

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee</b>	River Hamble Harbour Management Committee
<b>Date:</b>	7 January 2011
<b>Title:</b>	Clam Dredging in Upper Hamble
<b>Reference:</b>	2476
<b>Report From:</b>	Director of Culture, Communities and Rural Affairs

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#### 1. Summary

- 1.1. The purpose of this update is to provide a summary of the recent incidents involving fishing boats in the Upper Hamble.

#### 2. Clam Dredging in Upper Hamble

- 2.1 In recent weeks several fishing boats have started to dredge for clams in areas of the Upper Hamble. This dredging is in breach of River Hamble bye-law 7 as the masters of the vessels concerned have neither applied for, nor been granted, the written permission of the Harbour Master. There are also reports of this dredging occurring at night which is a breach of Southern Sea Fisheries District Committee bye-law 7 which prevents the dredging of shellfish between the hours of 4:00 pm and 8:00 am. The dredging may also risk damaging the historic wreck of the '*Grace Dieu*' which has a 75 metre exclusion zone around it and is covered by the Protection of Wrecks Act 1973. Although the area has several nature conservation designations, it would be difficult to prove that the dredging is causing damage to the sites and therefore the legislation is unlikely to be of use. The fishing is also in breach of Food Safety legislation; it is illegal to collect and sell shellfish from unclassified waters for human consumption.
- 2.2 The Environmental Health teams from Southampton Port Health Authority, Winchester City Council and Fareham and Eastleigh Borough Council are responsible for enforcement of Food Safety legislation and have been informed. A Notice to River Users (NtRU) has been issued and clearly sets out the bye-laws and other regulations which govern fishing with dredges within the River. No further reports of clam dredging in the Upper Hamble have been received since the NtRU was issued.

**3. Recommendation**

**It is recommended that this report be noted.**

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

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