

NOTICE OF MEETING

Meeting	River Hamble Harbour Management Committee
Date and Time	Friday, 15th September, 2023 at 10.00 am
Place	Victory Hall, Warsash
Enquiries to	members.services@hants.gov.uk

Carolyn Williamson FCPFA
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website and available for repeat viewing, it may also be recorded and filmed by the press and public. Filming or recording is only permitted in the meeting room whilst the meeting is taking place so must stop when the meeting is either adjourned or closed. Filming is not permitted elsewhere in the building at any time. Please see the Filming Protocol available on the County Council's website.

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Personal Interest in a matter being considered at the meeting should consider, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 6)

4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

6. MARINE DIRECTOR AND HARBOUR MASTER'S REPORT AND CURRENT ISSUES (Pages 7 - 14)

7. ENVIRONMENTAL UPDATE (Pages 15 - 20)

8. HARBOUR WORKS CONSENT APPLICATION - QUAY WALL REFURBISHMENT & PONTOON WORKS AT RIVERSIDE BOATYARD
(Pages 21 - 72)

9. ANNUAL REVIEW OF BUSINESS PLAN (Pages 73 - 78)

10. FORWARD PLAN FOR FUTURE MEETINGS (Pages 79 - 82)

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING:

The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact members.services@hants.gov.uk for assistance.

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

Agenda Item 3

AT A MEETING of the River Hamble Harbour Management Committee of
HAMPSHIRE COUNTY COUNCIL held at Victory Hall, Warsash on Friday, 16th
June, 2023

Chairman:

* Councillor Hugh Lumby

- * Councillor Pal Hayre
- * Councillor Graham Burgess
- * Councillor Mark Cooper
- * Councillor Rod Cooper
- * Councillor Barry Dunning
- * Councillor Alexis McEvoy
- * Councillor Sarah Pankhurst
- * Councillor Stephen Philpott
- * Councillor Lance Quantrill

Co-opted members

- Nicola Walsh, River Hamble Boatyard and Marina Operators Association
- * Councillor Frair Burgess, Fareham Borough Council
- * Captain Steven Masters, Associated British Ports
- * Councillor Vivian Achwal, Winchester City Council
- * John Selby, Royal Yachting Association
- * Andy Valentine, Association of River Hamble Yacht Clubs
- Ian Cooke, British Marine
- Councillor Joanne Burton, Fareham Borough Council

*Present

72. APOLOGIES FOR ABSENCE

Apologies were received from Ian Cooke, Nicola Walsh and Councillor Joanne Burton.

73. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Personal interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

Councillor Lumby declared a personal interest as member of the Royal Southern Yacht Club, a berth holder at MDL and a consultant at a law firm who provide legal advice to some businesses on the river; Councillor Dunning declared an

interest as a member of the Royal Yachting Association; John Selby declared interests as a trustee of Warsash Sailing Club, a committee member of the Royal Yachting Association, of the River Hamble Combined Clubs and of the River Hamble Mooring Holders Association; Councillor Rod Cooper declared an interest as a mooring holder and as a member of the RAF Yacht Club; Councillor Frair Burgess declared an interest as a member of Warsash Sailing Club.

74. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 10 March 2023 were agreed as a correct record.

75. DEPUTATIONS

There were no deputations.

76. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed new members to the Committee and thanked Councillors Craig, Kyrle and Pearson for their contributions during the time that they were appointed.

77. MARINE DIRECTOR AND HARBOUR MASTER'S REPORT AND CURRENT ISSUES

The Committee considered the report regarding incidents and events in the Harbour.

Some aspects of the Incidents and Events appendix were clarified in response to Member queries. There was discussion regarding unpermitted development activity and several cases which had been observed and were under investigation by the appropriate authorities.

RESOLVED:

That the Committee supports the contents of the report to the Harbour Board.

78. ENVIRONMENTAL UPDATE

The Committee considered the report with an update on environmental matters.

It was confirmed, in response to Members' questions that:

- The level of Mean High Water Springs was determined/defined by the UK Hydrographic Office and that this level was not set by the Harbour Authority. In terms of the anticipated level in 2050, it was expected that this would rise but by how much was not known.
- Regular contact was being maintained with National Highways with regards to the M27 drainage issues. The Harbour Authority had been

assured that a further feasibility study was due to conclude in September 2023 and that the results of this would be reported back to the Committee.

- There was a Solent-wide study ongoing entitled 'Beneficial Use of Dredgings in the Solent' and that a key aspect of this was to identify how and where dredged sediments can be beneficially placed to ensure that saltmarsh habitat loss was minimalised.

The Committee also received a presentation on the powers, functions and obligations of the Harbour Authority in terms of navigational safety and environmental responsibilities. Members were reminded that they were welcome to contact the Harbour Office at any time should they wish to be briefed on a specific topic or area of responsibility.

RESOLVED:

That the Committee notes and supports the report.

79. RIVER HAMBLE FINAL ACCOUNTS 2022/23, FORECAST OUTTURN 2023/24 AND REVISED BUDGET 2023/24

The Committee considered the report presenting the final accounts of the Harbour Authority for the year ended 31 March 2023 and the forecast outturn and proposed revised budget for the year ended 31 March 2024.

Members heard that the outturn position for the year ended 31 March 2023 was a £15,208 improvement on the budgeted position, mainly as a result of increased visitor income, miscellaneous income and interest, partly offset by smaller increased costs against various expenditure budgets. Furthermore, the forecast outturn for the year ending 31 March 2024 was a £32,000 surplus on revenue activities, £14,000 lower than the forward budget. Members noted that this would not be sufficient to meet the £42,000 annual contribution to the Asset Replacement Reserve in full, and therefore a £10,000 draw from the Revenue Reserve had been projected.

In response to Members' question, it was acknowledged that the reported credit card charges were at a high level but that there was limited scope to change this. However, cost recovery of some of these charges would be addressed when renegotiating the management contract with the Crown Estate.

RESOLVED:

- i) That this report, the statutory accounts and management accounts for 2022/23 be noted by the River Hamble Harbour Management Committee, prior to submission to the River Hamble Harbour Board for approval.
- ii) That the Committee supports the proposal to retain the revenue surplus for the 2022/23 financial year in the Revenue Reserve to offset the expected draw required from the Revenue Reserve in the 2023/24 financial year.

- iii) That the Committee notes the forecast outturn for the 2023/24 financial year and supports the recommended changes to the 2023/24 budget and their submission to the River Hamble Harbour Board for approval.

80. REVIEW OF HARBOUR DUES

The Committee considered the report setting the annual rate of Harbour Dues.

Members discussed whether the proposed 3% rise in Harbour Dues would be sufficient given high inflation levels and other factors. The Committee was reassured that this would be a suitable increase and that there was a small amount of contingency available should unexpected circumstances arise.

In response to a Member question it was confirmed that the Harbour Authority staff salaries were set by Hampshire County Council.

RESOLVED:

That the River Hamble Harbour Management Committee supports the recommendation to the River Hamble Harbour Board for the approval of an increase in Harbour Dues of 3% for 2023/24.

81. FORWARD PLAN FOR FUTURE MEETINGS

The Committee considered the report with regard to the future business items for the Committee and Harbour Board agendas.

RESOLVED:

That the Committee notes the report.

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	River Hamble Harbour Management Committee
Date:	15 September 2023
Title:	Marine Director and Harbour Master's Report and Current Issues
Report From:	Director of Universal Services

Contact name: Jason Scott

Tel: 01489 576387

Email: Jason.Scott@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to record formally RHHA patrol operations and inform the Duty Holder of significant events and trends having a bearing on the Marine Safety Management System.

Recommendation

2. It is recommended that the River Hamble Harbour Management Committee supports the contents of this report to the Harbour Board.

Executive Summary

3. This report summarises the incidents and events which have taken place in the Harbour and addresses any issues currently under consideration by the Harbour Master.

Contextual Information

Patrols

4. The Harbour has been patrolled by the Duty Harbour Master at various times between 0700 and 2230 daily. Mooring and pontoon checks have been conducted daily throughout the period.

Issues

6. **Anti-Social Behaviour** – Inclement weather has seen a relative down-turn in occurrences of anti-social behaviour. Joint work with the Police has proved successful in the identification of 23 perpetrators, all of whom have been subject to follow-up home visits.

Appendix 1 To Marine
Director Report

XXXXXXXXXXXXXXXXXX

Incidents and Events

- 7.01 08 Jul. Preparations for a visiting rally. Attended the A27 Bridge to disperse jumping. Speed and wash enforcement off Warsash. Attended Hamble Jetty to disperse swimmers. Liaison with Hamble Life Boat.
- 7.02 09 Jul. Pink Ferry broken into and set adrift in the small hours. Liaison with a boat owner who had stopped the Ferry to recover to Hamble. Liaison with HM Coastguard and Hampshire Police. Assistance given to a yacht with steering failure in Southampton Water. Vessel recovered to her berth.
- 7.03 10 Jul. Preparations for a rally. Towed a small yacht with engine failure to her berth. Tow given to a second yacht with engine failure from the mouth of the River to Hamble Jetty.
- 7.04 11 Jul. Boat coding work. Tow of a yacht with engine failure from the mouth of the River to her mid-stream mooring. Responded to a call from a member of the public reporting a tender being cast adrift by youths at Hamble Jetty.
- 7.05 12 Jul. Assistance given to a visiting yacht rally. Attempted recovery of a tender from Warsash Beach. Tender recovered at next High Water. Liaison with a River user reporting the theft of a tender. Light audit.
- 7.06 13 Jul. Recovered two tenders set adrift by youths from Hamble Jetty. Liaison with owners and Hampshire Police. Assistance given to the skipper of a yacht involved in a minor berthing collision. Responded to a call from a member of the public reporting youths setting tenders adrift from Hamble Jetty. Liaison with Hampshire Police.
- 7.07 14 Jul. Moorings check in strong winds. Light traffic.
- 7.08 15 Jul. Strong winds. Light traffic. Replaced fenders on moored yachts. Liaison with mooring holders affected.
- 7.09 16 Jul. Liaison with the Crown Estate mooring contractor regarding requirement to repair mooring defects resulting from strong winds. Movement of vessels affected. Assistance given to a small motor launch which had run over a mooring line. Liaison with a mooring holder reporting a hit-and-run collision.
- 7.10 17 Jul. Liaison with mooring holders affected by mooring maintenance works. Liaison with Hamble Life Boat.

- 7.11 18 Jul. Tow of a motor vessel with engine failure from the mouth of the River to Warsash Jetty. Advice given to inbound motor vessels about excessive wash off Warsash.
- 7.12 19 Jul. Assistance given to an outbound motor vessel with engine failure. Store tidy. Liaison with a Hamble tender owner regarding damage to his tender caused by youths.
- 7.13 20 Jul. Liaison with HM Coast Guard to locate a vessel with a transmitting locator beacon within a marina.
- 7.14 21 Jul. Liaison with a member of the public reporting the theft of his tender. This tender had been one recovered by Patrol earlier in the week. Returned to owner. Enforcement of diving regulations. Commercial tow of a small yacht from a yard to her mooring. Routine liaison with Hampshire Police regarding the management of anti-social behaviour.
- 7.15 22 Jul. Commercial tow of a small yacht. Line adjustment on two mid-stream moored yachts. Liaison with owners.
- 7.16 23 Jul. Liaison with Hamble Life Boat. Slowed a speeding RIB in the mouth of the River.
- 7.17 24 Jul. Assistance given to a RIB with engine failure. Routine liaison with Hampshire Marine Police Unit. Liaison with the owner of a yacht incorrectly moored on a private mooring.
- 7.18 25 Jul. Commercial making-up of mooring lines for a mid-stream mooring holder.
- 7.19 26 Jul. Light traffic.
- 7.20 27 Jul. Commercial making-up of mooring lines for a mid-stream mooring holder. First Aid kit maintenance.
- 7.21 28 Jul. Liaison with a yacht owner regarding a hit-and-run collision resulting in damage to his vessel. Movement of two vessels to accommodate repair works to pile irons.
- 7.22 29 Jul. Liaison with a private mooring contractor to report dragging of two moorings.
- 7.23 30 Jul. Assistance given to the owners of two small motor vessels recovering at Warsash.
- 7.24 31 Jul. Liaison with a mooring holder affected by essential pile repair works.
- 7.25 01 Aug. Liaison with a mid-stream mooring holder reporting the recovery of a beached tender. Tender had been locked but the lock had been cropped. Liaison with Hampshire Police.
- 7.26 02 Aug. Local outage of 440V supply to Warsash Pontoon. Supply repair work. Moorings checks on behalf of two mid-stream mooring holders. Liaison with the owner of a visiting yacht at Hamble reporting

- anti-social behaviour. Commercial tow of a small yacht to her new mooring.
- 7.27 03 Aug. Commercial tow of a small yacht to her proper mooring. Movement of a small vessel moored on the 'hatched' area at Hamble Jetty. Routine replacement of No2 Mark white light.
- 7.28 04 Aug. Recovered a small RIB aground on Hook Spit near No 3 Mark. Recovered a small dry bag from a mid-stream pontoon.
- 7.29 05 Aug. Refurbishment of Grace Dieu protected wreck marker.
- 7.30 06 Aug. Liaison with displaced mooring holders to arrange return to moorings following repair works.
- 7.31 07 Aug. Reconnection of 440V supply to Warsash Jetty. Light traffic.
- 7.32 08 Aug. Tow of a visiting vessel with engine failure to Warsash Jetty for defect rectification. Recovered a log from the Main Channel in the upper river. Light audit.
- 7.33 09 Aug. Replacement of vandalised signage at Hamble jetty with new steel safety signage. Advice given to a training yacht using a private mooring for berthing practice.
- 7.34 10 Aug. Repair of damage to Warsash slipway caused by jetski wash during craft trailer recovery. Recovery of a broken safety marker at Warsash slipway. Assistance given to a broken-down tender off Warsash. Assistance given to a yacht with a fouled propellor.
- 7.35 11 Aug. Liaison with Hampshire Police at Hamble Jetty regarding anti-social behaviour. Criminal damage – sinking of tenders.
- 7.36 12 Aug. New safety signage prepared for fitting at Hamble Jetty. Liaison with Hamble Lifeboat. Further liaison with Hampshire Police regarding management of anti-social behaviour at Hamble Jetty. 9 young people identified using body-worn camera footage for follow-up police and Eastleigh Borough Council action
- 7.37 13 Aug. Responded to calls from members of the public reporting youths on moored yachts at Bursledon. On arrival, youths had dispersed.
- 7.38 14 Aug. Light traffic.
- 7.39 15 Aug. Liaison with Southampton HM to recover a small motor vessel stolen from the River. Liaison with a mid-stream mooring holder regarding a missing pile line.
- 7.40 16 Aug. Liaison with the Environment Agency regarding a discharge of effluent from a Southern Water outfall near Manor Farm. Environment Agency on site to investigate. Attended Hamble Jetty with Hampshire Police to disperse swimmers. Attended Lands End following a report from a member of the public of young people climbing on moored vessels. Attempted to disperse but non-compliant. Body-worn camera footage taken to pass to Hampshire Police.

- 7.41 17 Aug. Training assistance to Hampshire Marine Police Unit. Liaison with a mooring holder following pile repair works. Attended Hamble Jetty to disperse swimmers. Eventually compliant. Slowed and warned a resident RIB for excessive speed and wash off Warsash.
- 7.42 18 Aug. Fitting of improved safety signage at River Hamble Country Park Jetty. Liaison with the owner of a vessel on JM Jetty Warsash. Engine left running.
- 7.43 19 Aug. Liaison with Hamble Lifeboat. Inspection of a small yacht at owner's request following report of collision. Pump-out of inundated RIB at Warsash.
- 7.44 20 Aug. Slowed and warned a number of inbound vessels at the end of the weekend. Assistance given to Hamble Lifeboat in recovery of a yacht with a fouled propellor. Enforcement of anchoring regulations off Crableck.

**REQUIRED CORPORATE AND LEGAL INFORMATION:
Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

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

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

An EIA is not required as no negative impacts are anticipated.

