinising its decisions.

5. **Planning Constraints**

- 5.1 Although Hampshire County Council is the statutory harbour authority for the River Hamble, it is not the local planning authority for the River. Planning for development on and around the Hamble is covered by the Local Development Framework produced by the riparian local district Councils; all structural development on the River which is attached to the land requires their planning permission. However, no structural works can take place on the River without the works consent of the Harbour Authority (Southampton Harbours Act 1949). Factors for consideration when determining applications for Harbour Authority works consent are contained in the Port Marine Safety Code and environmental legislation.

6. **The Harbour Board's Strategic Vision**

- 6.1 The Harbour Board has approved its Strategic Vision for the river, which has been published as a separate document.

7. **Strategic Objectives**

- 7.1 The Harbour Authority has the following strategic objectives for the coming years:
- (i) Governance: To govern the River Hamble in compliance with the Department for Transport's 'Municipal Ports Review'.
 - (ii) Navigational safety: To make the Port Marine Safety Code the central pillar of everything which the Harbour Authority and its staff do to ensure the safety of all those who use and work in the harbour.
 - (iii) Environment: To discharge its responsibilities under the Habitats Regulations and all other relevant environmental legislation through conserving the environment and maintaining approved pollution prevention and nature conservation measures.
 - (iv) Public Relations and Communication: To enhance the public perception and understanding of the Harbour Authority through building and maintaining the confidence of River users and other interested parties by informing them of plans, progress and achievements, and by a commitment to seek to enhance public understanding of the governance arrangements.
 - (v) The Crown Estate: To maintain a productive relationship with The Crown Estate and its agents.
 - (vi) Moorings: To manage the mid-stream moorings efficiently and fairly, on behalf of The Crown Estate.

- (vii) Climate Change: To be pro-active in monitoring the River for the impact of climate change and identifying the implications.
- (viii) Enhancement: To encourage and facilitate the enhancement of access and facilities for river users, and the enhancement of the well-being, enjoyment and economic benefit of the River for all.
- (ix) Planning and Consents: To plan for the future of the River Hamble, providing a clear and effective works consent process as the primary decision-making authority on matters affecting safety and ease of navigation in the harbour, and having due regard to the Harbour Authority's responsibilities for environmental protection.
- (x) Consultation: To listen to ideas and suggestions put forward by River users and other interested parties and consult on proposed changes.
- (xi) Visitors: To promote the provision of appropriate facilities for visiting yachtsmen, both afloat and ashore, and manage them as efficiently as possible.
- (xii) Policy: To ensure whenever possible that its views are taken into account when future government policies on ports, harbours and the marine environment are under consideration.
- (xiii) Future Trends: To respond appropriately to new trends in recreational boating, for example: larger boats, Rigid Inflatable Boats (RIBs), Personal Water Craft (PWCs) and dry-sailing.
- (xiv) Financial: To maintain and manage the harbour cost-effectively, and within the available resources.
- (xv) Staff: To employ and retain a well-motivated, properly trained staff and provide regular training for Harbour Board and Management Committee Members.
- (xvi) Health and Safety: To ensure that staff and visitors to Harbour Authority facilities are made aware of health and safety policies and procedures and their own individual responsibilities.
- (xvii) Equalities and accessibility: To ensure that it complies with all equalities and accessibility legislation.

8. External Pressures

8.1 The following external pressures have been identified:

- (i) the complex needs and conflicting interests of River users and other interested parties need to be understood and balanced against the statutory and business constraints within which the Harbour Authority operates;
- (ii) local Planning Authorities policies and controls which may constrain the scope for development and improvement of facilities and amenities;
- (iii) The Crown Estate, motivated in part by its requirement to maintain and enhance income from the River, creates an added pressure, outside the control of the Harbour Authority;
- (iv) Many River users are unaware of the different roles and responsibilities with respect to the River of Hampshire County Council, other local authorities, The Crown Estate, the Harbour Board and the Management Committee.

9. Internal Pressures

9.1 The following internal pressures have been identified:

- (i) the Harbour Authority is funded almost entirely by River users and visitors and must be operated as economically and cost-effectively as possible;
- (ii) the Harbour Board's statutory responsibility to ensure safe navigation dictates that the Harbour Office staff must be available to monitor and supervise activities on the River outside normal working hours.
- (iii) the Harbour Authority has wide ranging environmental responsibilities, some of which are carried out on behalf of Hampshire County Council and The Crown Estate.

10. Finance

- 10.1 The Harbour Authority operates as a business unit of Hampshire County Council. Annual income is ring-fenced and the Harbour Authority operates a separate reserve. An annual budget is produced and the accounts are audited by Hampshire County Council and, periodically, by The Crown Estate.

