Agenda item:

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	River Hamble Harbour Management Committee
Date of Decision:	15 January 2010
Decision Title:	Marine Director's current issues
Decision Reference:	1169
Report From:	Director of Culture, Communities and Rural Affairs

Contact name: David Evans

Tel: 01489 576 387 **Email:** david.evans@hants.gov.uk

1. Executive Summary

1.1. This report provides an update on issues currently occupying the Marine Director's in-tray, seeks approval to procure aerial photographs of the River and outlines the current financial arrangements for the Mooring's Management Agreement with The Crown Estate.

2. Issues

2.1 The Marine and Coastal Access Act (2009). The Act received Royal Assent on 12 November 2009. Amongst other things, the Act creates a new Marine Management Organisation (MMO), a Non-Departmental Public Body (NDPB). The MMO will officially come into being on 1 April 2010; Steven Gant has recently been appointed as Chief Executive. Defra has already commenced consultation on a statement of public participation in the production of the Marine Policy Statement, which can be accessed at:

http://www.defra.gov.uk/environment/marine/documents/legislation/ukpolicy-publicpart.pdf

2.2 Marine planning. The Marine and Coastal Access Act also provides for the development of a Marine Planning System for all UK marine regions. For England, the intention is that the MMO take forward the development of Marine Plans on behalf of Defra. Before the MMO can begin planning, the boundaries for each plan area must be decided. Defra have recently initiated a consultation on a series of proposed plan areas within the English Inshore and English Offshore areas. The proposed Marine Planning area, as it affects the River Hamble, will run from Portland Bill to Selsey Bill, out to

the 12 mile limit and including the Solent. The consultation can be accessed at:

http://www.defra.gov.uk/corporate/consult/marine-plan/index.htm

2.1. M27 interceptors. Following the incident on 10 November, reported to the Harbour Board on 4 December, the Marine Director has once again been in touch with the Environment Department of Hampshire County Council and the Highways Agency, in an effort to convince all concerned that interceptors should be fitted, as a matter of priority, on the M27 bridge. To date, the Highways Agency has not responded.

3. Aerial photographs.

3.1.1 Aerial photographs of the harbour are a very useful tool for Harbour Authority staff, providing an additional layer of information which cannot be gleaned from charts and plans (mainly because boats on their moorings do not appear on the charts and plans). Those currently in use were taken in about 2000 and are now well out of date, as are the ones available on websites such as Google Earth. The Harbour Board has already approved procurement of new photographs and a great deal of research has been carried out to determine what is available commercially. High resolution photographs, taken directly downwards from height, are the preferred solution, because they provide a clear picture of the exact situation on the water and minimise distortion. Such photographs are invaluable in assessing the likely impact of any proposed developments, and changes in moorings layout or vessel traffic management.

3.2 For the financial year 2008/09, the Harbour Board approved a budget with a sum of £3000 allocated for the procurement of suitable photographs. This figure was an estimate, made prior to detailed research and has proved to be over-optimistic. The money was not spent, and was transferred to the revenue reserve. A similar sum was budgeted for 2009/10 and will be transferred to reserves if not spent. Following a lengthy search for a contractor with the required photographic and processing facilities, it has been concluded that the preferred solution is to procure photographs taken from a fixed wing aircraft (a more stable platform that a helicopter), at resolution of 20cm (so that individual mooring buoys and piles can be identified) and a scale of 1:2000. The total cost to cover the entire Harbour Authority jurisdiction will be £8,500. This includes ortho-rectification (to reduce angular distortion), mosaicing (to accurately overlap individual frames), delivery in digital format on DVD and printing. Approval is sought to proceed with this procurement during the summer of 2010, using funds from the revenue reserve if required.

4. Crown Estate Management Agreement

4.1. The Harbour Authority currently manages some 600 mid-stream moorings on behalf of The Crown Estate, under the terms of a formal Moorings

Management Agreement. A summary of the key tasks undertaken by the Harbour Authority is at Appendix 1. The financial arrangements associated with this Management Agreement are as follows:

a. The Crown Estate pays a moorings management fee based on a proportion of the total Crown Estate licence fees collected by the Harbour Authority. This is currently £46,800 per annum and increases annually in line with the percentage increase in mooring licence fees.

b. For administering the waiting list, the Harbour Authority retains 20% (about £2,500) of the total income collected on behalf of the Crown Estate.

c. For Temporary Licences, the Harbour Authority retains 9.1% of the gross licence fee income (in lieu of Harbour Dues). The Crown Estate then pays the Harbour Authority a fee of 25% of the net income (after deduction of Harbour Des and refunds to the permanent mooring holder) for administering the allocation of temporary licences.

5. Recommendation

5.1. **It is recommended that:**

The River Hamble Harbour Management Committee advises the Harbour Board to proceed with procurement of aerial photographs at a maximum cost of £8,500, and;

The remainder of this report be noted

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	no
Corporate Business plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Business plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Business 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	

APPENDIX 1

River Hamble Moorings Management Agreement

Key Tasks

The Moorings Management Agreement with The Crown Estate requires the Harbour Authority to carry out the following tasks and services:

1. Invoicing, collecting, recording and onward transmission of all licence fees paid by individual mooring holders. This includes sending reminders, repeat invoices and the collection of bad debts (where necessary, impounding vessels and arranging for their ultimate disposal).

2. Inspection and supervision of repair and maintenance work of the piles owned by The Crown Estate used in conjunction with individual and block mooring holders, to include the management of removing vessels from their moorings to a temporary mooring, consequent upon the repair and/or maintenance of piles. Dealing with individual and block mooring holders' representations and communications.

3. Inspection of pontoons at individual and block moorings, obtaining annual self-certification for pontoon condition and ensuring compliance with licensing conditions.

4. Physical and financial management of the moorings waiting list, to include processing applications, maintaining a data base, collecting, recording and transmitting monies, allocating appropriate moorings and dealing with correspondence, telephone calls and personal visits from applicants.

5. Day to day management of all matters relating to individual moorings holders, including correspondence, telephone calls and personal visits and, where relevant to the proper management of the moorings, liaison with various stakeholders including the Mooring Holders Association and yacht clubs.

6. Provision of advice to The Crown Estate relating to topics of interest on the River Hamble.

7. Keeping and maintaining records, together with storage and archiving of records.

8. Management and allocation of sub-let moorings, collecting sub-let fees, arranging payment of refunds to mooring holders and dealing with any correspondence arising.