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	River Hamble Harbour Management Committee
Date:	15 September 2023
Title:	Environmental Update
Report From:	Director of Universal Services

Contact name: Alison Fowler

Tel: 01489 576387

Email: Alison.fowler@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to summarise activities relating to the River Hamble Harbour Authority's (RHHA) environmental management of the Hamble Estuary between June and August 2023.

Recommendation

2. It is recommended that the River Hamble Harbour Management Committee:
 - (i) notes and supports the remainder of this report.

Updates

3. Oil Spill Management and Port Waste Management.

In line with cyclical statutory requirements, RHHA is currently undertaking reviews of both its Oil Spill Contingency Plan and of the River Hamble Port Waste Management Plan prior to statutory consultation and submission to the regulator (Maritime & Coastguard Agency). Any river users with comments about the provision of shoreside facilities for the disposal of waste generated on board their boats are encouraged to contact the harbour office.

4. Connecting research and restoration with funding opportunities

RHHA is often approached externally regarding information on potential opportunities for pre-funded research and restoration projects within the estuary, or for funding opportunities available to support the future development of such ideas. RHHA has played a key role in facilitating many such projects and, because the match-making of opportunities is not specific to the Hamble nor a

remit of RHHA but it is of great value, the Solent Forum has undertaken to produce a list of the [grants and funding streams](#) that can be applied for in respect of coastal projects. It is hoped this will enable funders and project managers to make the most of opportunities available to benefit the Hamble estuary and wider Solent coast, and Members may wish to share this information. See http://www.solentforum.org/services/Member_Services/Coastal_Funding_Opportunities/

5. Solent Oyster Restoration Project

At its meeting on 7 July 2023, the River Hamble Harbour Board requested more information regarding the monitoring of the native oyster restoration reef and research instruments which are in place in the estuary. The Blue Marine Foundation have confirmed the reef will be monitored for at least 5 years. They will be sampling on both the reef site and control site (Warsash Pool) to follow Before/After/Control/Impact (BACI) experimental design. This design will ensure that any observations of change can confidently be attributed to the presence of the oyster reef. The monitoring metrics and methods used in relation to the River Hamble oyster reef includes:

- Oyster habitat area and oyster density – grabs, sonar/bathymetry surveys, video surveys and possibly diver surveys.
- Oyster recruitment and population size frequency – spat collectors, grabs.
- Habitat use by mobile fauna – environmental DNA, Baited Remote Underwater Video units (BRUVS), acoustic telemetry.
- Diversity and biomass of juvenile fish – small fish surveys.
- Water quality and clarity assessment – multiparameter sondes and loggers, Secchi disk for turbidity.

The monitoring will be reported to the funder (Endangered Landscapes Programme) twice per year via Annual and Interim reports. However, regular monitoring of the reef will be conducted to ensure Blue Marine has continuous information on the progress of the restoration.

6. Solent Natural Environment Information Hubs

The majority on environmental challenges that exist on the Hamble estuary and wider catchment are also faced throughout the Solent (and many at a national or international scale). RHHA is a member of the Solent Forum coastal partnership and as such benefits from the services it provides. The Solent Forum has produced several hubs on its website to signpost information of relevance to the Solent's environment. RHHA has contributed local input to these where relevant. These can be found on the services and projects tab of its website or via direct links below:

- [Biodiversity and Marine Net Gain](#)
- [Blue Carbon](#)
- [Beneficial Use of Dredged Sediments](#)
- [Building Biodiversity into Infrastructure](#)
- [Habitat Restoration](#)

- [Natural Capital](#)
- [Solent Catchment Partnerships](#)
- [Solent Plastics Pollution Hub](#)
- [Solent Water Quality and Boating](#)

7. Hampshire County Council Coastal Asset Strategy

RHHA has assisted Hampshire County Council Colleagues by providing information held in RHHA archives of relevance to HCC's pending review of coastal assets. Further enquires to HCC Strategy Land and Assets Team.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

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

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

An EIA is not required as no negative impacts are anticipated.

This page is intentionally left blank

HAMPSHIRE COUNTY COUNCIL

Report

Committee	River Hamble Harbour Management Committee
Date:	15 September 2023
Title:	Harbour Works Consent Application - Quay Wall Refurbishment & Pontoon Works at Riverside Boatyard SO31 1AA
Report From:	Director of Universal Services

Contact name: Jason Scott or Alison Fowler

Tel: 01489 576387 Email: jason.scott@hants.gov.uk
alison.fowler@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to set out an application received by the River Hamble Harbour Authority for its consideration to grant Harbour Works Consent.

Recommendations

2. **That the River Hamble Harbour Management Committee recommends to the River Hamble Harbour Board to approve Harbour Works Consent for the proposal set out in paragraph 4 of this report and subject to the following conditions:**
 - a. The proposal is to be built in accordance with the details, plans and method set out in paragraph 4.
 - b. The applicant should ensure that only coatings and treatments that are suitable for use in the marine environment are used in accordance with best environmental practice. All reasonable precautions will be undertaken to ensure no pollutants enter the waterbody.
 - c. The applicant should ensure that all equipment, temporary structures, waste and/or debris associated with the licensed activities is/are removed upon completion of the licensed activities.
 - d. Necessary measurements of the new facilities to be made to calculate the new annual rate of Harbour Dues payable by the boatyard.
 - e. The development must be completed within 3 years from the date of the approval granted by the Harbour Board.

Executive Summary

3. This report seeks to:

- Set out an application for Harbour Works Consent made by Foulkes & Son (via its agent Lymington Technical Services) for development at Riverside Boatyard, Blundell Lane, Bursledon, Southampton SO31 1AA.
- Consider the impacts of the proposal on safety and ease of navigation and on the environment of the Hamble Estuary, both during construction and once operational.

Project Description

4. The proposal is for:

- i. the refurbishment of the existing quay wall,
- ii. the installation of a pontoon on the existing concrete slipway,
- iii. two small extensions to existing pontoons (no piling or dredging).

The following documents have been provided by the applicant to support this application, and reference must be made to these for a full understanding of the proposal (see Appendices 1a to 1d):

- Supporting information document (10948 Rpt3C revised June 2023)
- Drawing 10948/2D Location and Quay wall elevation
- Drawing 10948/3C Pontoon Works
- Information for Habitats Regulations Assessment (10948 Rpt 4C Revised June 2023)

Harbour Authority's Responsibilities

5. Consent may be granted by the River Hamble Harbour Board permitting harbour works in the River Hamble in accordance with Section 10 of the Southampton Harbour Act 1924 and Section 48 of the Southampton Harbour Act 1949 as amended by the River Hamble Harbour 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.
6. 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.

7. The River Hamble is part of the Solent European Marine Sites and is afforded protection due to its international nature conservation value. The RHHA is a Relevant Authority under the Conservation of Habitats and Species Regulations 2017 as amended, commonly known as the Habitats Regulations. As a Relevant Authority the Harbour Authority has a duty to comply with the requirements of the Habitats Regulations. This means that the RHHA must ensure that, in the exercise of any of its powers or functions, it must have regard to both direct and indirect effects on interest features of the European Marine Sites.
8. As a Section 28G Authority under the Wildlife and Countryside Act 1981 (as amended), 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.
9. Under the Natural Environment and Rural Communities Act 2006, all public bodies, which include the Harbour Authority as statutory undertakers, have a duty to have regard, so far as is consistent with the proper exercise of their functions, to the purpose of conserving biodiversity.
10. All public bodies such as RHHA are required to make all authorisation and enforcement decisions which are likely to affect the marine areas in accordance with the South Inshore and Offshore Marine Plan which was published in July 2018 by the Marine Management Organisation (MMO). The plan provides a policy framework to shape and inform decisions over how the marine environment is developed, protected and improved over the next 20 years.
11. The Harbour Authority addresses its responsibilities under the environmental regulations through consultation with Hampshire County Council, the Local Borough Councils, the Department for Environment, Food and Rural Affairs, Natural England and the Environment Agency. Additional consultation is undertaken with other organisations as relevant. Specific issues relevant to this particular application are covered within the sections below.

Consultation process

12. Subsequent to receipt of the application for Harbour Works Consent the following actions were taken:
 - Project details and plans entered on the Harbour Authority's webpage for the online viewing of applications at <https://www.hants.gov.uk/thingstodo/riverhamble/worksapplication>
 - The plans and details of the application were made available in the Harbour Office for inspection by members of the public.

- Notification email sent to all members of the River Hamble Harbour Management Committee and the River Hamble Harbour Board of the proposed development.
- Email sent to registered interested parties and to members of the Hamble Estuary Partnership informing them of the application and requesting any written comments by the deadline.
- Direct liaison with Natural England.

Responses to Consultation

13. Natural England's statutory response raised no objection to the proposed development.
14. No other were received as a result of the Harbour Authority's public consultation.

Harbour Master's Comments

15. This section details the aspects of the application relevant to the consideration of Harbour Works Consent. These are the impacts of the proposal on safety and ease of navigation and on the environment, both during construction and once operational.
16. This proposal also requires permissions from other authorities (e.g. Local Planning Authority, Environment Agency, Marine Management Organisation). Issues pertaining to their policies and regulations should be addressed with the appropriate organisation.
17. The proposed slipway pontoon sits on private land. The North Eastern extension pontoons will occupy an area of RHHA's riverbed lease from The Crown Estate. There will be a requirement for extraction from that lease.
18. The proposed new pontoon arrangements attract no concerns from the perspective of navigational safety. Both elements are inshore and away from the Main Channel. The impact of additional vessels which may be berthed means that the small area in question will have an insignificant impact on local traffic levels.
19. The additional meterage is to be assessed and captured in accordance with the relevant Code of Practice in order to calculate the Harbour Dues payable.
20. There is no requirement for additional aids to navigation.
21. No piling and no dredging of sub-tidal or inter-tidal habitat is required for this development.

22. The ongoing, post-construction activities resulting from the development (i.e. vessel movement and marina berthing) are consistent with those already associated with the site and surrounding areas of the Hamble estuary.
23. The proposed works are located:
- a) within the Solent and Dorset Coast Special Protection Area (SPA).
 - b) 20 metres outside the boundary of the Solent Maritime Special Area of Conservation (SAC).
 - c) Over 600 metres from the Solent and Southampton Water SPA and Ramsar site, and from Lincegrove and Hackett's Marshes Site of Special Scientific Interest (SSSI) and Upper Hamble Estuary and Woods SSSI.
24. As a Competent Authority under the Habitat Regulations, RHHA (and, similarly, the MMO) has undertaken an assessment of the potential impacts of the proposal on the designated sites. RHHA has adopted the Habitats Regulations Assessment and subsequent Appropriate Assessment undertaken by the MMO, and concluded that:
- i. That the proposed project will not have a likely significant effect on the features of the Solent and Southampton Water Special Protection Area and Ramsar nor on the Solent Maritime Special Area of Conservation (SAC). This is because works will take place outside the boundary of the Solent and Southampton Water SPA/Ramsar and Solent Maritime SAC with no impact pathway to the designated features of these sites. The quay wall work and the slipway pontoon extension will occur within the Solent and Dorset Coast SPA, but are located in the intertidal zone and as such will not permanently impact the supporting habitat of 'water column'.
 - ii. The upstream pontoon extension is within the Solent and Dorset Coast SPA as it will float on the surface of 17m² of the water column feature of the designated site, but this will not have an adverse effect on the integrity of the site. The methodology used will not produce vibrations or impact noise of significance which could disturb SPA birds.
 - iii. That the proposed project will not have an adverse effect on the Solent Maritime SAC, Solent and Southampton Water SPA/Ramsar or on the Solent and Dorset Coast SPA, either alone or in-combination with other plans/projects.
25. In addition, it is concluded that the proposal is not likely to damage any of the flora, fauna or geological or physiographical features for which the SSSI sites are designated.
26. RHHA consulted Natural England on the conclusions above. NE's response confirmed that:
- *"Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given."*

- *Natural England note that River Hamble Harbour Authority intends to adopt the HRA produced by the Marine Management Organisation (a shadow HRA) to inform their decision on this case and so have no further comments to make”.*

27. If the River Hamble Harbour Board decides to grant permission for this application, subject to the conditions in paragraph 2, it would be adhering to its responsibilities under environmental legislation.

Strategic Vision

28. Before reaching a decision regarding this application, it is important to consider it within the context of the Harbour Board’s Strategic Vision. The non-statutory Strategic Vision ‘seeks to meet the aspirations of all those users who have a stake in the future prosperity of the River Hamble, whether their interests are commercial, recreational or environmental’ but should be read in its entirety before reaching any conclusions with regard to this specific application.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

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.)

DocumentLocation

None

IMPACT ASSESSMENTS:

1. Equality Duty

- The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

- Equalities Impact Assessment:

A full Equalities Impact Assessment for the River Hamble Harbour Authority's compliance with the Port Marine Safety Code (including environmental responsibilities) has been carried out and this report does not raise any issues not previously covered by that Assessment.

2. Impact on Crime and Disorder:

- This report does not deal with any issues relating to crime and disorder.

3. Climate Change:

- How does what is being proposed impact on our carbon footprint / energy consumption? The contents of this report have no impact on carbon footprint or energy consumption

- How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable to this report.

This page is intentionally left blank

Foulkes & Sons Boatyard

Riverside Yard, Blundell Ln, Bursledon,
Southampton SO31 1AA

Supporting Statement, WaFD and WFD
Assessments for Quay Wall Refurbishment &
Pontoon Works

Compiled by Dr P Tosswell, Lymington Technical Services Ltd

Contents

1. Introduction	2
2. Site Location	2
3. Proposed Works – Quay Wall	3
4. Method Statement – Quay Wall	4
5. Proposed Works – Slipway Pontoon	5
6. Proposed Works – upstream pontoon	6
7. Method Statement – pontoons	6
8. Navigation	6
9. Flood Risk Assessment	7
10. Waste Framework Directive	7
11. Protected Areas	8
12. Background to Water Framework Directive Assessment	9
13. WFD Assessment	9
14. WFD Impact Assessment & Mitigation	15

1. Introduction

This document relates to a small refurbishment of an existing quay wall and two small pontoon extensions.

An additional pontoon on the slipway (connected to the existing pontoons) will provide better access to the slipway for customers when their vessel is being slipped/launched.

An additional upstream pontoon extension is to facilitate customer berthing.

2. Site Location

Foulkes and Sons operate a family boatyard (known as Riverside Boatyard) on the west bank of the River Hamble, just north of the railway bridge. The site has been operated by the family for over 80 years.

The image below shows the general site operation outlined in blue.



3. Proposed works – Quay Wall

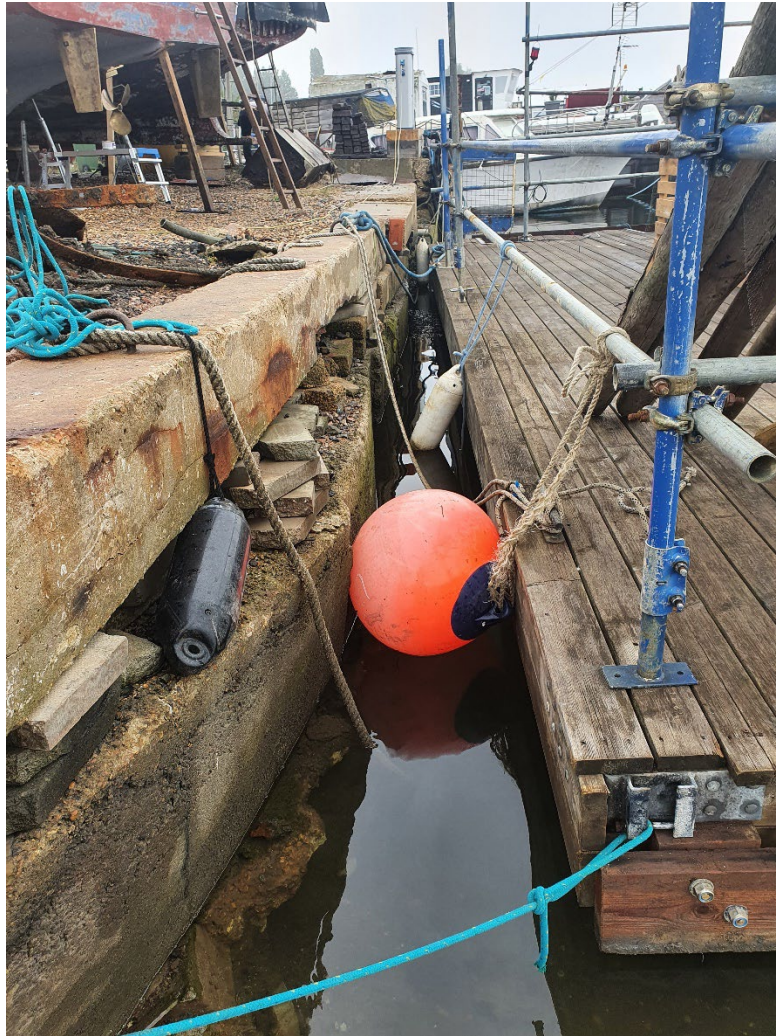
The works involve the refurbishment of an existing quay wall.

