

AT A MEETING of the RIVER HAMBLE HARBOUR MANAGEMENT COMMITTEE held at The Warsash Sailing Club, Shore Road, Warsash on Friday 25 June 2010.

PRESENT

Chairman:
p Councillor S. D. T. Woodward

Vice-Chairman:
a Councillor Dr. R. J. Ellis

Councillors:

p F. Allgood	a C. Davidovitz
p Mrs C. A. Bailey	a A. D. G. Evans
p A. Broadhurst	p A. Gibson
a M.G. Cooper	p A. W. Rice, TD

Eastleigh Borough Council

p Councillor Mrs S. Ingram

Fareham Borough Council

p Councillor T. M. Cartwright

Winchester City Council

p Councillor Victoria Weston

Royal Yachting Association

p Mrs P. Dorothy

Association of River Hamble Yacht Clubs

p Mr P. Middleton

British Marine Federation

p Mr M. Glanville (Deputy)

Associated British Ports

p Mr R. Blair (Deputy)

Hamble River Boatyard and Marina Operators Association

p Mr R. Boissier

Berth and Mooring Holders Representative

p Mr D. Jobson

46. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor M.G. Cooper, Councillor C. Davidovitz, Councillor Dr. R.J. Ellis, Councillor A.D.G. Evans, Captain P. Holliday (ABP) and Mr. J. Eads (British Marine Federation)

47. 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.

Councillors S. Woodward and V. Weston declared personal, non prejudicial interests by reason of their being Mooring or Berth Holders on the River Hamble, as did Mr. R. Boissier, Mrs P. Dorothy, Mr. M. Glanville, Mr. P. Middleton and Mr. D. Jobson.

Councillors T. Cartwright and V. Weston, along with Mrs P. Dorothy, Mr. D. Jobson and Mr. P. Middleton also declared personal, non prejudicial interests as members of Local Yacht or Sailing Clubs.

Mr. M. Glanville declared a personal, non-prejudicial interest as an employee of Marine Developments Ltd.

48. MINUTES

The Minutes of the River Hamble Harbour Management Committee meeting held on 5 March 2010 were confirmed as a correct record and signed by the Chairman.

49. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded the Committee that the annual River Hamble boat tour had been organised to be undertaken on the rising of this meeting. The Chairman also referred to a significant oil spill having occurred at the Esso Fawley Oil Refinery on the evening of Sunday, 20 June. He thanked the Harbour Office staff for their excellent response

to the incident and asked the Marine Director to provide further detail during the Committee's consideration of the Harbour Master's report.

50. **HARBOUR MASTER'S REPORT**

The Committee considered the report of the Director of Culture, Communities and Rural Affairs (Item 6 in the Minute Book). The Committee also considered a supplementary report from the Assistant Harbour Master (AHM) which outlined incidents from 21st May to 21st June 2010 inclusive.

The acting Deputy Harbour Master (DHM) reminded the Committee that the summer staffing roster had started on 4 May 2010. The Harbour was now being patrolled by the Duty Harbour Master at various times between the hours of 0700 to 2200 hours. The acting DHM drew attention to the various incidents where assistance had been offered by Patrol staff, most notably those occurring on 27 March, 5 April, 27 April, 10 May, 15 May and 17 May respectively.

The acting DHM confirmed that progress continued to be made in respect of reviewing and updating the current Safety Management System and that a revised Code of Practice for races, events and regattas on the River Hamble had now been implemented. The acting DHM advised that a meeting with appropriate organisations, to review the efficiency of the new Code, would be held at the end of the year.

The acting DHM commented on recent staff training that had taken place. She also confirmed that a meeting had taken place on 10 May between staff and local Police representatives to discuss issues of local interest and/or mutual concern. The audit undertaken by Trinity House on 21 April to check all aids to navigation had been carried out successfully and there were no matters arising which required further action.

Following the Chairman's earlier announcement, the Marine Director gave a full update on the Esso Fawley Oil Refinery oil leak that took place on Sunday 20 June. As a result of a burst pipe, a leak of 'vacuum gas' oil had taken place into the Solent. The initial response declared by Esso was that of it being a "Tier 1" incident.

The Marine Director confirmed that following the discovery of oil in the sea at Hillhead during the morning of Monday 21 June, Associated British Ports (ABP) had declared a "Tier 2" response. Upon receiving notification of the presence of oil in the water close to the mouth of the River Hamble, the Marine Director had despatched a Harbour Authority Patrol Boat to investigate. He also declared a 'Tier 2' incident.

The Harbour Authority's oil spill contractor, Adler and Allan, had been alerted and booms had been made ready and kept on the slipway until high tide. Although no oil was believed to have penetrated into the

River Hamble, the Marine Director paid tribute to the professionalism of the Harbour Authority staff (and also those of Adler and Allan) for the way in which they responded to what could have been a serious incident. He reassured the Committee that the costs that had been incurred by the Harbour Authority would be recoverable from Esso.