11. Equalities Impact Assessments

- 11.1 The services and facilities of the River Hamble Harbour Authority are openly available to all, regardless of age, gender, disability, race or religion, in accordance with current equalities legislation. Equality Impact Assessments for the services and facilities provided by the Harbour Authority have been prepared and are held in the Harbour Office. These Assessments include a requirement to collect and analyse data about customers and their needs, so that appropriate measures can be taken to ensure that everyone who wishes to use the services and facilities provided by the Harbour Authority can do so on equal terms. However, simply understanding who the Harbour Authority's customers are and identifying their needs is not sufficient; the Harbour Authority is obliged to be proactive in taking steps to ensure equality of access for all. To that end, all decisions of the Harbour Board must be considered in terms of the impact which they might have on equality of access to its services and facilities, and identify actions which must be taken as a result. Every reasonable effort must be made to ensure that all users are treated equally and that appropriate information and facilities are provided to all.

12. Staff Training and Development - Investing In People

- 12.1 Hampshire County Council is an accredited 'Investor in People', a significant element of which is to ensure that staff receive the training which they require to do their job, and such additional training as may be required to encourage their career development. Maintaining accreditation as an 'Investor in People' requires that all training undertaken is assessed in terms of its contribution towards the aims and effectiveness of the organisation. Development training will be provided for permanent staff as appropriate to their current role and future aspirations as officers of Hampshire County Council. The Harbour Authority will be pro-active in implementing the County Council's 'Valuing Performance' programme for staff appraisal.

The River Hamble Harbour Board's Strategic Vision

1. Introduction and Vision

1.1 The Harbour Board's Strategic Vision is:

“To conserve the natural beauty, character and history of the harbour, balanced with the needs of the many people who use it, whilst ensuring that it is safe to navigate and accessible to as many people as possible.”

1.2. The Strategic Vision seeks to meet the aspirations of all those users who have a stake in the future prosperity of the River Hamble, whether their interests are commercial, recreational or environmental.

2. Background

2.1. 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 relationship between the Harbour Board and the Management Committee is as set out in the County Council's Constitution. The Harbour Board wishes to provide clear leadership and direction for all interested parties, including the three riparian local authorities (Eastleigh, Fareham, and Winchester) to achieve a universally agreed approach to the evolution of the harbour and to influence developers to find a balance between contemporary design and conservation.

2.2. The role of the Harbour Authority is to manage, maintain and improve¹ the River Hamble harbour. Whilst the Harbour Authority is not the planning authority for the River Hamble – this role falls to the three riparian authorities– the Harbour Board nonetheless wishes to play a key role in defining the harbour's future, primarily by considering and determining consent for harbour works. Full enjoyment of the harbour is dependent on the relationship with adjoining land uses and its true non-statutory extent may be said to be all that land which supports and sustains the harbour activities and those of other interested parties – ie. the support infrastructure. For clarity, the Board has no desire to extend either its statutory jurisdiction or its statutory responsibilities.

3. Purpose

3.1. The Vision is not intended to be a plan or a statement of policies. It is a starting point and a statement of shared values. 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

¹ Harbours Act 1964

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.

4. Scope

- 4.1. Although not within its statutory remit, the Harbour Board will seek to conserve the natural beauty, character and history of the harbour, balanced with the needs of the many people who use it. 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.
- 4.2. The Harbour Board is alert to the cumulative effects of river development. Concerns about cumulative effects are due, in part, to the increasing diversity of harbour users and a perceived increase in congestion, but also stem 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.
- 4.3. This Vision should be read in conjunction with the Harbour Authority Strategic Plan. The Vision is underpinned by an inter-active multi-layer mapping system, known as Hamble Riverview, 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.

5. Harbour Board objectives:

5.1. Maintain Safety

- 5.1.1. 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 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 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.

5.2. Preservation and enhancement of the harbour's environment.

5.2.1. 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 of 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 on 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 River space.

5.3. Ensuring commercial and recreational balance.

5.3.1. The Hamble is a busy recreational harbour and is widely recognised as an important boating and sailing 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. 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.

5.3.2 The 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 & 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 Board will encourage marine businesses around the harbour and anticipates that they will continue to be flexible, open to change and adaptable to the diverse demands of harbour users in the future.

5.3.3. The 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.

5.4. Ensuring our financial future

5.4.1. 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.

5.5. Responding to future demand

5.5.1. There are considerable pressures on the Harbour Authority and a great deal of competition for space on the harbour. In balancing future demand, the 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 when appropriate.

5.5.2. The 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 Board accepts that moorings elsewhere will almost certainly need to be reconfigured to accommodate displaced boats. The Board will, where appropriate, seek the agreement of The Crown Estate to this. Competition for space is not limited to the water and the Board recognises the importance of adequate facilities for car and trailer parking, and will maintain a dialogue with local planning authorities to encourage the inclusion of parking issues on their agendas. The Board wishes to encourage access to the facilities of the River for boat owners of all means.

6. Engagement and consensus building

6.1. 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 working to build consensus between these individuals and groups. The Harbour Management Committee will continue to lead on consultation with those whom Members represent, and will advise the Board accordingly when Members believe that 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 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. Finally, it is fully intended that this Vision will be a living document, to be reviewed and amended on a regular basis.