The red line on the following image shows the location of the works.



Drawing 10948/2D shows the proposed works.

The following photograph shows the condition of the existing quay wall:



4. Method Statement – Quay Wall

There is debris (lumps of concrete, bricks etc) at the base of the existing wall. This debris is overlaying the intertidal mud.

The debris will be removed at low water using manual methods (manually loading into an excavator bucket, the excavator not being used to excavate the debris). The debris will be removed from site by a licensed waste carrier.

A steel 'I beam' will be pushed into the bed vertically adjacent to the existing wall. The installation will be undertaken using a small land-based excavator pushing the beam into the bed. This method produces no vibration and no impact noise.

A second steel beam will then be installed 4.6m along the wall from the first beam. The two beams will form the vertical guides for the precast concrete panels. Each beam will have a bracket welded to form a base location for the concrete panels (so they remain horizontal in elevation).

A precast concrete panel will then be slotted into position (using the same land-based plant) between the two vertical steel beams.

The next steel beam will then be installed, followed by the next concrete panel.

This process will continue along the wall, installing a single row of concrete panels along the length of the wall. This will allow an opportunity to address any level issues.

Once the first row of panels is completed then next row will be installed.

The works will be undertaken over low waters, and it is anticipated that the works will take 2 weeks over the tides.

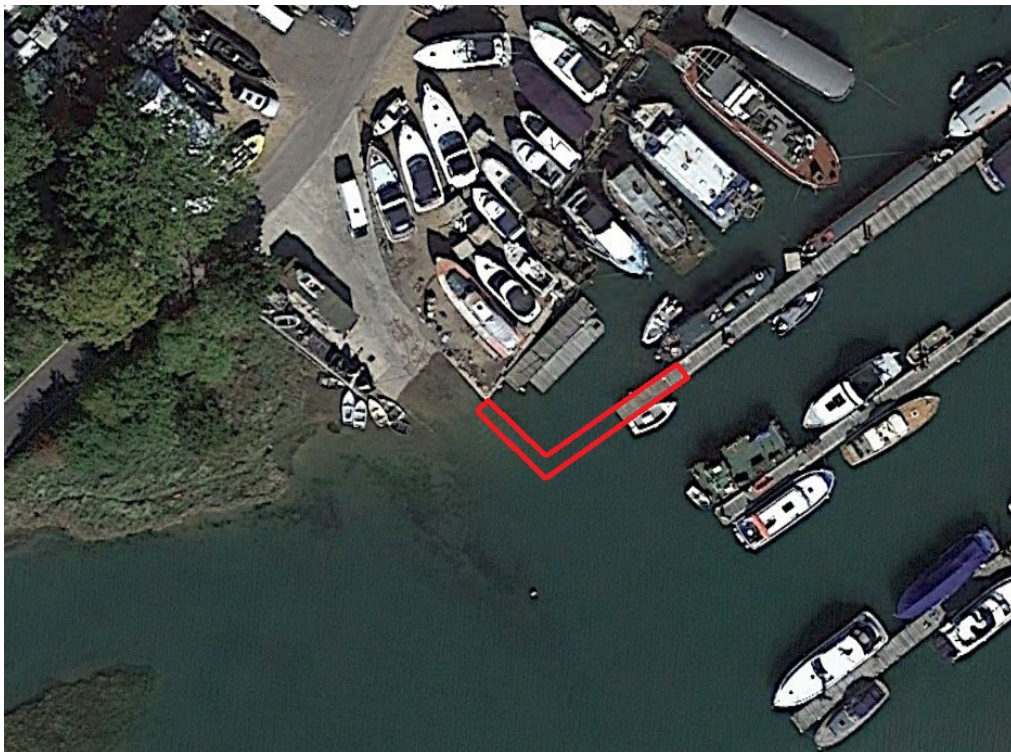
Once the wall is installed the gap behind will be filled with rejects (oversize gravel). The upper levels being filled with Type 2 subbase. The subbase layer will be compacted.

5. Proposed Works – Slipway Pontoon

The works involve the extension of an existing floating pontoon and an intertidal pontoon installed on the existing slipway.

Drawing 10948/3C shows the proposed works.

The red line on the following image shows the location of the works.



6. Proposed Works – upstream pontoon

The works involve the extension of an existing floating pontoon by 8.5m. Drawing 10948/3C shows the proposed works.

The red line on the following image shows the location of the works.



7. Method Statement - Pontoons

The pontoons will arrive by road and launched down the existing slipway. The extension pontoons will be floated into position and bolted to the end of the existing walkway. The slipway pontoon will be positioned at high water and bolted to the pontoon extension. The shore end will be attached to a bracket on the quay wall. No marine plant is required.

8. Navigation

There is no change to normal river navigation by these proposals. Passage by small personal craft between the pontoons and shore is not currently practical, nor safe. The proposal will more physically prevent this, and this is a safety improvement.

Vessels that are currently moored inside the southern area (near the quay wall) are not seagoing. In the event that one of these vessels wished to move, the pontoons can be removed temporarily to allow this.

9. Flood Risk Assessment

The proposed works are a fully water compatible minor development.

The actual works cannot be affected by flooding. Nor will the works themselves increase the risk of flooding.

As this is a water compatible minor development the following should be considered:

- i. *Would the works have an adverse effect on the watercourse, floodplain or its flood defences?* The impact on the river flow is insignificant. There is no impact on the floodplain nor any flood defences.
- ii. *Would the works impede access to flood defence and management facilities?* There are no such facilities in the locality and full access to the area remains.
- iii. *Would the cumulative impact of the development have a significant effect on local flood storage capacity or flood flows?* No, the impact of the works is insignificant.

10. Waste Framework Directive

This section follows the guidance contained in the Guidelines on the interpretation of key provisions of Directive 2008/98/EC on waste.

The waste hierarchy sets out 5 methods of dealing with waste – Prevention, Preparing for re-use, Recycling, Other recovery, and Disposal.

6.1 Prevention

Article 3(12) WaFD defines ‘prevention’ as:

‘Measures taken before a substance, material or product has become waste that reduce:

- the quantity of waste, including through the re-use of products or the extension of the life span of products;
- the adverse impacts of the generated waste on the environment and human health; or
- the content of harmful substances in materials and products.

Whilst prevention is not technically a waste management operation it does trigger whether the material becomes waste.

The works are necessary improvements so there is no prevention option.

The works are all new and there is no waste produced. The material to be used is recycled material which makes the proposal fully compliant with the WaFD.

11. Protected Areas

South Marine Plan – This application is for improvements to an existing facility. The works are compliant with the plan. The following Policies are directly relevant:

S-TR-1 & 2 – supports and improves recreational facilities – the proposal is a minor alteration to an existing facility and will improve access.

S-ACC-1 – improvements to access

S-CC-2 – structure is fully compliant with climate change (sea level rise).

This is also compliant with the Marine Policy Statement.

The site is not within a Marine Conservation Zone, either designated, proposed, or recommended.

The proposed works are within an existing boatyard and mooring area, with high leisure usage and within the following protected sites –

Solent & Dorset Coast Special Protection Area (SPA) – UK9020330. No impact likely.

Coastal Sensitive Areas (Eutrophic) – Hamble Estuary (UKENCA123), Nitrate sensitivity. The nature of the existing activities and the proposed works is such that there will be no change to eutrophication.

The works are nearby (within 2km) the following sites:

SAC – Solent Maritime (UK0030059). The works are outside this boundary, as are similar yards and marinas.

Ramsar - Solent and Southampton Water (UK11063). This covers two areas, one upstream and one downstream. Both are over 700m away and the works can have no possible impact.

SPA - Solent & Southampton Water (UK9011061). This covers two areas, one upstream and one downstream. Both are over 700m away and the works can have no possible impact.

SSSI – Lincegrove and Hackett's Marshes (downstream of site), and Upper Hamble Estuary and Woods (upstream of site). Both are over 700m away and the works can have no possible impact.

Local Nature Reserves – Manor Farm and Hackett's Marsh. Both are approximately 750m away and the works can have no possible impact.

Further details regarding potential impacts are detailed in the accompanying document Environmental Information 10948 Rpt4B.

WFD Habitats (from MAGIC website) – higher sensitivity – saltmarsh on the intertidal areas both upstream and downstream of the works area. The area upstream is shown to be along the seaward edge of the marsh and separated from the works by existing vessel moorings. The downstream saltmarsh is shown as being southwest of the yard boundary and is separated from

the works area by existing hardstanding and slipway. There is no possibility of impact from the proposed works.

WFD Habitats (from MAGIC website) – lower sensitivity – intertidal soft sediment indicated on the works area. The accuracy of this data is questionable at the scale of these works. For the quay wall works it is assumed that the works area is intertidal on spring tides.

12. Background to Water Framework Directive Assessment

The purpose of a Water Framework Directive (WFD) assessment is to determine whether the proposed works will compromise the attainment of a WFD objective or result in the deterioration of the current ecological status of the relevant waterbodies.

The process consists of 3 stages –

Stage 1 – The Screening Stage

This stage is used to identify activities which need to be considered further (i.e. excludes those which do not require further assessment).

Stage 2 – The Scoping Stage

This stage identifies the potential risks to the following receptors:

- Hydromorphology
- Biology – habitats
- Biology – fish
- Water quality
- Protected areas

Stage 3 – Impact Assessment

This stage examines whether the activity will have a significant non-temporary effect on each receptor.

13. WFD Assessment

The assessment uses the online EA tables which are reproduced in the following pages.

The Catchment Data Explorer provides data updated 22:08:22.

13.1 Screening & Scoping Stage - WFD Tables for activities in estuarine and coastal waters

Activity	Description, notes or more information
Applicant name	<i>Foulkes & Sons Boatyard</i>
Application reference number (where applicable)	<i>n/a</i>
Name of activity	<i>Riverside Boatyard, refurbishment of an existing quay wall and installation of small pontoon extensions.</i>
Brief description of activity	<i>Installation of king pile wall and pontoons.</i>
Location of activity (central point XY coordinates or national grid reference)	<i>449429,110020</i>
Footprint of activity (ha)	<i>0.0061 ha</i>
Timings of activity (including start and finish dates)	<i>Dependent upon Marine Licence and plant availability.</i>
Extent of activity (for example size, scale frequency, expected volumes of output or discharge)	<i>Anticipated to take 2 weeks spread over suitable tides.</i>
Use or release of chemicals (state which ones)	<i>No</i>

Water body ¹	Description, notes or more information
WFD water body name	<i>Southampton Water</i>
Water body ID	<i>GB20704202800</i>
River basin district name	<i>South East</i>
Water body type (estuarine or coastal)	<i>Transitional Water (Estuarine in summary table)</i>
Water body total area (ha)	<i>3123.51</i>
Ecological status (2019)	<i>Moderate</i>
Chemical status (2019)	<i>Fail</i>
Target water body status and deadline	<i>Ecological moderate by 2015, Chemical good by 2063</i>
Hydromorphology status of water body (2019)	<i>Supports good</i>
Heavily modified water body and for what use	<i>Yes – coastal, flood protection, navigation ports and harbours</i>
Higher sensitivity habitats present	<i>Yes</i>

Lower sensitivity habitats present	Yes
Phytoplankton status	High from summary table
History of harmful algae	No
WFD protected areas within 2km	Yes

Specific risk to receptors -

Section 1: Hydromorphology

Consider if your activity:	Yes	No	Hydromorphology risk issue(s)
Could impact on the hydromorphology (for example morphology or tidal patterns) of a water body at high status	Requires impact assessment	Impact assessment not required	No
Could significantly impact the hydromorphology of any water body	Requires impact assessment	Impact assessment not required	No
Is in a water body that is heavily modified for the same use as your activity	Requires impact assessment	Impact assessment not required	Yes

Section 2: Biology

Habitats

Higher sensitivity habitats ²	Lower sensitivity habitats ³
chalk reef	cobbles, gravel and shingle
clam, cockle and oyster beds	intertidal soft sediments like sand and mud
intertidal seagrass	rocky shore
maerl	subtidal boulder fields
mussel beds, including blue and horse mussel	subtidal rocky reef
polychaete reef	subtidal soft sediments like sand and mud
saltmarsh	
subtidal kelp beds	
subtidal seagrass	

² Higher sensitivity habitats have a low resistance to, and recovery rate, from human pressures.

³ Lower sensitivity habitats have a medium to high resistance to, and recovery rate from, human pressures.

Consider if the footprint ⁴ of your activity is:	Yes	No	Biology habitats risk issue(s)
0.5km ² or larger	Yes to one or more – requires impact assessment	No to all – impact assessment not required	No
1% or more of the water body's area			No
Within 500m of any higher sensitivity habitat			Yes
1% or more of any lower sensitivity habitat			No

⁴ Note that a footprint may also be a temperature or sediment plume. For dredging activity, a footprint is 1.5 times the dredge area.

Fish

Consider if your activity:	Yes	No	Biology fish risk issue(s)
Is in an estuary and could affect fish in the estuary, outside the estuary but could delay or prevent fish entering it or could affect fish migrating through the estuary	Continue with questions	Go to next section	No
Could impact on normal fish behaviour like movement, migration or spawning (for example creating a physical barrier, noise, chemical change or a change in depth or flow)	Requires impact assessment	Impact assessment not required	No
Could cause entrainment or impingement of fish	Requires impact assessment	Impact assessment not required	No

Section 3: Water quality

Consider if your activity:	Yes	No	Water quality risk issue(s)

Could affect water clarity, temperature, salinity, oxygen levels, nutrients or microbial patterns continuously for longer than a spring neap tidal cycle (about 14 days)	Requires impact assessment	Impact assessment not required	No.
Is in a water body with a phytoplankton status of moderate, poor or bad	Requires impact assessment	Impact assessment not required	No
Is in a water body with a history of harmful algae	Requires impact assessment	Impact assessment not required	No

If your activity uses or releases chemicals (for example through sediment disturbance or building works) consider if:	Yes	No	Water quality risk issue(s)
The chemicals are on the Environmental Quality Standards Directive (EQSD) list	Requires impact assessment	Impact assessment not required	No
It disturbs sediment with contaminants above Cefas Action Level 1	Requires impact assessment	Impact assessment not required	No

If your activity has a mixing zone (like a discharge pipeline or outfall) consider if:	Yes	No	Water quality risk issue(s)
The chemicals released are on the Environmental Quality Standards Directive (EQSD) list	Requires impact assessment ⁵	Impact assessment not required	No

⁵ Carry out your impact assessment using the Environment Agency's surface water pollution risk assessment guidance, part of Environmental Permitting Regulations guidance.

Section 4: WFD protected areas

Consider if WFD protected areas are at risk from your activity. These include:

- special areas of conservation (SAC)
- special protection areas (SPA)
- shellfish waters
- bathing waters
- nutrient sensitive areas

Use Magic maps to find information on the location of protected areas in your water body (and adjacent water bodies) within 2km of your activity.

Consider if your activity is:	Yes	No	Protected areas risk issue(s)
Within 2km of any WFD protected area ⁶	Requires impact assessment	Impact assessment not required	Yes

⁶ Note that a regulator can extend the 2km boundary if your activity has an especially high environmental risk.