Committee members noted with regret that there had been further incidents of theft of outboard engines from vessels moored on the Hamble. During the course of the subsequent debate, Committee Members' attention was drawn to www.hampshiremarinewatch.co.uk and also www.stolenboats.org.uk. These two websites had been established to help combat marine crime. Details of how to subscribe could be found on each website.

RESOLVED:

That the report be noted.

51. **MARINE DIRECTOR'S CURRENT ISSUES**

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

The Marine Director outlined the decisions being implemented in respect of the Harbour Dues regime, including the current arrangements for the levying of a weekly rate. He also pointed out the minor administrative difficulties being experienced and the actions being taken to overcome them.

The Marine Director confirmed that a training syllabus had been drawn up for members of the River Hamble Harbour Management Committee and also the River Hamble Harbour Board (see Appendix 1 of the report). The first of the two new Patrol Boats was nearing completion with delivery now expected shortly. The first draft of a formal complaints procedure (one of the recommendations approved by the River Hamble Harbour Board when considering the River Hamble Select Committee's recommendations) was attached at Appendix 2. In considering the draft complaints procedure, the Committee recommended that the procedure should be amended slightly so that an acknowledgment should be sent to each complainant (within 3 working days) and also that a register of complaints should be kept.

The Head of Legal Practice's representative briefly outlined certain key terms of the River Hamble Riverbed leases (see Appendix 3). The Chairman indicated that enquiries should be made regarding the availability of the Cabinet papers referred to in this Appendix and that such papers should be supplied to River Hamble Harbour Management Committee members, if it was feasible to do so.

RESOLVED:

- (i) That the River Hamble Harbour Board be recommended to adopt the draft complaints procedure outlined in Appendix 2 (as amended) and that
- (ii) The remainder of the report be noted.

52. ENVIRONMENTAL UPDATE

The Committee considered the report of the Director of Culture, Communities and Rural Affairs (Item 8 in the Minute Book).

The Assistant Harbour Master (Environment) outlined arrangements in respect of the planned major oil spill response exercise that is due to be held in early September 2010. She also confirmed that negotiations between the Hamble Harbour Authority and Associated British Ports (ABP) were continuing regarding ABP's proposed Southampton Water capital dredge. Although documentation was now with legal teams from both parties, the dredge was not expected to commence any earlier than 2011.

The Assistant Harbour Master (Environment) asked Members to note a minor typographical error (in paragraph 2.3) where the middle bullet point should have read "a single mid-stream pontoon on 'A-run' *is currently being considered, and awaiting a decision by the Crown Estate*".

The AHM (E) reported on the issues discussed at the Solent Forum meeting held during March, the Solent Forum Water Quality Conference on 28 April and the Hamble Estuary Partnership (HEP) meeting on 20 May 2010. The Solent Forum's efforts in respect of the Towards Solent Marine Planning (SoMaP) Project were noted, as well as the key features of the Marine and Coastal Act 2009 (which introduced a marine planning system). The successful bid for funding to install solar panels for the Harbour Authority's new patrol boats was welcomed by the Committee.

RESOLVED:

That the report be noted.

53. RIVER HAMBLE FINAL ACCOUNTS 2009/10

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

The Head of Finance (Culture, Communities and Rural Affairs) outlined the key features of the final accounts. During the financial year

2009/10 a surplus of £119,704 had been achieved and added to the Revenue Reserve. The scale of the surplus was due to the one-off settlement on conclusion of the revised agreement with the Crown Estate. The reserves policy, agreed in 2007, requires the Revenue Reserve to be approximately 10% of annual expenditure, i.e. a balance of approximately £65,000. The current level of Revenue Reserve (£195,000) is significantly above this level and a review of reserves is to be undertaken. Appendix 1 of the report outlined the total reserves for the River Hamble Harbour Authority.

The Committee welcomed the efforts being undertaken to contain the Harbour Authority's costs and paid tribute to the way managers were bearing down on costs. Members noted that the 'one off' costs of establishing and supporting the River Hamble Select Committee would not be incurred in the 2010/2011 financial year.

RESOLVED:

That

- (i) The report be noted and
- (ii) The report be submitted to the River Hamble Harbour Board for its approval.

54. **PROPOSED HARBOUR OFFICE STAFFING STRUCTURE**

The Committee considered the report of the Director of Culture, Communities and Rural Affairs (Item 10 in the Minute Book). (NB: All members of the Harbour Office staffing team absented themselves during the Committee's consideration of this item).

The Assistant Director of Culture, Communities and Rural Affairs explained the context to the review of staffing that had been undertaken, including the resignation of the previous Harbour Master. The report also sought to take into account the views of the Select Committee and the need to secure appropriate efficiencies and operational savings while maintaining an effective staffing structure within the Harbour Office. In preparing the role profile, comparisons had been made with other similar roles across other port authorities albeit an exact comparison was not available. The job evaluation process for the roles referred to in the report had been conducted in accordance with the principles and methodology of the 'Hay' system which is the standardised procedure employed by Hampshire County Council as the employing organisation.

