

HAMPSHIRE COUNTY COUNCIL**Report**

Committee	River Hamble Harbour Management Committee
Date:	18 March 2011
Title:	Harbour Works Consent – R.K. Marine
Reference:	2713
Report From:	Director of Culture, Communities and Rural Affairs

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1. Summary

- 1.1. This report details the application for Harbour Works Consent to construct a new boat hoist dock at R.K. Marine.

2. Contextual information

2.1. Project Description

The construction of a new hoist dock will allow for the installation of a 40 ton capacity boat lift at R.K. Marine. This will allow the boat yard to lift larger and heavier boats out of the water. The works will require the installation of 13 piles to be driven into the sediment using a vibrating hammer. These piles will support 2 pre-cast concrete runway beams which will support the boat hoist itself. The applicant anticipates that this facility will typically be used for 4 or 5 lifts each week.

A location map for the proposal is attached as Annex A and a site plan for the proposal is attached as Annex B.

2.2. Harbour Authority's Responsibilities

2.2.1 Consent may be granted by the River Hamble Harbour Board permitting harbour works in the navigation of the River Hamble to accord with Section 10 of the Southampton Harbours Act 1924 and Section 48 of the Southampton Harbour Act 1949, as amended by the River Hamble Harbour Board Revision Orders 1969 to 1989. Within the River Hamble Harbour Board's statutory duties lies the responsibility to ensure that all matters concerning navigational safety and responsibilities under the Habitat Regulations are addressed.

This area of responsibility includes the proposed development at R.K. Marine.

- 2.2.2 The River Hamble Harbour Authority (RHHA) is a Relevant Authority under The Conservation of Habitats and Species Regulations 2010, commonly known as the Habitats Regulations. As a Relevant Authority, the Harbour Authority has a duty to secure compliance with the requirements of the Habitats Regulations and to ensure that in the exercise of any of its powers or functions it will have regard to both direct and indirect effects on the interest features of the European Marine Site (EMS).
- 2.2.3 The River Hamble is part of the Solent EMS and is afforded protection due to its international nature conservation value. The majority of the Eastern and Western banks fall within the Solent and Southampton Water Special Protection Area (SPA) and Ramsar site. The whole river lies within the Solent Maritime Special Area of Conservation (SAC).
- 2.2.4 As a Section 28G Authority under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), the RHHA has a duty to take reasonable steps consistent with the proper exercise of the Authority's functions to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.
- 2.2.5 Under the Natural Environment and Rural Communities Act 2006, all public bodies have a duty to have regard , so far as is consistent with the proper exercise of their functions, to the purpose of conserving biodiversity.
- 2.2.6 The Harbour Authority addresses its responsibilities under the environmental regulations through consultation with Hampshire County Council, the Borough Councils, the Department for the Environment, Food and Rural Affairs, Natural England, the Environment Agency and English Heritage. Specific issues relevant to this particular application are covered within the Harbour Masters comments below.
- 2.2.7 Navigational Safety issues are addressed through the Port Marine Safety Code and the Harbour's Safety Management System. Specific issues relevant to this particular application are covered within the Harbour Master's comments below.

2.3 Consultation

On receipt of this application a consultation exercise was commenced on 02 February 2011 which entailed the following actions:

- 2.3.1. Details of the application were uploaded to the Harbour Authority website
- 2.3.2. Notification to all members of the River Hamble Management Committee and River Hamble Harbour Board of the proposed development.
- 2.3.3. An email was sent to all interested parties on 03 February 2011 informing them of the application and requesting comments. The plans and details of the application were made available in the Harbour Office for inspection by members of the Public. No-one requested to inspect the plans.
- 2.3.4. Liaison with the Environment Agency, Natural England, Hampshire County Council's archaeologist and Hampshire and Wight Trust for Maritime Archaeology regarding the environmental impacts of the proposal. Environmental comments arising from these liaisons are summarised with the Harbour Master's comments.
- 2.3.5. On completion of the consultation, no communications had been received.

2.4 Harbour Master's Comments

- 2.4.1 The proposal does not require a statutory Environmental Impact Assessment (EIA) under the Marine Works (Environmental Impact Assessment) Regulations 2007.
- 2.4.2 The proposal lies adjacent to the Solent Maritime Special Area of Conservation (SAC). Natural England have provided advice under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). They have advised that the proposal in its current form is unlikely to have a significant effect upon the designated site provided that vibro piling is used as standard. The Environment Agency have requested that piling works take place between 01 November and 15 March to avoid impacts upon migrating salmon and sea trout and also expressed a preference for vibration piling.
- 2.4.3 The Hampshire County Council archaeologist did not raise any concerns due to the small-scale nature of the proposed works.
- 2.4.4 No other concerns have been raised with regard to this application for Harbour Works Consent.
- 2.4.5 At the time of writing, the River Hamble Harbour Authority has not been consulted for planning permission by Fareham Borough Council or for marine consents by the Marine Management Organisation.

- 2.4.6 At peak times, there may be a need to manage large boat movements in/out of the hoist dock to reduce the risk to other River users in this area. This could be done by stationing 'picket' boats upstream and downstream of the entrance to R.K. Marine to warn River users that there may be a large vessel undertaking manoeuvres.

3. Recommendation

It is recommended that the River Hamble Harbour Management Committee advises the Harbour Board to grant Harbour Works Consent for the proposed works at R.K. Marine with the following conditions:

- 3.1 A risk assessment should be supplied to the Harbour Office prior to commencement of the works.**
- 3.2 A vibro piling methodology is to be used.**
- 3.3 Piling works to occur between 1 September and 15 March in any year only to avoid the salmonid migration window.**
- 3.4 All other consents are to be obtained prior to commencement of the works, and a copy of each consent lodged with the Harbour Office.**

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

Hampshire safer and more secure for all:	no
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