Section 5: Invasive non-native species (INNS)

Risks of introducing or spreading INNS include:

- materials or equipment that have come from, had use in or travelled through other water bodies
- activities that help spread existing INNS, either within the immediate water body or other water bodies

Consider if your activity could:	Yes	No	INNS risk issue(s)
Introduce or spread INNS	Requires impact assessment	Impact assessment not required	No

Summary

Receptor	Potential risk to receptor?	Note the risk issue(s) for impact assessment
Hydromorphology	Yes	HMWB for same use
Biology: habitats	Yes	Saltmarsh and subtidal sediments
Biology: fish	No	
Water quality	No	
Protected areas	Yes	SPA, SAC, Ramsar, SSSI
Invasive non-native species	No	

14. WFD Impact Assessment & Mitigation

The assessment has identified potential risks to the following:

Hydromorphology –

The works are improvements to an existing facility. Whilst the use is as the HMWB classifications (ports and harbours) there is no change. There can therefore be no negative impact or risk.

Protected areas -

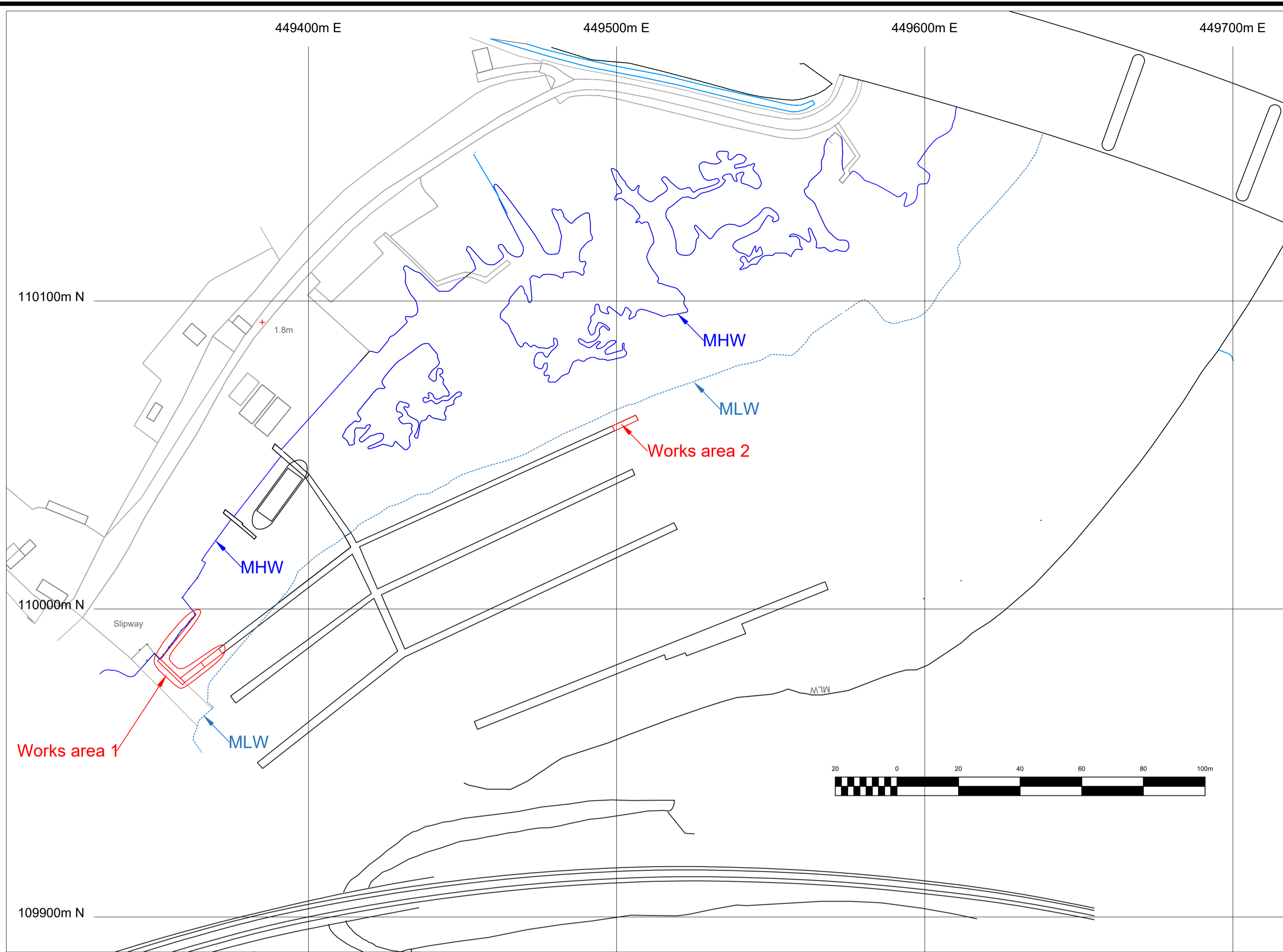
These have been assessed in the attached report - Environmental Information 10948 Rpt4C

Biology –

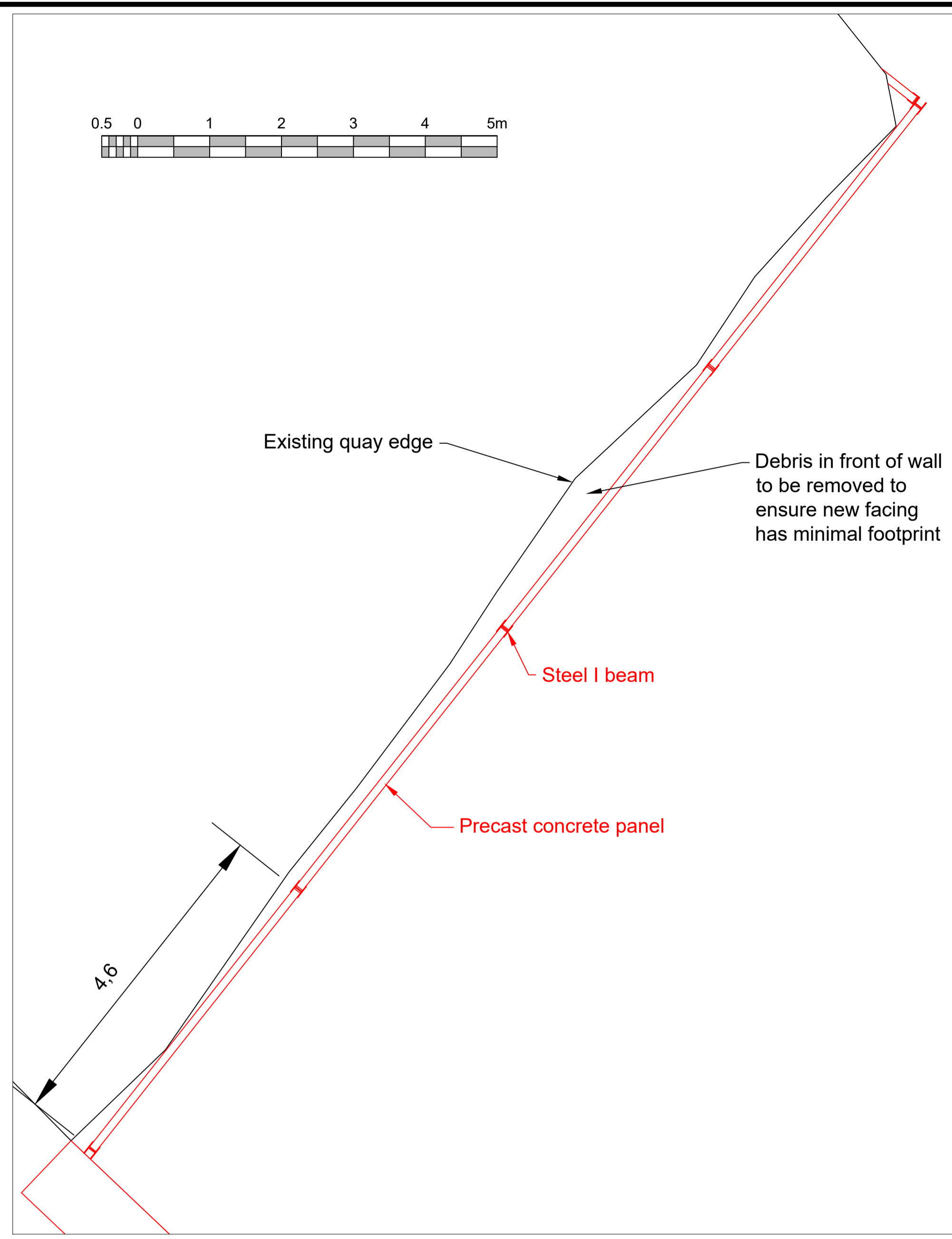
The saltmarsh is physically sheltered by existing structures and there can be no possible impact. Impact on the intertidal sediment is addressed in the attached report - Environmental Information 10948 Rpt4C

Summary

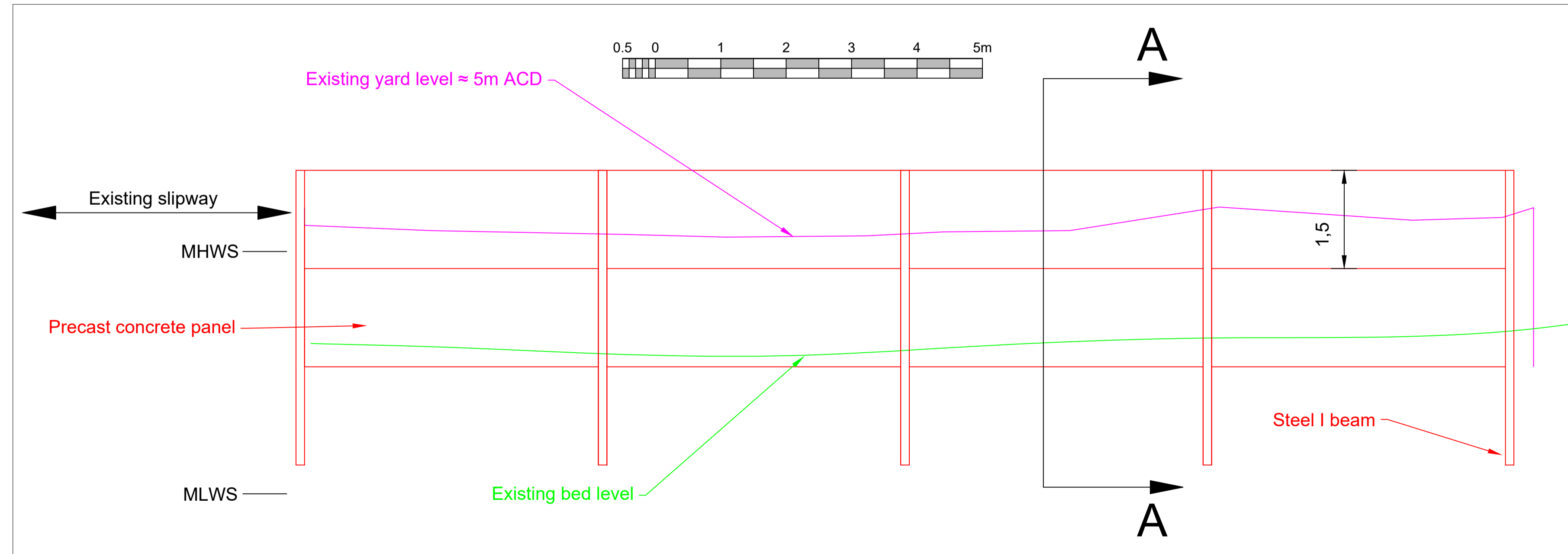
By following EA guidance, it is concluded that the proposal will not have a negative impact on the water body.



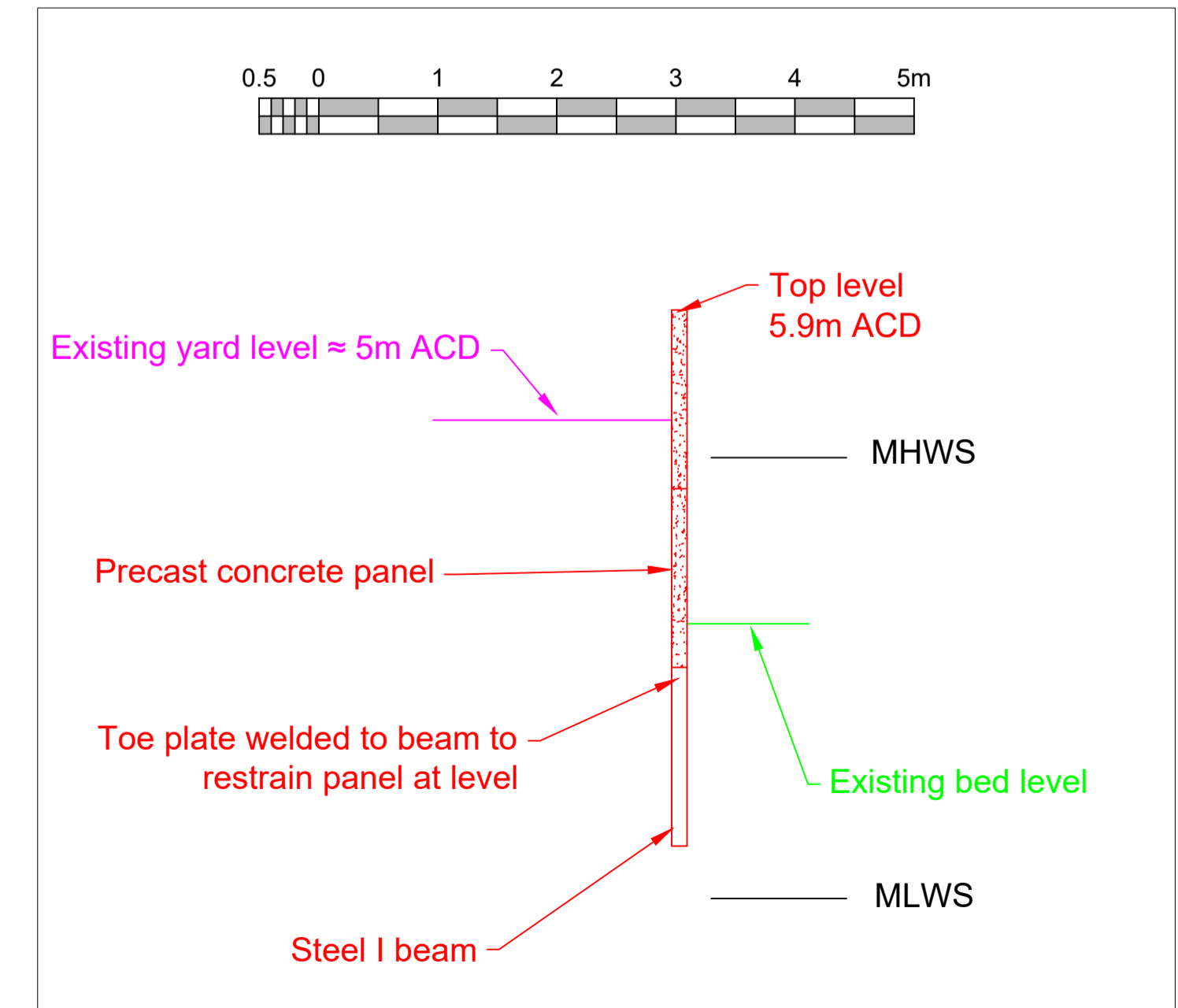
LOCATION PLAN
SCALE 1:1000



PLAN OF WALL WORKS
SCALE 1:50



ELEVATION OF WALL WORKS
SCALE 1:50



SECTION A-A
SCALE 1:50

NOTES

1. Grid shown is OS National Grid
2. Background data from OS Data © Crown Copyright and database rights 2022 OS 100047474

Draft Method Statement - Wall Works

1. Debris in front of existing quay wall to be removed at low water manually.
2. First steel beam to be pushed into bed using small land based excavator, no piling hammer.
3. Second steel beam to be located in position using laser measurements to ensure correct spacing.
4. Precast concrete panel to be slotted in between the two piles. The panels rest on pre-welded brackets in the steel beams.
5. Process continues along the existing quay wall, with only one panel installed.
6. Remainder of panels installed.

