AT A MEETING of the RIVER HAMBLE HARBOUR BOARD held at the Warsash Sailing Club, Shore Road, Warsash on Friday 29 January 2010.

PRESENT:

Hampshire County Council

Councillors:
p K. Evans (Chairman)
p G. Hockley
a K. House

Independent Members

a T. Lovell
p C. Moody
p Dr S. Tomson

Marine Director

p D. Evans

Also present:

John Tickle, Assistant Director, Culture, Community and Rural Affairs
Ron Meekings, Head of Finance, Culture, Community and Rural Affairs
Liz Ellam, Principal Solicitor
Wendy Stowe, Assistant Harbour Master

33. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor K. House and Mr. T. Lovell.

34. **DECLARATIONS OF INTEREST**

Members were mindful that, where they believed they had a personal or personal prejudicial interest in any matter to be considered at the meeting, they should normally at the time of the debate declare their interest, and having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, consider whether to leave the meeting whilst the matter was discussed save for exercising any right to speak in accordance with Paragraph 12 of the Code.

Dr S. Tomson and Mr D. Evans declared personal, non prejudicial interests by reason of their being River Hamble mooring or berth holders on the River. Dr S Tomson declared a personal, non prejudicial interest as a member of the Royal Southern Yacht Club. Mr. D. Evans declared a personal, non prejudicial interest as a member of Warsash Sailing Club and the Royal Air Force Yacht Club.

35. **MINUTES – 4 DECEMBER 2009**

The Minutes of the meeting of the Board held on 4 December 2009 were confirmed as a correct record, and signed by the Chairman.

36. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred to the recent resignation of the Harbour Master, Tony Clatworthy. In so doing he asked that the thanks and appreciation of all Board Members be recorded in the minutes for the major contribution made by Mr. Clatworthy while fulfilling his role and duties on the River. The Chairman also requested that, in light of Mr. Clatworthy's resignation and the need to respond promptly to it, officers bring a report to the next meeting of the Board highlighting proposals to deal with this. He asked that in compiling the report, officers take account of the relevant findings of the River Hamble Select Committee and the River Hamble Management Committee's recommendations that are to be considered by the Board at the same meeting.

37. **RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE – 15 JAN 2010**

The Minutes of the meeting of the Management Committee held on 15 January 2010 were noted.

38. **RIVER HAMBLE BUDGET 2009/10 AND 2010/11**

The Board considered the report of the County Treasurer and Director of Culture, Communities and Rural Affairs (Item 7 in the Minute Book).

The County Treasurer advised that the 2009/10 financial year surplus was expected to be in the region of £96,300. The budget being presented took into account the agreed harbour dues for 2010 and would also enable the Harbour Authority to meet its legal and operational requirements within the income generated. The County Treasurer also advised that the 2010/11 budget could be amended throughout the year, if necessary, to reflect any decisions that the Board made in respect of the River Hamble Select Committee's report and the River Hamble Management Committee's recommendations in respect of it which had budgetary implications.

The County Treasurer highlighted key points within the report. He pointed out that the reduced income expected in the 2010/11 budget reflected the expected loss of rent receivable for the sublet of the Solent School of Yachting with effect from October 2010. It also reflected the previously agreed reduction in harbour dues.

The level of reserves was expected to be in the region of £670,196 at the end of 2009/10 financial year. At the end of the 2010/11 financial year they were expected to be slightly lower, at £626,799, but this lower figure reflected the purchase of the two new patrol boats. The level of reserves could be reviewed once a review of the Asset Replacement Reserve had been undertaken. It was noted that provision for procurement of aerial photographs had not been included in the draft budget but that funding was available to cover the potential cost. An item proposing their acquisition was to be considered later on in this meeting.

In response to questions, the Marine Director advised that discussions were ongoing with Southern Water regarding the exact amount to be paid in respect of the price correction for waste water from the pontoon water supply. An increase in district audit fees (of approximately £7,000) was noted. This had been incurred within the context of Audit Commission work on the objection to the County Council's accounts which has since been withdrawn.

RESOLVED:

That the budget be approved.

39. **HARBOUR MASTER'S REPORT**

The Board considered the Harbour Master's report summarising activities and events in the harbour since 4 December 2009 (Item 8 in the Minute Book). The Assistant Harbour Master advised that there were no further additional incidents to consider, other than those shown in the report.

Board Members noted that consistently strong winds in the early part of December 2009 had caused damage to boats and that a number had to have the mooring lines and fenders replaced or re-tied.

Compliance with the Port Marine Safety Code had been audited on 18 December 2009 and a Certificate of Compliance had been issued. The Harbour Authority had now achieved nine consecutive years of compliance with the Port Marine Safety Code.

Board Members welcomed confirmation that the Certificate of Compliance had been issued, although they took note of the recommendation to review the current Safety Management Systems (SMS) in operation. Board members acknowledged the value to the Harbour Authority of the Designated Person undertaking the compliance audit having had exposure to and experience of the systems operating in other harbour authorities.

RESOLVED:

That the report be noted.

40. MARINE DIRECTOR'S CURRENT ISSUES

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 9 in the Minute Book).

The Marine Director advised that the Marine and Coastal Access Act (2009) had now received Royal Assent and that the newly created Marine Management Organisation (MMO) would officially come into being on 1 April 2010.

