

AT A MEETING of the RIVER HAMBLE HARBOUR BOARD held at Warsash Sailing Club, Shore Road, Warsash on Friday 10 September 2010.

**PRESENT:**

**Hampshire County Council**

Councillors:

p K. Evans (Chairman)

p G. Hockley

a K. House

**Independent Members**

p Mr. T. Lovell

p Mr. C. Moody

a Dr. S. Tomson

**Marine Director**

p D. Evans

**Also present:**

John Tickle, Assistant Director, Culture, Community and Rural Affairs

Bevis Ingram, Assistant County Treasurer

Sue Kilbride - Senior Solicitor

Captain Mark Capon, Managing Director, Marine Enforcement (Designated Person)

69. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor K. House and Dr. S. Tomson

70. **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.

The following Members declared a personal prejudicial interest on the item relating to Harbour Dues (Minute 76 refers).

Mr. D. Evans - River Hamble Mooring/Berth Holder and Member of Warsash Sailing Club and Royal Air Force Yacht Club.

Mr. T. Lovell - River Hamble Mooring/Berth Holder and a member of the Royal Southern Yacht Club.

71. **MINUTES**

The Minutes of the meeting of the Board held on 16 July were confirmed as a correct record and signed by the Chairman.

Arising thereon:

### **Minute 60 - Harbour Master's Report**

The Marine Director advised that the 56' house boat which sank at its moorings had now been removed from the River and will be broken-up. This involved no cost to the Harbour Authority. Unfortunately, powers do not exist to enforce house boat owners to adopt a more rigid maintenance regime.

### **Minute 62 - Environment Update**

The Marine Director reported on a recent meeting with the Board Chairman and Highway Agency officials concerning the question of run-off interceptors on the M27 bridge. The discussion had been constructive and a further report will be made to the next meeting of the Board.

Board Members noted that negotiations between the River Hamble Harbour Authority and Associated British Ports (ABP) were continuing in relation to ABP's proposed Southampton Water capital dredge. The relevant documents on this matter were particularly complicated and the matter remained at present with the relevant legal teams.

### **Minute 64 - Proposed Harbour Office Staffing Structure**

The Assistant Director CCRA reported that arrangements were in hand to make the appropriate special recognition payments to those members of the Harbour Office team who had undertaken additional activities and responsibilities over the period involved. He mentioned that Dr S Tomson had raised this in an email and undertook to advise her of the latest position.

**72. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Mr B. Ingram, Assistant County Treasurer and Mrs S Kilbride, Senior Solicitor to the meeting.

Board Members were updated on the responses received to date from those bodies who had been consulted about mooring capacity. The Chairman of the Board and of the Management Committee had arranged to meet with the Marine Director and the Environment and Development Manager on 23 September 2010 to consider each of the responses received with a view to deciding whether there should be a future review. The Marine Director undertook to send copies of the responses to Board members.

Board Members noted the present position concerning alleged damage by fishermen to the board-walk. Following a recent inspection by the Marine Director and Amanda Clark, Solicitor, the legal position about ownership of the board-walk and the area of land around it was being investigated. Once the legal position had been clarified, appropriate meetings would be held with the relevant parties involved to seek to draw the matter to a satisfactory conclusion.

**73. RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE - 2  
SEPTEMBER 2010**

The Minutes of the meeting of the River Hamble Management Committee held on 2 September 2010 were noted. The recommendations to the Board contained therein in relation to River Hamble Reserves and Financial Outlook and Harbour Dues are set out below (Minutes 75 and 76

refer).

#### **74. HARBOUR MASTER'S REPORT**

The Marine Director presented the Harbour Master's report (Item 7 in the Minute Book) and a supplementary report tabled at the meeting (Item 7(i) in the Minute Book) which outlines incidents from 18 July to 6 September 2010 inclusive.

Board Members were concerned to note the incident on 30 July (para 3.7) in which there had been a significant spill of diesel fuel from a vessel refuelling. The Marine Director highlighted that the subsequent investigation had proved inconclusive with no grounds for prosecution in this case. However, the fuel operator involved had undertaken to review their procedures.

The Marine Director advised that the fisherman's pontoon damaged on 13 August (para 3.15) will have to be removed from the River and scrapped due to it being heavily corroded with rust. The fishermen had been invited to replace or repair the mid-stream pontoon involved and been given temporary moorings in the meantime.

Board Members noted further details regarding Hamble-le-Rice Parish Council's newly introduced Bye-Law (para 3.17). It was to prevent diving, jumping and swimming in the vicinity of the Hamble jetty. The Parish Council were to enforce this with any incidents being reported to the Police.

The Marine Director reported on the intended prosecution of the owner of a personal water craft for exceeding the 6 knot speed limit in the River (para 4). The trial was to take place at Southampton Magistrates' Court

on 17 November 2010. A report on the outcome would be made to the next meeting of the Board.

The Marine Director was pleased to report on the appointment of Graham Horton on a 12 month contract as maternity cover for Alison Fowler, Environment and Development Manager. Graham would be introduced to Members at their next meeting. Members wished to record their best wishes to Alison Fowler who was expecting her baby in October.

**75. RIVER HAMBLE RESERVES AND FINANCIAL OUTLOOK**

The Board considered the report of the County Treasurer and Director of Culture, Communities and Rural Affairs (Item 8 in the Minute Book). It reviewed the River Hamble Revenue and Asset Replacement Reserves in the context of the reserves policy approved in May 2007; the level of reserves as at 31 March 2010; subsequent reductions achieved in costs relating to the Harbour and a review of the asset replacement programme. The same report had been considered in detail by the River Hamble Harbour Management Committee on 2 September 2010 and its recommendations supported for approval by the Board.

In agreeing with what was being proposed, Board Members asked the County Treasurer to report to their next meeting further details and information about short and medium term investment opportunities given the revised level of reserves held. Accordingly, it was

**RESOLVED:**

That the River Hamble Harbour Board

- (a) endorse the current Reserves Policy
- (b) transfer £180,000 from the Revenue Reserve to the Asset Replacement Reserve and reduce the annual contribution to the Asset Replacement Reserve to £35,000
- (c) receive a report by the County Treasurer at their next meeting on investment possibilities for the revised level of reserves.

## 76. **HARBOUR DUES**

Messrs D. Evans and T. Lovell declared personal prejudicial interests and left the meeting during the discussion on Harbour Dues.

The Board considered the report of the County Treasurer and the Director of Culture, Communities and Rural Affairs (Item 9 in the Minute Book). It sought approval to a proposed level of Harbour Dues for 2011 to involve them being reduced by 10% and to there being no adjustment to reflect the increased rate of VAT applicable from January 2011. The same report had been considered in detail by the River Hamble Harbour Management Committee on 2 September 2010 and its recommendations supported for approval by the Board. However, the Management Committee had asked that the presentation of the table referred to in para 2.7 of the report showing the newly proposed Harbour Dues should be slightly modified in accordance with their comments. The Marine Director circulated at the Board Meeting an updated table (Item 9(i) in the Minute Book) as had been requested by the Management Committee and which showed that the prices are per metre per annum.

Accordingly, it was

RESOLVED:

That the River Hamble Harbour Board:

- (a) approves the Harbour Dues for 2011 as shown in the modified table as circulated at this meeting
- (b) reviews the rate of Harbour Dues each year with the general presumption that any increase should be no higher than the retail prices index plus 1%
- (c) continues the progress in driving down costs and the comprehensive recovery of dues that will sustain lower dues for all.

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