Original LTS print only with red stamp

15:06:23	Rev D MHW & MLW indicated
12:04:23	Rev C Works area revised, see also additional drawing
12:12:22	Rev B Works area revised, see also additional drawing
28:11:22	Rev A Works area revised, see additional drawing
13:09:22	Application issue

Date	Issue
------	-------

LYMINGTON TECHNICAL SERVICES LTD

CLIENT
FOULKES & SONS LTD

SITE
RIVERSIDE BOATYARD

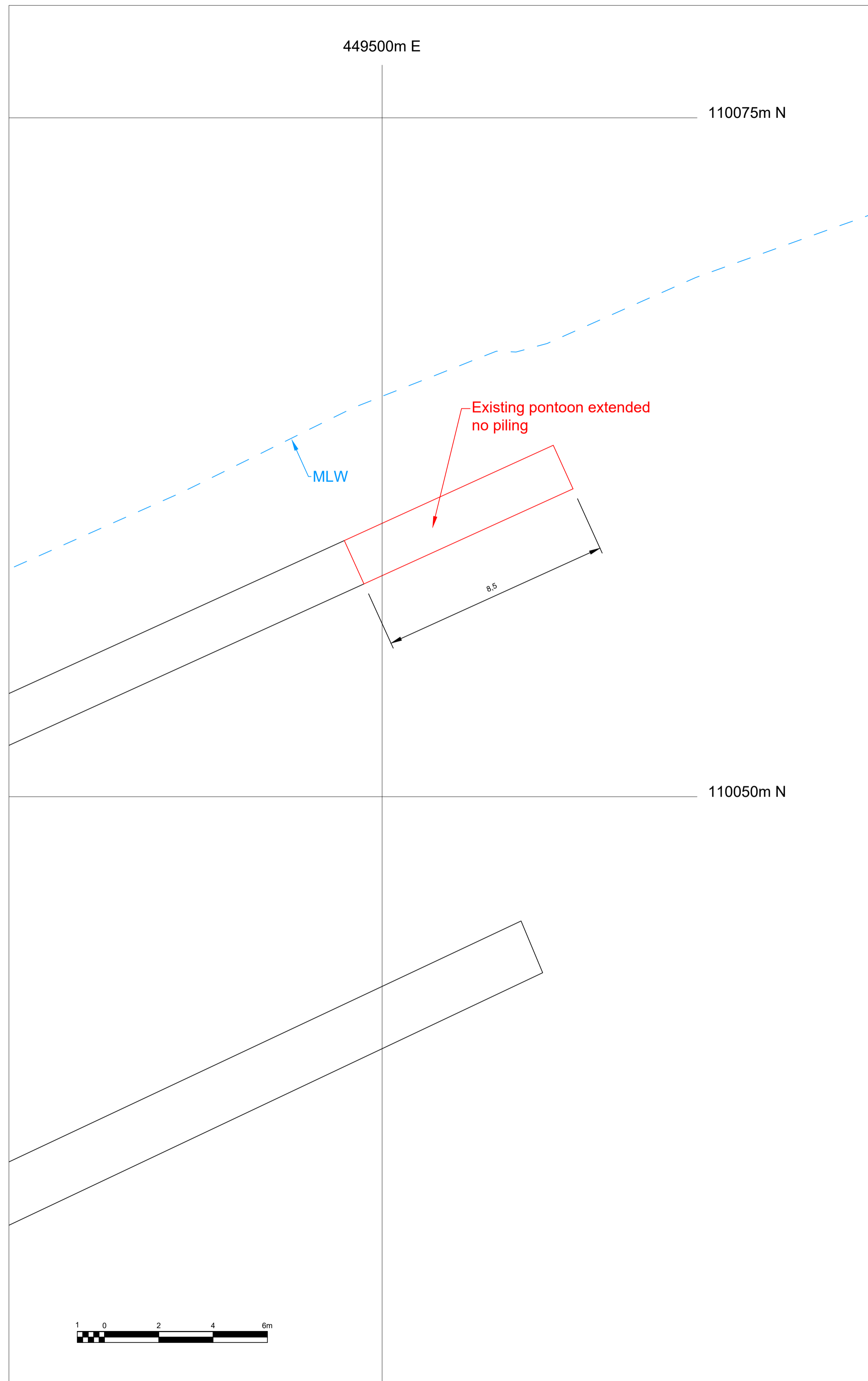
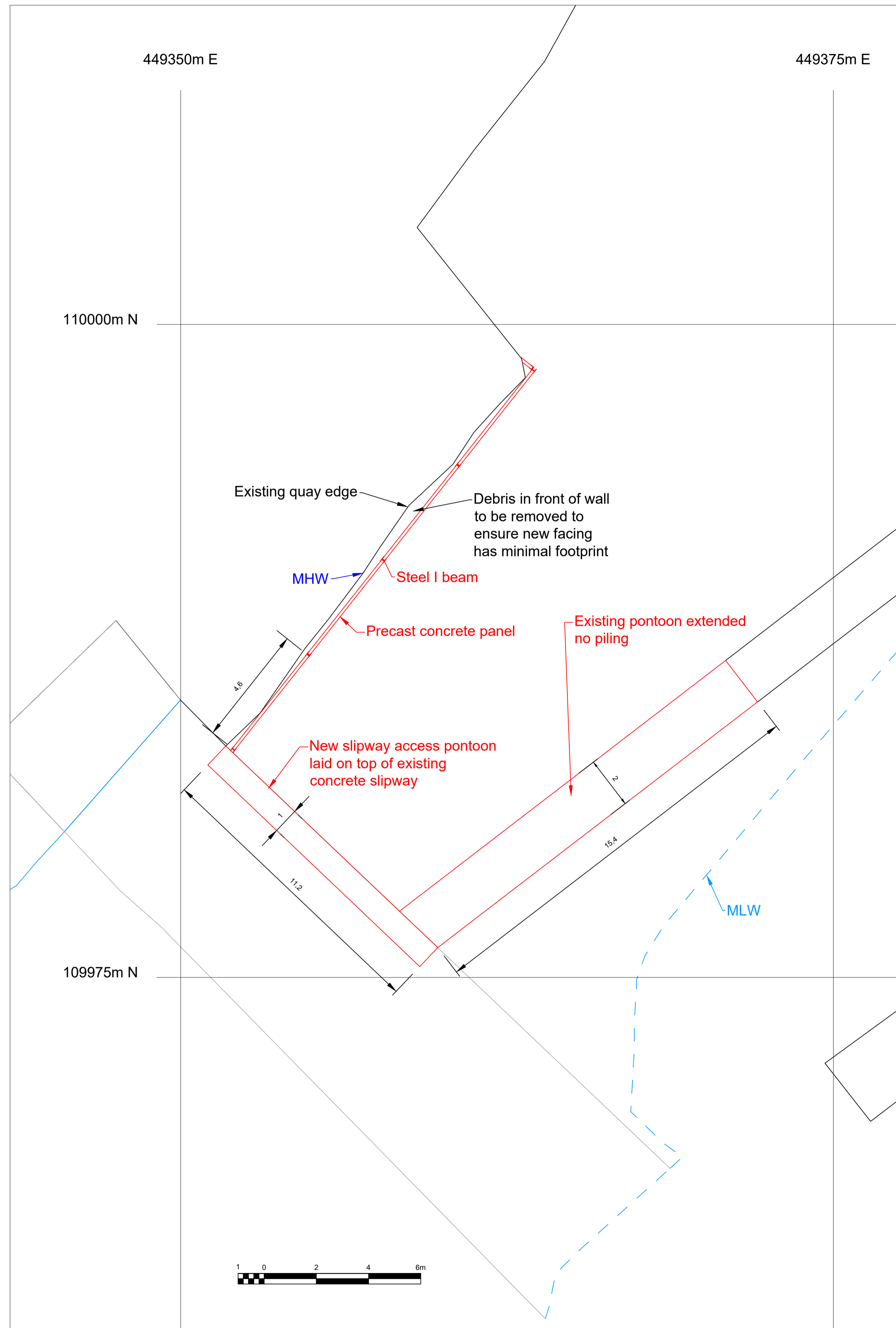
TITLE
QUAY WALL & PONTOON WORKS

SCALE AS SHOWN @ A1

DRAWN <i>P. Tosswell</i>	DATE <i>Aug 2022</i>
-----------------------------	-------------------------

DRG No.10948/2D

This page is intentionally left blank



PLAN OF NEW PONTOONS

SCALE 1:100

NOTES

1. Grid shown is OS National Grid
2. Background data from OS Data © Crown Copyright and database rights 2022 OS 100047474

Draft Method Statement - Pontoons

1. Pontoons to be metal framed, supported on fibre reinforced concrete cased floats. Pontoons to arrive by road.
2. Slipway pontoon to be positioned at low water on existing concrete slipway. Support bracket at shore end.
3. Southern pontoon extension to be floated into position and bolted to existing pontoon. Southern end to be bolted to end of slipway pontoon (which floats).
4. Northern pontoon extension to be floated into position and bolted to existing pontoon.

Original LTS print only with red stamp

15:06:23	Rev C MHW & MLW indicated
12:04:23	Rev B Works area revised, see also drawing 10948/2C
12:12:22	Rev A Works area revised, see also drawing 10948/2AB
21:11:22	Draft issue for comment

Date	Issue
------	-------

LYMINGTON TECHNICAL SERVICES LTD

CLIENT
FOULKES & SONS LTD

SITE
RIVERSIDE BOATYARD

TITLE
PONTOON WORKS

SCALE AS SHOWN @ A1

DRAWN P. Tosswell	DATE Aug 2022
----------------------	------------------

DRG No. 10948/3C

This page is intentionally left blank

Foulkes & Sons Boatyard

Riverside Yard, Blundell Ln, Bursledon,
Southampton SO31 1AA

Environmental information to inform any required Habitats
Regulations Assessment by the Competent Authority

Compiled by Dr P Tosswell, Lymington Technical Services Ltd

Contents

1. Introduction	2
2. Internationally Protected (European) Sites & Other Relevant Areas	3
3. Assessment of Potential Impacts on Designated Sites	13
3.1 SAC	13
3.2 SPA & Ramsar	18
4. Summary	20

1. Introduction

Foulkes and Sons operate a family boatyard (known as Riverside Boatyard) on the west bank of the River Hamble, just north of the railway bridge. The site has been operated by the family for over 80 years.

The works involve refurbishment of an existing quay wall. The proposal is to reface the wall for suitable access.

It is also proposed to install two small pontoon extensions and a pontoon installed on top of the existing concrete slipway to provide better access for slipping and launching vessels.

Drawings 10948/2D and 10948/3C show the proposed works.

As the works are not directly connected with, or necessary for, the conservation management of a habitat site, consideration is required as to whether the works are likely to have a significant effect on the habitat site. This is known as 'LSE' and is determined under a Habitats Regulations Assessment (HRA).

For clarification, the following is the recommended procedure:

Stage 1 – Screening for likely significant effects (LSEs) – whether the works will have a significant effect on a European Site

Stage 2 – Appropriate Assessment (AA). Assess any likely significant effects in more detail and identify ways to avoid or minimise any effects. At this stage it is also necessary to conduct an 'integrity test' which includes potential mitigation. It is at this stage that Natural England are consulted (by the Competent Authority) regarding the proposed mitigation measures.

Stage 3 – Derogations – This only applies if the proposal fails the 'integrity test', the 3 legal tests are: Alternative solutions; Imperative reasons of overriding public interest; Compensatory measures.

The HRA should be undertaken by the Competent Authority with relevant details being provided by the Applicant. This often results in a 'Shadow' HRA being provided by an Applicant.

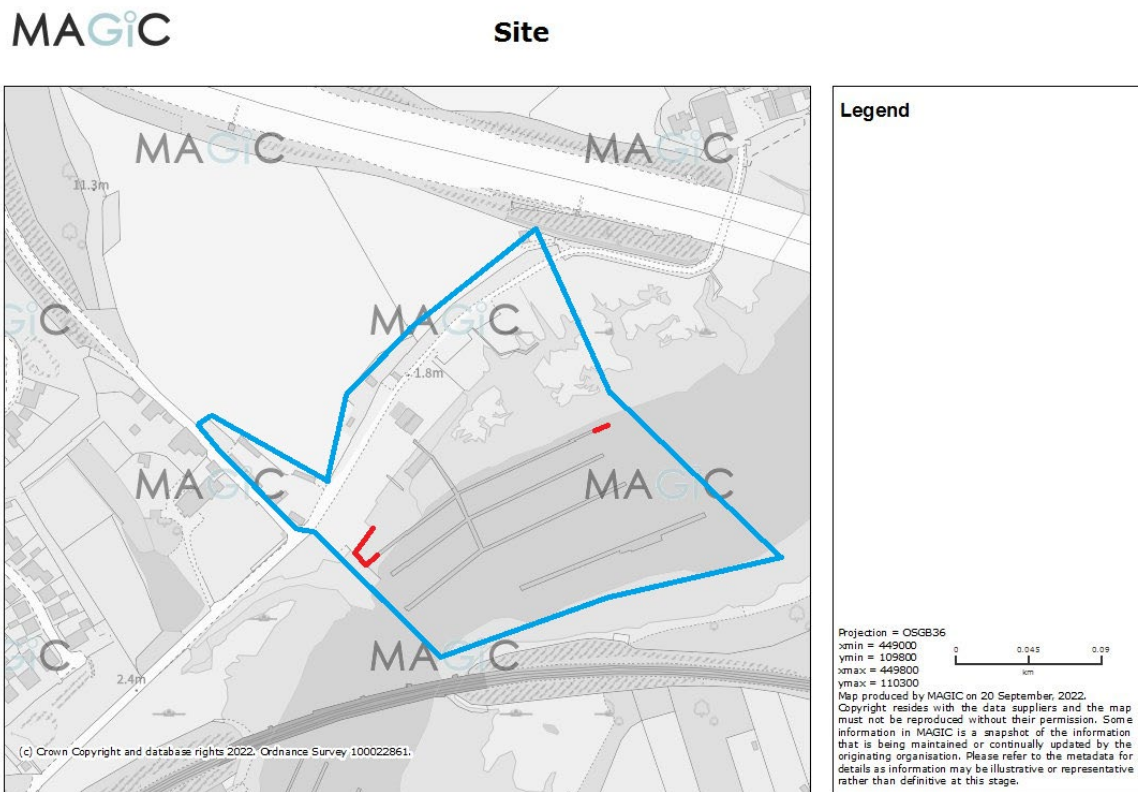
For marine works (such as this application) The Conservation of Habitats and Species Regulations 2017, Provision 103 Marine Works, states:

(1) The assessment provisions apply in relation to the granting of a licence, consent, or other approval for marine works.

(2) Where the assessment provisions apply, the competent authority may, if it considers that any adverse effects of the plan or project on the integrity of a European site or a European offshore marine site would be avoided if the licence, consent, or other approval were subject to conditions or requirements, grant the licence, consent, or other approval subject to those conditions or requirements.