Approval was being sought to proceed with the acquisition of aerial photographs during the summer of 2010, using funds from the revenue reserve if required. Costs were expected to be in the region of £8,500 but the Marine Director advised that he would seek the involvement of commercial operators as a means to mitigate the costs.

The Marine Director stated that, if such photographs were purchased, the Harbour Authority would be able to upload them onto its website with an appropriate watermark. The Harbour Authority would not, however, own the copyright in respect of them.

The Marine Director gave a brief update upon the Crown Estate Management Agreement and the financial arrangements associated with it. Board Members welcomed the explanation shown in appendix 1 illustrating the key tasks undertaken in respect of the Agreement. They also acknowledged the financial value to the Harbour Authority that the Management Agreement provided.

RESOLVED:

That

(i) The Harbour Board proceeds with the procurement of aerial photographs at a maximum cost of £8,500 and

(ii) The remainder of the report be noted.

41. **ASSET ENHANCEMENTS – WAY FORWARD**

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 10 in the Minute Book).

The Marine Director reminded the Board that the Harbour Authority had a substantial sum (currently £310,000) in the Asset Enhancement Reserve. So far, over 40 ideas had been received from stakeholders in respect of possible uses for the Asset Enhancement Reserve.

The Marine Director asked the Board to consider the various options that were open to it in terms of generating additional ideas and then managing the implementation process in respect of the ones that were considered to be of greatest benefit and/or most appropriate. The Marine Director advised that, in his view, whichever option was adopted, the assistance of an external consultant was likely to be required to help develop the ideas. A consultant could also potentially assist in terms of being able to attract additional funding to complement the sum that was already available.

On balance, the Board took the view that opportunities for stakeholders to identify ideas for possible use of the Asset Enhancement Reserve already existed, without the need to hold a special ‘one off’ workshop. The Harbour Annual Forum meeting was due to be held in March 2010 and interested parties could also contact the Harbour Authority at any time with their ideas. The Board therefore took the view that external assistance, such as engaging a consultant, should be undertaken only after a shortlist had been produced by a combination of Management Committee and/or Board Members.

Board Members acknowledged the River Hamble Management Committee’s view that expenditure from the Asset Enhancement Reserve should be on capital projects which provided long term benefits, rather than on items which would require a significant ongoing revenue contribution. They concurred with this view.

RESOLVED:

That

(i) The Board approves the establishment of a small combined Harbour Board/Management Committee group to create a short list of ideas,

(ii) The Board agrees in principal to appoint a consultant at an appropriate stage to carry out appraisal work and partner search (to a maximum budget of £10,000),

(iii) A steering group be established to manage this project, with the steering group to consist of the Chairman of River Hamble Harbour Management Committee and the Chairman of the River Hamble Harbour Board (or their nominated representatives) and the Marine Director.

(iv) Any expenditure on this project to be drawn from the Asset Enhancement Reserve.

42. **NAVIGATIONAL SAFETY CONSULTATION**

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 11 in the Minute Book).

The Marine Director reported upon the results of the summer 2009 consultation exercise that had been carried out, to which 129 people had responded. The comments in respect of Hamble Harbour Radio were noted as were the observations made in respect of safety of events and activities. The Marine Director advised that he was meeting Sailing and Dinghy Club representatives in the following week to discuss issues relevant to activities on the River. This consultation would focus on the risk assessment for Dinghy Racing and Gig Racing in the harbour. The Marine Director further advised that he was intending to rationalise the existing Harbour Authority Risk Assessments and that in future he was intending that assessment should be based on broadly based, themed activities.

RESOLVED:

That:

(i) The Harbour Board note the comments included in the report

(ii) The inclusion of more details about Hamble Harbour Radio in future newsletters be approved and,

(iii) A re-appraisal of the Dinghy and Gig Racing Risk Assessments be initiated.

43. **POSSIBLE RETENTION OF ONE PATROL BOAT – COSTS AND BENEFITS**

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 12 in the Minute Book).

The Marine Director advised that having undertaken a detailed cost-benefit analysis of retaining one of the patrol boats, he had concluded there were no obvious benefits in doing so. The costs of doing so were likely to outweigh any advantages gained from having an additional boat available. He therefore recommended that both boats should be traded in and that a regime of thorough planned maintenance, prompt cleaning and repair and care for use of the new boats should be implemented, rather than one of the current boats being retained to be used for particularly dirty jobs.

RESOLVED:

That both the existing patrol boats be traded in, as originally planned, on the basis that the costs of retaining one outweigh the potential benefits and that a cheaper alternative is available.

44. **REVIEW OF FEES AND CHARGES**

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 13).

The Marine Director reaffirmed his recommendations outlined in the report, noting that the level of charges and their applicability may need to be reviewed in the event of any changes in the relevant legislation.

RESOLVED:

That the fees and charges set out in the report be adopted and advertised on the River Hamble website.

45. **ITEMS FOR FUTURE MEETINGS**

The Board considered the report of the Director of Culture, Communities and Rural Affairs (Item 14 in the Minute Book).

The Board noted that the expected list of reports could be affected by its consideration of River Hamble Select Committee report and the recommendations contained therein (The report was due to be considered at the 26 March 2010 meeting). The Board also noted that recommendations in respect of the utilisation of the Asset Enhancement Reserve could also generate items for future meetings.

RESOLVED:

That the report be noted.

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