

HAMPSHIRE COUNTY COUNCIL

Report

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| Committee: | River Hamble Harbour Board |
| Date: | 1 April 2022 |
| Title: | Environmental Update |
| Report From: | Director of Culture, Communities and Business Services |

Contact name: Alison Fowler

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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 mid-November 2021 and mid-February 2022.

Recommendation

2. It is recommended that the River Hamble Harbour Board:
 - (i) Notes the Management Committee's recommendation in relation to item 3 to seek alternative approaches to apply pressure to achieve delivery.
 - (ii) notes and supports the remainder of this report.

Updates

M27 Bridge Drainage

3. Following discussions at January's River Hamble Harbour Board meeting, the Chairman wrote to the Secretary of State for Transport asking for his support in resolving the matter. A reply has been received indicating an outline plan under National Highways' (formerly Highways England) Designated Fund process, subject to the funding of three stages, with the possibility of construction in 2024/25.

Both letters are appended to this report (appendix C).

Oil Spill Preparedness & Response

4. RHHA's required annual return has been approved by the Maritime and Coastguard Agency regarding oil spill exercises and training, ensuring RHHA's

ongoing compliance with the Merchant Shipping (Oil Pollution Preparedness, Response Cooperation Convention) Regulations 1998.

The required 3-yearly Tier 2 deployment exercise is planned for later this year.

River Hamble Country Park Pontoon

5. As reported in 2021, consideration has been underway as to the feasibility and any potential consent requirements of reinstating the removed 4 metre x 4 metre pontoon section of the hammerhead to recreate its original 'T' size and shape. This will offer the original space again for members of the public who enjoy it for crabbing, viewing the river and paddle sports, as well as its use by the QE2 Activity Centre which offers river experiences for visitors with additional needs. Eastleigh Borough Council has confirmed that no planning permission is required to put back this section of pontoon. The Environment Agency has confirmed no requirement for Flood Risk Activity permit in this case. The work is exempt from a Marine Licence from the Marine Management Organisation under The Marine Licensing (Exempted Activities) Order 2011 (as amended). No piling is required. At the time of writing, the reinstatement has just been completed.

Maintenance Work

6. The Crown Estate's routine pile replacement work is planned for selected mid-stream mooring piles during March and April. Elephant Boatyard also plans to replace a pile at this time.

Climate Change and Carbon Mitigation Impact Assessment

7. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

Climate Change Adaptation. A full assessment of climate change vulnerability was not completed as no decision is required in respect of this report.

Carbon Mitigation. A full assessment of carbon mitigation vulnerability was not completed as no decision is required in respect of this report.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

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|---|-----|
| 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.

Rt Hon Grant Shapps MP
Secretary of State
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR



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21 January 2022

By email and post

Dear Secretary of State

DRAINAGE FROM THE M27 BRIDGE INTO THE RIVER HAMBLE

Highways England continues to fail in addressing its own acknowledged responsibility to resolve the direct drainage of pollutants from the M27 motorway bridge into the River Hamble. The River is heavily protected by environmental legislation and a site of National significance in terms of wildlife and flora.

The discharge from the bridge is free and continuous, with large amounts of oil and tyre waste among the pollutants entering the water. The additional consequences to the environment of a larger single spillage resulting from a traffic accident will be considerable.

The River Hamble Harbour Board has been directly engaged on the matter with Highways England since 2004. Highways England has given periodic undertakings to resolve the issue but always failed. The most recent commitment was made in June 2019 and plans were drawn up to channel material away from the Bridge using culverts under the Smart Motorway project. This opportunity to address the problem was not taken and the project postponed in October 2020 because of funding issues. Highways England has not provided any credible response on the way forward. In fact, it is difficult to detect any drive or will on the part of Highways England to see this matter to conclusion.

In the light of this perpetual failure, I write as Chairman of the River Hamble Harbour Board to ask for your support as Secretary of State in generating the momentum hitherto lacking and deliver a solution to a daily risk which could have environmentally catastrophic consequences.

Yours sincerely

A handwritten signature in black ink that reads "Sean Woodward".

Councillor S D T Woodward
Chairman
The River Hamble Harbour Board

Copy to:

Right Honourable Suella Braverman MP
Right Honourable Flick Drummond MP
Right Honourable Paul Holmes MP



Department
for Transport

Councillor Seán Woodward
Chairman, River Hamble Harbour Board
Hampshire County Council

Baroness Vere of Norbiton
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Our Ref: MC/388253

31 January 2022

Dear Councillor Woodward,

Thank you for your letter of 21 January to the Secretary of State, about drainage from the M27 Bridge into the River Hamble. I am replying as the Minister responsible for this issue.

Following your email, Department officials raised your concerns directly with National Highways (formerly Highways England). As a result of that exchange, I understand that National Highways attempted to develop a solution to the drainage issue at Hamble Bridge, but that this unfortunately could not be incorporated as part of the current M27 Junctions 4-11 smart motorway scheme.

However, National Highways' Designated Funds programme, which you can access further information about [here](#), has a scheme for the Hamble bridge planned for feasibility in 2022/23, design in 2023/24 and construction in 2024/25, subject to securing approval of funding for each stage.

National Highways will engage with Hampshire Council during the Designated Fund scheme development and scheme works information will be provided to all appropriate authorities.

Thank you for taking the time to write to me on this issue.

*Yours,
Charlotte*

BARONESS VERE OF NORBITON