2. Internationally Protected (European) Sites & Other Relevant Areas

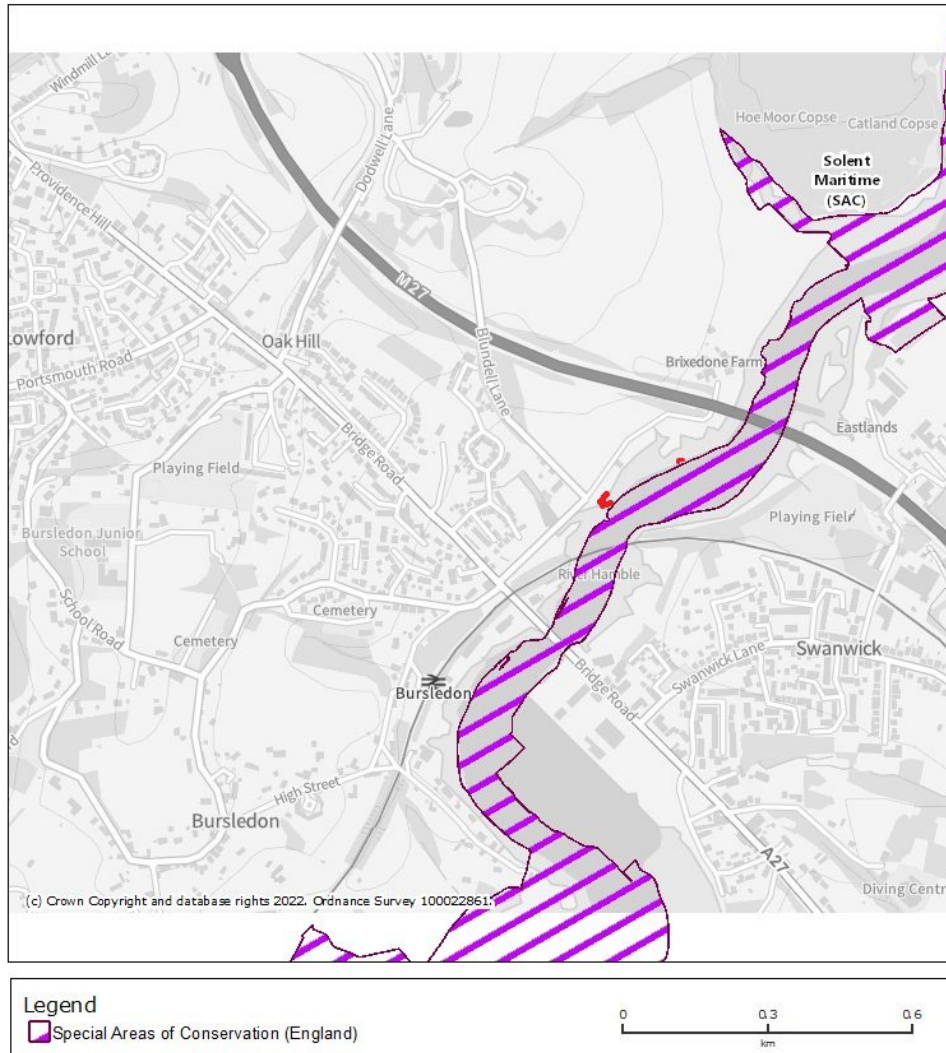
The image below shows the general boatyard operation area outlined in blue and the actual works area in red.



Solent Maritime Special Area of Conservation (SAC) – Solent Maritime (UK0030059)
(Internationally protected site). Red lines show works area.

MAGiC

SAC

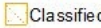
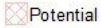


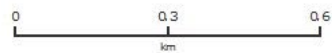
Solent & Dorset Coast Special Protection Area (SPA) – UK9020330 (Internationally protected site). Red lines show works area.

MAGiC SPA Marine Components



Legend Special Protection Areas (Marine Components GB)

-  Classified
-  Potential

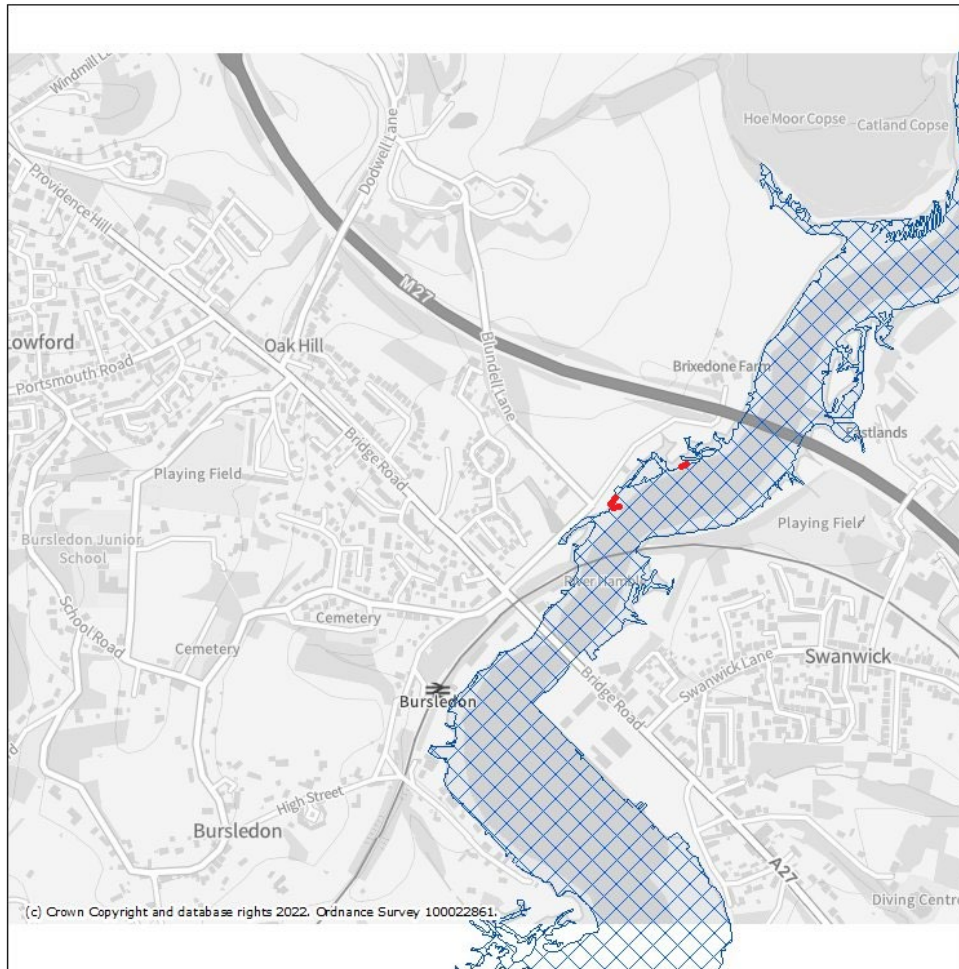


Projection = OSGB36
xmin = 447400
ymin = 109200


Coastal Sensitive Areas - Eutrophic. Hamble Estuary (UKENCA123). Red lines show works area.

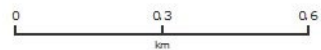
MAGiC

Eutrophic



Legend

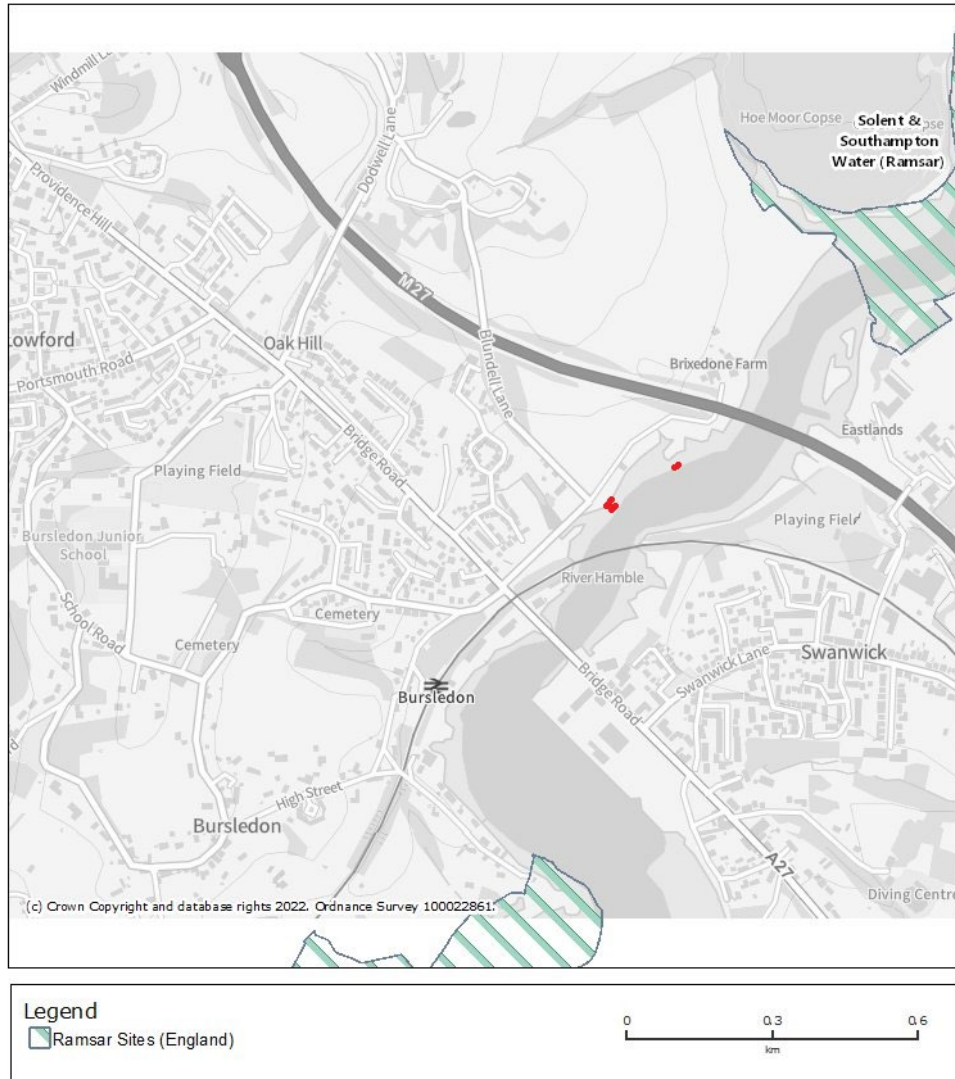
 Coastal Sensitive Areas - Eutrophic (England)



Ramsar – Solent and Southampton Water (UK11063). (Internationally protected site). Red lines show works area.

MAGiC

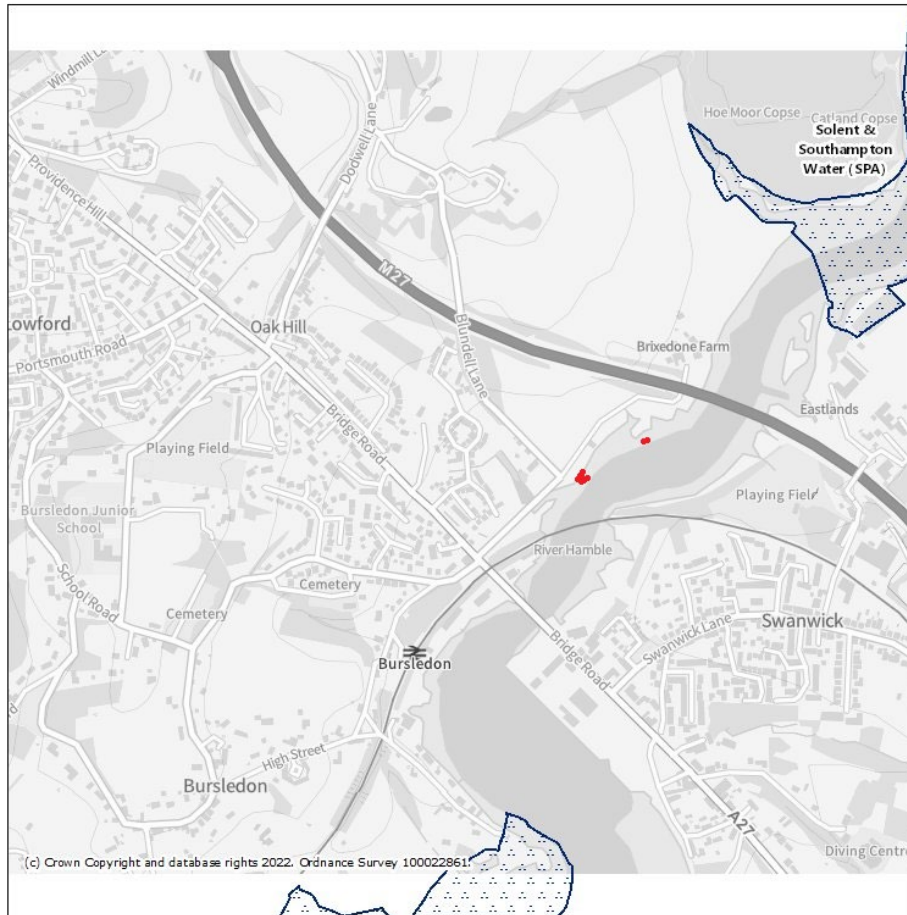
Ramsar



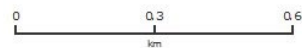
Solent & Southampton Water Special Protection Area (SPA), WFD protected site – UK9011061 (Internationally protected site). Red lines show works area.

MAGiC

SPA



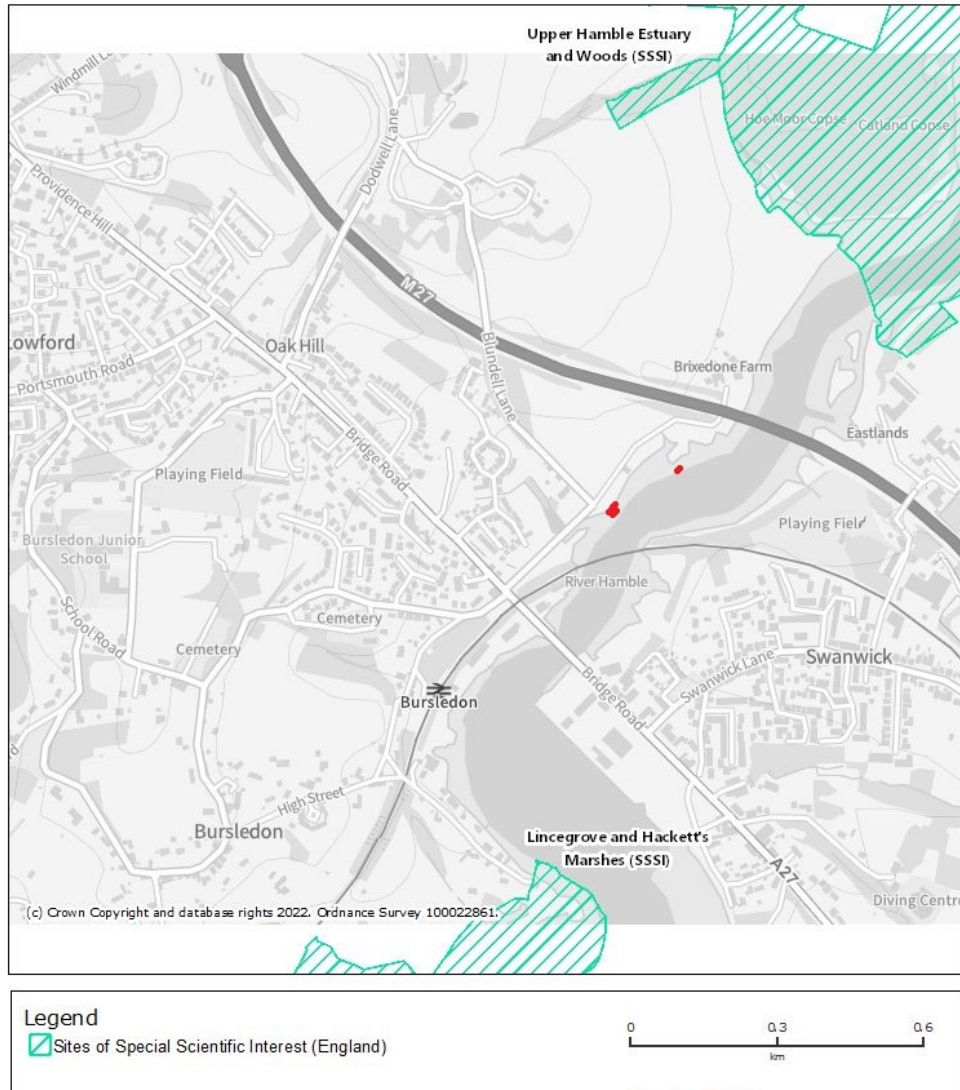
Legend
[Stippled Box] Special Protection Areas (England)



SSSI – Lincegrove and Hackett’s Marshes, and Upper Hamble Estuary and Woods, (Nationally protected sites). Red lines show works area.