The Assistant Director confirmed that the Harbour Office had been operating on a similar basis to that proposed in the report for approximately a year. He echoed earlier comments from the Chairman in complimenting the professionalism and commitment shown by staff

operating in a period of uncertainty and while they waited for confirmation of a new management structure. Although the outcome of the evaluation process was potentially subject to appeal, the Assistant Director confirmed that the savings outlined in the report would be closer to £40,000, rather than £30,000, if the current grades were implemented.

Committee Members welcomed the broad outline of the report but expressed minor reservations in relation to the proposed new structure's 'organogram' and the descriptions of the various responsibilities and accountability lines contained within it. A request was therefore made to show the River Hamble Harbour Management Committee within the organogram to illustrate its reporting line to, and scrutiny of, the River Hamble Harbour Board. The Committee also commented on the absence of any reference to the River Hamble Harbour Management Committee in the management accountabilities for the 'Marine Director and Harbour Master' (page 9 of the report).

In commenting upon the organogram, the Committee requested that the term 'direct responsibility' should be replaced by 'management responsibility' and that the term 'liaison' should be replaced by either 'reporting line' or 'responsibility to'. The Committee felt these terms better reflected the nature of the working relationships that would be in place.

In response to questions, the Assistant Director confirmed that the performance targets for the holder of the Marine Director and Harbour Master position would be discussed with and agreed by the Chairman of the River Hamble Harbour Board. He also confirmed that the target implementation date would be 1 August 2010 (rather than 31 July 2010) as shown in the report.

RESOLVED:

That the River Hamble Harbour Board be recommended to agree:

- (i) That the proposed new management structure for the River Hamble Harbour Office be agreed, subject to the achievement of the financial savings set out in the report (which should be both detailed and fully considered by the Board) prior to any final approval;
- (ii) That the organogram and role profile information contained within the report be amended in response to comments made by the Management Committee;
- (iii) That to secure and sustain operational effectiveness every effort should be made to implement the new structure by 1 August 2010 at the latest and;

- (iv) That a review should be carried out 6-9 months after implementation.

55. **ASSET ENHANCEMENT RESERVE**

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

The Marine Director briefly outlined the 'Asset Enhancement' shortlist that had been drawn up by the combined 'Management Committee and Harbour Board Sub-Group'. He pointed out that further work on one or two of the projects needed to be carried out to ensure that they fell within the Harbour Authority's jurisdiction and/or that the Harbour Authority possessed the relevant powers to pursue them. A number of the projects also required more detail to be provided. The Marine Director confirmed that the shortlist had been given to attendees at the River Hamble Annual Forum meeting and to the Hamble Estuary Partnership and that no new ideas had been submitted beyond those listed in Appendix 1 of the report or already considered and rejected by the Sub-Group.

Committee Members gave detailed consideration to each of the 11 options outlined in Appendix 1. During consideration of this item, the Committee identified four general 'themes' which they indicated they would be happy for further consideration to be given to. They also indicated that they wished to ensure that any funding was primarily directed towards capital projects, rather than those which might incur ongoing revenue costs. In response to questions, the Marine Director confirmed that it had not yet been possible to gauge any level of indication of potential partner interest for any of the suggested projects.

Before reaching its conclusions, the Committee ruled out options 6, 7 and 8 as being of insufficient priority (these options being the potential 'purchase of an oil spill and debris clean up vessel', 'enhancement of recycling facilities' and 'improvements to riverside Interpretation Boards'). The Committee did, however, offer its support to elements of all of the other 8 projects that had been proposed.

RESOLVED:

That the River Hamble Harbour Board be notified that projects based around the following four themes should be given further consideration and that work should be undertaken to establish the feasibility and costings in respect of each of them:-

- (i) 'Improved Safety Signage on public slipways'
(this being a minor amendment to Option 1, Appendix 1 as

shown in the report);

- (ii) Tender storage with associated jetties and access (this being an amendment to and combination of Options 2 – 5, shown in Appendix 1);
- (iii) An expansion of facilities for and an increase in the numbers of school and/or youth group visits to the River (Option 9);
- (iv) Funding for SSSI enhancements and/or footpath improvements (this being an amendment to and combination of Options 10 and 11 shown in Appendix 1).

56. ANNUAL FORUM - REPORT OF PROCEEDINGS

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

The Marine Director apologised for the inadvertent typing error in paragraph 2.2, (text after the word “included” should have been deleted) but he welcomed the interest shown and the comments that had been made, as outlined in Appendix 1 to the report.

RESOLVED:

That the report be noted.

57. ITEMS FOR FUTURE MEETINGS

The Committee considered the report of the Director of Culture, Communities and Rural Affairs (Item 13 in the Minute Book).

The Marine Director advised that in addition to the items shown in the report, he intended to bring a budget monitoring report to October’s meeting.

The Chairman confirmed that he had recently met with the Chairman of the River Hamble Harbour Board, the Assistant Director of Culture, Communities and Rural Affairs and the County Council’s Legal Practice and he hoped that it would be possible to bring forward a report to the October meeting that clarified the governance and working arrangements between the Management Committee and the Harbour Board so that any current uncertainty and confusion could be resolved.

RESOLVED:

That the report be noted.

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