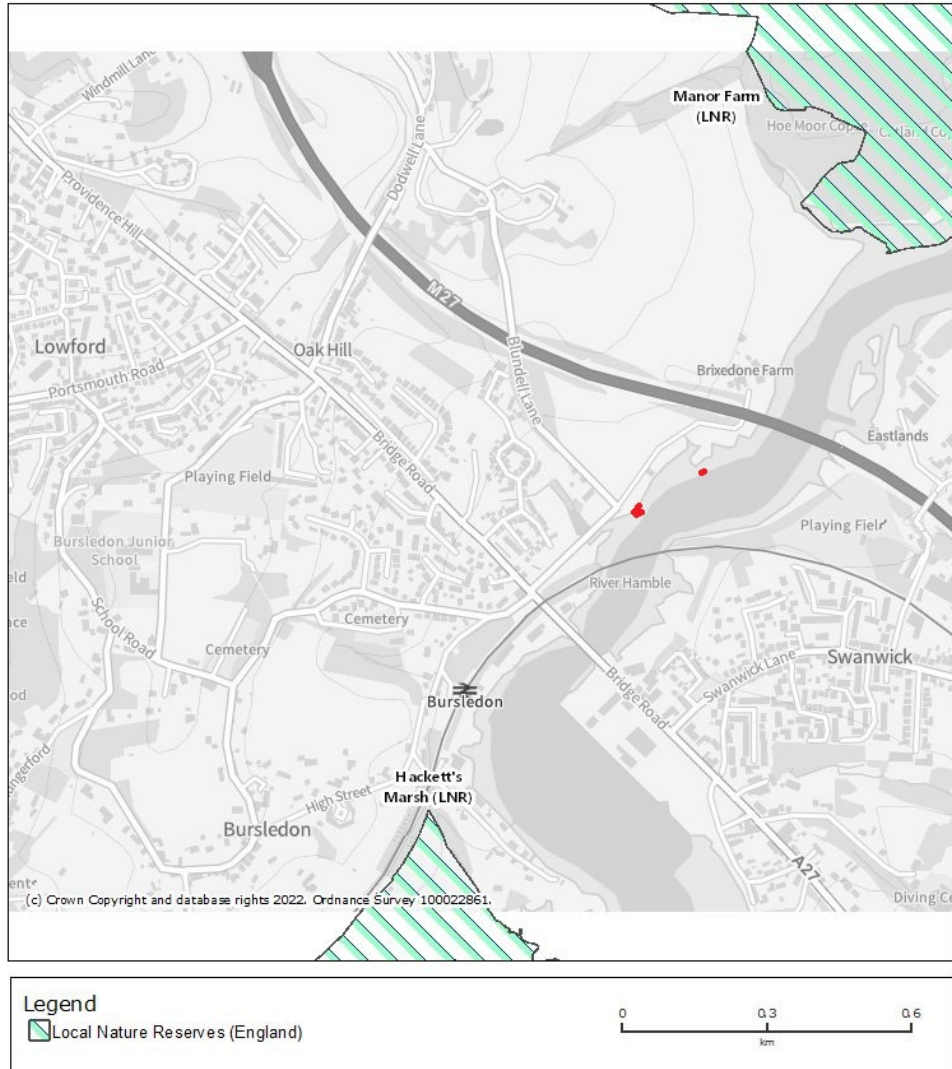
MAGiC

SSSI



Local Nature Reserves – Manor Farm and Hackett’s Marsh (Locally protected sites). Red lines show works area.

MAGiC Local Nature Reserves




Supporting habitats:

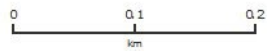
MAGiC

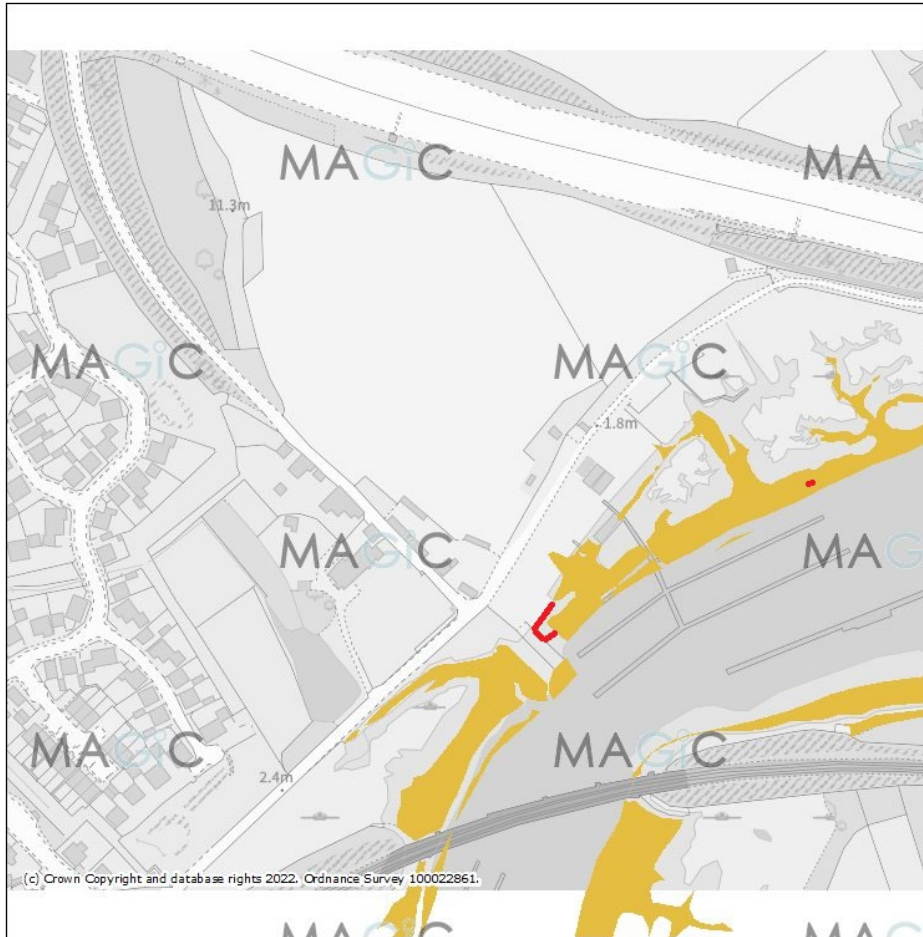
Saltmarsh



Legend

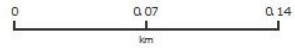
 Saltmarsh (A2.5) (England)





Legend

■ Intertidal Soft Sediment (Sand, Mud & Mixed A2.2, A2.3, A2.4) (England)



3. Assessment of Potential Impacts on Designated Sites.

This section includes the SAC, SPA and Ramsar sites.

3.1 SAC

Solent Maritime Special Area of Conservation SAC – (UK0030059)	
Proximity of works	On margin of estuary, outside the SAC, note how adjacent marinas are excluded.
Conservation advice package used	NE Conservation Advice Package Solent Maritime SAC
Qualifying features and relevance	<p>Annual vegetation of drift lines - occurs on shingle beaches and is not applicable here.</p> <p>Atlantic salt meadows (Glauco-Puccinellietalia maritime) – this is related to saltmarsh, which is not present in the area.</p> <p>Coastal lagoons – does not apply</p> <p>Desmoulin's whorl snail (Vertigo moulinsiana) – no suitable habitat</p> <p>Estuaries - applies</p> <p>Mudflats and sandflats not covered by seawater at low tide – area at base of existing quay wall.</p> <p>Perennial vegetation of stony banks – not present</p> <p>Salicornia and other annuals colonising mud and sand – not present</p> <p>Sandbanks which are slightly covered by sea water all the time – not present</p> <p>Shifting dunes along the shoreline with Ammophila arenaria (“White dunes”) – not present</p> <p>Spartina swards (Spartinion maritimae) – not present</p>
Qualifying features to be assessed	Estuaries
Conservation objectives	<p>The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the Favourable Conservation Status of its qualifying features, by maintaining or restoring:</p> <ul style="list-style-type: none"> • the extent and distribution of qualifying natural habitats and habitats of the qualifying species • the structure and function (including typical species) of qualifying natural habitats • the structure and function of the habitats of the qualifying species • the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • the populations of each of the qualifying species • the distribution of qualifying species within the site

SAC Assessment categories –

The works consist of the refurbishment of an existing quay wall..

Ports & Harbours (construction) – Construction of port and harbour structures

Ports & Harbours (construction) – Piling

Advice on operations from Natural England’s Designated Sites View. Construction of port and harbour structures

Pressure Name	Risk Profile of pressure	Estuaries – subtidal mixed sediments
Abrasion/disturbance of the substrate on the surface of the seabed	Med/High	Sensitive
Barrier to species movement	Med/High	Not sensitive
Changes in suspended solids (water clarity)	Med/High	Sensitive
Emergence regime changes, including tidal level change consideration	Med/High	Sensitive
Habitat structure changes – removal of substratum (extraction)	Med/High	Sensitive
Introduction of light	Med/High	----
Penetration and/or disturbance to the substratum below the surface of the seabed including abrasion	Med/High	Sensitive
Physical change to another seabed type	Med/High	----
Physical change to another sediment type	Med/High	Sensitive
Physical loss (to land or freshwater)	Med/High	Sensitive
Removal of non-target species	Med/High	Sensitive
Smothering and siltation rate changes (Heavy)	Med/High	Sensitive
Smothering and siltation rate changes (Light)	Med/High	Sensitive
Underwater light changes	Med/High	Not sensitive
Vibration	Med/High	----
Visual disturbance	Med/High	Not sensitive
Water flow (tidal current) changes, including sediment transport	Med/High	Not sensitive
Wave exposure changes	Med/High	Not sensitive

Deoxydenation	Low	Sensitive
Hydrocarbon and PAH contamination	Low	n/a
Introduction of other substances (solid, liquid or gas)	Low	n/a
Introduction or spread of invasive non-indigenous species (INIS)	Low	Sensitive
Nutrient enrichment		Not sensitive
Synthetic compound contamination	Low	n/a
Transition elements and organo-metal contamination	Low	n/a

Ports & Harbours (construction) – Construction of port and harbour structures. Assessment of pressures (from Natural England’s Designated Sites View)

Abrasion/disturbance of the substrate on the surface of the seabed

Risk is medium-high and refers to structures, anchors, mooring chains, and piles. The works include installation of small-scale vertical steel sections. **Potential impact for wall works.**

Changes in suspended solids (water clarity)

Risk is medium-high and can only occur during installation of the vertical steel sections. As these are installed at low waters there can be no impact on water clarity. No impact

Emergence regime changes, including tidal level change consideration

Risk is medium-high. The nature of the works (refacing of an existing quay wall) can have no possible impact.

Habitat structure changes – removal of substratum (extraction)

Risk is medium-high. No substratum extraction is proposed, no impact.

Penetration and/or disturbance to the substratum below the surface of the seabed including abrasion

Risk is medium-high and primarily refers to anchor moorings. The vertical steels will penetrate the seabed. **Potential impact for wall works.**

Physical change to another sediment type

Risk is medium-high. No change in sediment type is possible, no impact.

Physical loss (to land or freshwater)

Risk is medium-high. The small gap between the existing wall and the works represents a small loss of intertidal habitat. The new pontoons near the existing slipway dry at low tide and therefore represent an intermittent loss of intertidal habitat. **Potential impact for wall works and southern pontoons.**

Removal of non-target species

Risk is medium-high. No removal is possible, no impact.

Smothering and siltation rate changes (Heavy)

Risk is medium-high. No smothering nor changes in sedimentation possible, no impact.

Smothering and siltation rate changes (Light)

Risk is medium-high. No smothering nor changes in sedimentation possible, no impact.

Deoxygenation

Risk is low. No possibility of deoxygenation from the proposed works. No impact

Invasive non-indigenous species

Risk is low. The works will be undertaken using land-based plant. No possible impact.

Advice on operations from Natural England's Designated Sites View. Construction of port and harbour structures - piling

Pressure Name	Risk Profile of pressure	Estuaries – subtidal mixed sediments
Abrasion/disturbance of the substrate on the surface of the seabed	Med/High	Sensitive
Barrier to species movement	Med/High	Not sensitive
Changes in suspended solids (water clarity)	Med/High	Sensitive
Penetration and/or disturbance to the substratum below the surface of the seabed including abrasion	Med/High	Sensitive
Physical loss (to land or freshwater)	Med/High	Sensitive
Smothering and siltation rate changes (Light)	Med/High	Sensitive
Underwater noise changes	Med/High	Not sensitive
Vibration	Med/High	----
Visual disturbance	Med/High	Not sensitive
Hydrocarbon and PAH contamination	Low	n/a
Introduction of light	Low	Insufficient evidence
Introduction of other substances (solid, liquid or gas)	Low	n/a
Introduction or spread of invasive non-indigenous species (INIS)	Low	Sensitive

Physical change to another seabed type	Low	----
Physical change to another sediment type	Low	Sensitive
Synthetic compound contamination	Low	n/a
Transition elements and organo-metal contamination	Low	n/a
Water flow (tidal current) changes, including sediment transport	Low	Not sensitive
Wave exposure changes	Low	Not sensitive

Ports & Harbours (construction) – Piling. Assessment of pressures (from Natural England’s Designated Sites View)

Abrasion/disturbance of the substrate on the surface of the seabed

Risk is medium-high and refers to structures, anchors, mooring chains, and piles. The works include installation of small-scale vertical steel sections. **Potential impact for wall works.**

Changes in suspended solids (water clarity)

Risk is medium-high and can only occur during installation of the vertical steel sections. As these are installed at low waters there can be no impact on water clarity. No impact

Penetration and/or disturbance to the substratum below the surface of the seabed including abrasion

Risk is medium-high and refers to anchor moorings. The vertical steels will penetrate the seabed. **Potential impact for wall works.**

Physical loss (to land or freshwater)

Risk is medium-high. The small gap between the existing wall and the works represents a small loss of intertidal habitat. The new pontoons near the existing slipway dry at low tide and therefore represent an intermittent loss of intertidal habitat. **Potential impact for wall works.**

Smothering and siltation rate changes (Light)

Risk is medium-high. No smothering nor changes in sedimentation possible, no impact.

Invasive non-indigenous species

Risk is low. The works will be undertaken using land-based plant. No possible impact.

Physical change to another sediment type

Risk is medium-high. No change in sediment type is possible, no impact.

Summary for SAC Potential Impacts

Whilst the works are outside the SAC boundary (which excludes other similar marinas and yards), the following have been identified as having a potential impact:

- i. Abrasion/disturbance of the substrate on the surface of the seabed

The area immediately in front of the existing wall contains man-made debris. This will be manually removed. This is a positive impact but is cancelled by the new works. Therefore, no significant effect.

- ii. Penetration and/or disturbance to the substratum below the surface of the seabed including abrasion.

The five vertical steels will penetrate the substratum. They have a total cross-sectional area of 0.0255m². This is a very small area (less than half a sheet of A4 paper) and cannot be a significant effect on the habitat.

- iii. Physical loss

The overall plan footprint of the proposed wall works is 48m², however only 6m² of this is intertidal. Much of this 6m² is due to resulting gap between the uneven existing quay wall and the new wall. The wall is to be installed as close as practical to the existing wall to minimise any changes. There is much debris at the base of the existing wall which overlays the intertidal mud. This is to be removed and effectively replaced by the new wall. There is therefore no substantial change.

Whilst it is accepted that this is technically a physical loss to land, it does not represent a significant effect on the habitat.

In terms of the pontoons near the slipway, the 15.4m length to extend the existing to the slipway represents an area of 30.8m². These pontoons, (which do not include the section that will lay on the existing slipway, as that is not considered habitat), will rest on the intertidal area at low waters and therefore represent an intermittent loss of habitat. As it is the pontoon floats that will ground, (rather than the full pontoon area), the true area is 13.5m². It is questionable whether this represents a permanent loss of habitat (and therefore a LSE), this is no different to a vessel resting on the seabed at low waters (which does not require such assessments). There are several examples on the Hamble where the drying out of pontoons has been accepted in preference to permanently removing the material (dredging). Universal and Deacons are good examples.

These pontoons also provide improved access for the berth holders, and this is a benefit.

It is considered that, whilst the pontoons represent some potential intermittent loss, they do not represent a Likely Significant Effect.

3.2 SPA & Ramsar

Solent & Southampton Water Special Protection Area (UK9011061), Solent & Dorset Coast Special Protection Area (UK9020330), and Solent & Southampton Water Ramsar (UK11063).

Proximity of works	On the boundary for the SPA Marine Components, >700m distance from opposite bank for S&SW SPA & Ramsar
Conservation advice package used	NE Conservation Advice Package Solent & Southampton Water SPA. Ramsar covered by same features.
Qualifying features and relevance screening	Black-tailed godwit (<i>Limosa limosa islandica</i>), Non-breeding Common tern (<i>Sterna hirundo</i>), Breeding Dark-bellied brent goose (<i>Branta bernicla bernicla</i>), Non-breeding Little tern (<i>Sternula albifrons</i>), Breeding Mediterranean gull (<i>Ichthyaetus melanocephalus</i>), Breeding Ringed plover (<i>Charadrius hiaticula</i>), Non-breeding Roseate tern (<i>Sterna dougallii</i>), Breeding Sandwich tern (<i>Thalasseus sandvicensis</i>), Breeding Teal (<i>Anas crecca</i>), Non-breeding Waterbird assemblage, Non-breeding
Qualifying features to be assessed	All birds
Conservation objectives	The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring <ul style="list-style-type: none"> • the extent and distribution of the habitats of the qualifying features • the structure and function of the habitats of the qualifying features • the supporting processes on which the habitats of the qualifying features rely • the populations of each of the qualifying features • the distribution of qualifying features within the site

Solent & Dorset Coast Special Protection Area SPA – UK9020330	
This is primarily a designation for Terns (Sandwich, Common & Little) and extends the Solent Maritime SPA up to the high-water mark. As such, it includes many areas of existing marine development.	
Proximity of works	Within the site boundary
Conservation advice package used	NE Conservation Advice Package Solent & Dorset Coast SPA.
Qualifying features and relevance screening	Common tern (<i>Sterna hirundo</i>), Breeding Little tern (<i>Sternula albifrons</i>), Breeding Sandwich tern (<i>Thalasseus sandvicensis</i>), Breeding

Qualifying features to be assessed	All Terns
Conservation objectives	<p>The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring</p> <ul style="list-style-type: none"> • the extent and distribution of the habitats of the qualifying features • the structure and function of the habitats of the qualifying features • the supporting processes on which the habitats of the qualifying features rely • the populations of each of the qualifying features • the distribution of qualifying features within the site

The SPA qualifies for breeding and overwintering bird species. Breeding species include Common tern (*Sterna hirundo*), Little tern (*Sternula albifrons*), Mediterranean gull (*Ichthyaeus melanocephalus*), Roseate tern (*Sterna dougallii*), and Sandwich tern (*Thalasseus sandvicensis*). Overwintering birds include Black-tailed godwit (*Limosa limosa islandica*), Dark-bellied brent goose (*Branta bernicla bernicla*), Ringed plover (*Charadrius hiaticula*), Teal (*Anas crecca*).

Under the Ramsar designation the criteria are:

Supporting wetland habitats such as saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.

Supporting an important assemblage of rare plants and invertebrates.

Supporting avian assemblages of international importance

Regularly supporting 1% of the individuals in a waterbird assemblage (dark-bellied Brent goose).

Conservation Objectives

Reduce the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed.

Birds and human activity –

Human activities can result in bird disturbance. Disturbance is defined as any human-induced activity sufficient to disrupt normal behaviours at a level that may substantially affect their behaviour. This can have an important affect if suitable habitat is impacted. Disturbance is significant if a population of species is impacted by a change in local distribution or abundance.

The works are small scale within a busy working boatyard. The plant involved is smaller than the regular operating boatyard plant. As the construction plant will not operate when the boatyard plant is in use there can be no increased impact. No marine plant is required.

4. Summary

Examination of the existing data and site activities along with Natural England's online guidance has not identified any Likely Significant Effects (LSEs).

HAMPSHIRE COUNTY COUNCIL

Report

Committee	River Hamble Harbour Management Committee
Date:	15 September 2023
Title:	Annual Review of Business Plan
Report From:	Director of Universal Services

Contact name: Jason Scott

Tel: 01489 576387

Email: jason.scott@hants.gov.uk

Purpose of the Report

1. The purpose of this report is to set out the strands of the rolling Business Plan which are designed to support the Harbour Authority's Strategic Vision.

Recommendation

2. It is recommended that the River Hamble Harbour Management Committee reviews the Business Plan and proposes any suitable revisions and additional items for consideration by the River Hamble Harbour Board.

Summary

3. This report covers a review of the River Hamble Harbour Authority's rolling Business Plan.

Review of Business Plan

4. The River Hamble Harbour Authority's rolling Business Plan has been updated and is attached at Appendix 1. The Plan supports the Harbour Authority's Strategic Plan from which the headings of 'Plan Topic' and 'Brief' are derived. There is scope for new or revised objectives to be added to the plan, particularly where they update or replace those objectives which have been completed in full.
5. Members are requested to comment and to recommend potential revisions or additional items for inclusion in the plan.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

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

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

A full Equalities Impact Assessment for the River Hamble Harbour Authority's compliance with the Port Marine Safety Code (including environmental responsibilities) has been carried out and this report does not raise any issues not previously covered by that Assessment.

Serial	Priority 1 low 5 high	Plan topic	Brief	Objective	Constraints	Budget	Target completion date	Ownership of project	Review date	Review Notes
1	5	Governance	To support the current governance arrangements, as approved by HCC	Recruit, select and train members of the Harbour Board as required	Availability of selection panel members	Minimal	Ongoing	Marine Director and Harbour Board	Sep-23	Harbour Board Member recruitment in progress for a Marine Industry representative.
2	5	Navigational safety	To comply with the requirements of the Port Marine Safety Code	Repair and maintain Aids to Navigation as required	None	£6000 per annum	Ongoing	DHM/HOM	Sep-23	Compliant. New DP recruited (Capt Phipps). Awaiting instruction from Regulator for next statement of compliance
3	5	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	Provide and maintain Tier 1 Oil Spill response equipment, meeting the appropriate legislative requirements. Produce and review an Oil Spill Plan for MCA approval			Ongoing	DHM/HOM and Environment and Development Manager	Sep-23	Ongoing. Three yearly oil spill exercise held under Regulator supervision 12 Oct 2022. Oil Spill Plan due for review by 01 November 2023
4	5	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	Provide adequate storage facilities for oil spill response and emergency equipment				Marine Director and HCC	Sep-23	Storage contract in Stone Pier Yard renewed 3 August 2022 for 3 years.
5	4	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	To work with the Highways Agency, Environment Agency and Hampshire Fire and Rescue to seek ways of reducing the risk of pollution from bridges across the River	Funding	Not known	Ongoing	MD and Environment and Development Manager	Sep-23	Notification from Highways England of drainage feasibility study September 2023 following Junior Ministerial engagement.
6	4	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	Conduct desk-top study to assess feasibility of beneficial re-use of dredged material on saltmarsh		£25000	Complete	Environment and Development Manager	Ongoing	Member of Solent BUDS Project Technical Group. Ongoing advice on opportunities to both researchers, regulators and applicants
7	4	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	To ensure that all staff are trained and exercised in oil spill response	Major exercise required every 3 years	Up to £8000 per annum, depending on training and exercise requirements	Ongoing. Next major exercise 2025	DHM/HOM, and Environment and Development Manager	Sep-23	Contract with Adler and Allen renewed 12 Aug 2022 for 3 years.
8	1	Environment	To discharge responsibilities under Habitats Regulations and other relevant environmental legislation	To identify and provide partial funding for environmental research projects which are deemed to be of net benefit to the harbour	Maximum of two projects per academic year	£5000 per annum	Ongoing	Environment and Development Manager	Sep-23	Support to Blue Marine Foundation/Portsmouth Univ. Solent Oyster Restoration Project. Support to Portsmouth Univ. MSc student Jul 2023. Support to Solent Seascape and other projects.
9	3	Public relations and communications	To enhance the public perception of the Harbour Authority	Broad involvement in and representation at relevant local committees. Programme of HM Presentations.		£500	Ongoing	MD	Sep-23	Pro-active engagement with and support to local initiatives and sporting events – SBW regatta, Hamble Classics Regatta, Running and swimming events, Hamble River Raid 2023

Serial	Priority 1 low 5 high	Plan topic	Brief	Objective	Constraints	Budget	Target completion date	Ownership of project	Review date	Review Notes
10	3	Public relations and communications	To enhance the public perception of the Harbour Authority	To ensure that RHHA input to the River Hamble Directory is relevant and accurate	Editorial control rests with River Hamble Combined Clubs	£2,000	Complete for 2023	Harbour Office staff and Scene-Media	Sep-23	New Edition Hamble Handbook issued February 2023. Press engagement through HCC Corporate Comms. Eg – Home Secretary June 2023
11	3	Public relations and communications	To enhance the public perception of the Harbour Authority	Optimise Web Site and Social Media use to land messages	Nil	None budgeted – potential income generator	Ongoing	Marine Director	Sep-23	New RHHA Web Development work 2023. Site programmed to go live Sep 2023
12	5	Crown Estate	To maintain a productive relationship with The Crown Estate	Fulfil the terms of the Moorings Management Agreement with the Crown Estate	Moorings Management Agreement	Income generator	Annual and ongoing	Marine Director, DHM/HOM, Moorings Manager	Sep-23	Management Agreement Contract in place from 31 Mar 2020 until Mar 2025.
13	2	Enhancement of economic benefits	Where possible, to seek opportunities to enhance the economic benefits of the harbour	To encourage the use of Harbour Authority facilities for events, rallies and regattas	Requires advertising and promotion on website and Hamble Directory	None budgeted - potential income generator	Ongoing	Harbour Board and Marine Director	Sep-23	Rally and regatta pre-booking arrangements in use. Work to adjust mooring pattern with the Crown Estate to meet customer needs/waiting list requirement
14	3	Enhancement of well-being and enjoyment	Where possible, to seek opportunities for all harbour users to enjoy the benefits of the harbour	To seek to enhance the experience of those who use the River by improving access, both on and off the water To keep abreast of developments in County and Borough Council Policy, local initiatives and events, in order to enable and facilitate their safe and efficient delivery within the constraints of the Port Marine Safety Code.	Funding Staff resource	From Asset Enhancement Reserve	Ongoing	Harbour Board and Marine Director	Sep-23	Remaining alive to and facilitating opportunities for enjoyment and development. Supporting the proper authorities in delivery of policy objectives within the bounds of own existing resource. Board discussion on Harbour Dues required to fund beyond AER.
15	5	Planning and consents	To provide a clear and effective works consent process	All works consents applications dealt with in a reasonable timescale, taking into account safety and environmental factors. Provision of advice to other regulators' consultations.	Port Marine Safety Code and relevant legislation	Income generator	Ongoing	Environment and Development Manager	Sep-23	Ongoing.
16	4	Planning and consents	To provide a clear and effective harbour works consent process	Provide professional pre-application advice	Availability of officials from other consenting bodies	£500 per annum for room hire	Ongoing	Environment and Development Manager	Sep-23	Response provided to 3 rd party consultations. 1 to 1 advice meetings regularly held. Consents Advisory Panel meets as required.
17	4	Consultation	To respond to ideas and suggestions put forward by harbour users and other interested parties and consult with them when appropriate	Conduct formal consultations with interested parties when appropriate, using on-line methods whenever possible		None at present	Ongoing	Marine Director	Sep-23	Use of and positive feedback from bi-annual Harbour Safety Newsletters.

Serial	Priority 1 low 5 high	Plan topic	Brief	Objective	Constraints	Budget	Target completion date	Ownership of project	Review date	Review Notes
18	3	Visitors	To encourage the provision of appropriate facilities for visiting yachtsmen.	Provide assistance and local information to visiting yachtsmen	None	Minimal	Ongoing	All staff	Sep-23	Continuous, including contributions to local pilot books, directories and guidebooks. Website development work including 'fly-through' pilotage, new weather station data offering real-time information. Revised signage, particularly safety signage
19	4	Policy	To ensure that the opinions of the Harbour Authority are taken into account when Government policies on ports, harbours and the marine environment are under consideration	Respond to all relevant Government consultations and attend appropriate conferences, workshops and meetings		Travel costs for meetings etc	Ongoing	Marine Director	Sep-23	Staff have attended various UKHMA, BPA, SASHMA and Solent Forum meetings and workshops, together with environmental and marine planning events. HM chair of SEMS since 2020 – re-elected for 3 years Sep 2022.
20	2	Future trends	To respond appropriately to new trends in recreational boating	Monitor trends in recreational boating and propose appropriate responses		None budgeted	Ongoing	Marine Director	Sep-23	New paddleboarding signage installed 2020. Safety Newsletters 2022 and 2023 highlighting responsibilities of paddleboarders and vessels
21	5	Financial	To maintain and manage the harbour cost-effectively and within available resources	Plan and implement annual budget	Hampshire County Council financial regulations	£27,000 (Service Level Agreement with County Treasurer)	Ongoing	Marine Director and County Treasurer	Sep-23	2023/24 forward budget approved by Harbour Board Jan 2023. Asset Review Paper approved April 2023.
22	3	Financial	To maintain and manage the harbour cost-effectively and within available resources	Maximise income through effective collection of Harbour Dues	Requires co-operation of yards and clubs	Income generator	Ongoing	Marine Director	Sep-23	Effectiveness of collection of visitors proven through higher levels of income consistently over last two years
23	4	Staff	To employ and retain well-motivated, properly trained staff	Recruit high quality staff, and provide and encourage training and personal development		Core business	Ongoing	All line managers	Sep-23	Ongoing
24	4	Staff	To employ and retain well-motivated, properly trained staff	Adhere to principles of Investors in People (IiP)		Core business	Ongoing	All line managers	Sep-23	Ongoing. Make use of HCC Valuing Performance protocols
25	3	Staff	To provide appropriate training for Management Committee and Harbour Board members	Organise training events for Members as required	Availability of Members	Core business	Ongoing	Marine Director and Members	Sep-23	Ongoing training after each Man Cttee meeting. Bespoke induction packages.
26	4	Equalities and accessibility	To ensure compliance with all equalities and accessibility legislation	Ensure that equalities and accessibility are taken into account in all activities and decisions	Equalities legislation	Core business	Ongoing	Marine Director	Sep-23	Equality central to planning processes as directed by the updated Strategic Vision Paper.

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	River Hamble Harbour Management Committee
Date:	15 September 2023
Title:	Forward Plan for Future Meetings
Report From:	Director of Universal Services

Contact name: Jason Scott

Tel: 01489 576387

Email: Jason.Scott@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to set out the key issues which it is anticipated will appear on the River Hamble Harbour Management Committee and Harbour Board agendas in the forthcoming months. The Forward Plan is attached at Appendix 1.

Recommendation

2. That the report be noted.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents	
<p>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.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

An EIA is not required as no negative impacts are anticipated.

Management Committee Date	Agenda Item	Harbour Board Date
15 September 2023	<ul style="list-style-type: none"> • Marine Director and Harbour Master's Report and Current Issues • Environmental Update • Review of Business Plan • Harbour Works Consent (if applicable) • Forward Plan for Future Meetings 	6 October 2023
None	<ul style="list-style-type: none"> • Marine Director and Harbour Master's Report and Current Issues • Environmental Update • Harbour Works Consent (if applicable) 	17 November 2023
8 December 2023	<ul style="list-style-type: none"> • Marine Director and Harbour Master's Report and Current Issues • Environmental Update • Harbour Works Consent (if applicable) • 2024/25 Forward Budget • Forward Plan for Future Meetings 	12 January 2024
22 March 2024	<ul style="list-style-type: none"> • Marine Director and Harbour Master's Report and Current Issues • Environmental Update • Asset Register Review • Harbour Works Consent (if applicable) • Forward Plan for Future Meetings 	12 April 2024