

## **Chairman of the River Hamble Harbour Board – Culture, Communities and Business Services (12 month Review)**

**Primary departmental Links:** Chairmanship of the Governing Body of the Municipal River Hamble Harbour Authority which sits for administrative purposes within Culture, Communities and Business Services. A unique role with direct statutory accountability to the Secretary of State for Transport for Marine Safety Management and Marine pollution events. Engagement with departments across the County Council for matters affecting the River and the environment. Links to Fareham and Eastleigh Borough and Winchester City Council as well as other national authorities for developments as a statutory planning authority.

### **Key outcomes:**

The essence of the role is to manage the River Hamble Harbour Authority on behalf of Hampshire County Council as a committee of the Cabinet, established further to S.101(1) and S.102(1) of the local Government Act 1972, to which political proportionality applies. The Chairman is a Member of the County Council appointed by the Council. The role is entitled: the 'Duty Holder' within the meaning of the Department for Transport's Port Marine Safety Code (The Code). The Duty Holder is accountable for the Harbour Authority's compliance with The Code. This means:

- Accountability for safe and efficient operations;
  - The Chairman has:
    - Chaired four meetings of the executive River Hamble Harbour Board, assuring safe and efficient operations. The Board has reviewed trends in and response to incidents including casualty recovery, speeding, running aground and collisions, as well as scrutiny of reserved revenue accounts and capital reserves.
    - Approved two reports from Trinity House, confirming RHHA compliance as a Category 3 Local Lighthouse Authority.
- Assigning clear executive and operational responsibilities to an appropriately trained, qualified and experienced person, answerable for their performance;
  - The Chairman has:
    - Reviewed, approved and published updated Vision and Strategy documents for the RHHA until 2024;
    - Overseen the maintenance of a full complement of appropriately trained personnel.
- Appointing a 'Designated Person' to provide independent assurance of the Marine Safety Management System's effective operation;
  - The Chairman has:

- Appointed a new suitable Designated Person, saving the Harbour Authority £4k pa.
- Demonstrating and certifying ongoing compliance to The Code to The Regulator (the Maritime and Coastguard Agency (MCA)).
  - In receiving and approving two independent reports from the Designated Person, the Chairman has maintained certainty that the Harbour Board remains compliant with the Port Marine Safety Code as defined by the Regulator.

Responsibilities are set out in the following primary pieces of legislation:

- The Harbours, Docks, Piers and Clauses Act 1847
- The Southampton Harbour Act 1949
- The Harbours Act 1964
- The River Hamble Harbour Revision Order 1969 (S.I. 1970 No 249) as amended by the River Hamble Revision Order 1982 (S.I. 1982 No 1370) and by Section 67 of the Hampshire Act 1983 and
- The River Hamble Bye Laws 1983, confirmed by the Secretary of State for Transport on 2 May 1986
- The Habitats Regulations

The Harbour Board is the Harbour Authority's Executive body. It is made up of seven members. Two are members of the County Council - one each from Fareham and Eastleigh, three co-opted members representing recreational sailing, the marine industry and environmental management and the Marine Director of the River Hamble undertaking. The Board meets four times each year to consider and decide on planning matters. In doing so, the Board receives recommendations on decisions from the consultative, subordinate and larger Management Committee which has broader and deeper riparian representation and powers of scrutiny over Board decisions. The interdependence of these committees is centrally important in the smooth and efficient running of the undertaking.

#### **Key Functional Areas:**

- To discharge the River Hamble Harbour Authority's delegated responsibilities as a statutory Duty Holder for the benefit of all those who navigate within the River Hamble
- To ensure that an effective and efficient Marine Safety Management System is maintained and certify to that effect at three yearly intervals to the Regulator
- To ensure conformity with environmental legislation under the Habitats regulations. The River Hamble is listed as a Special Area of Conservation, in various areas as a Site of Special Scientific Interest and is subject to the RAMSAR convention. These instruments place upon the Council particular responsibilities for which the Board is accountable
- Maintaining an Oil Spill Protection Plan to the satisfaction of the Regulator (the MCA) which affords reasonable protection to the natural environment of the River in the event of a spillage within the wider Solent

- Acting as a statutory Planning Authority for proposed developments below Mean High Water Springs, liaising with other planning authorities as necessary
- Communicating strategic risk affecting Hampshire County Council via the appropriate channels

**Scale of financial gearing/ impact of work undertaken:**

The River Hamble Harbour Authority is self-funding from the collection of Harbour Dues payments collected from qualifying vessels under the Harbours Act of 1964. Its annual turnover is in the order of £1.2m. It employs 12 staff under the Direction of a professional Master Mariner. The Harbour Authority manages the River over 7 miles of waterways, from the Solent to Botley and Curbridge. It is the busiest recreational River in the Country. The Harbour Authority manages 650 moorings under a contractual arrangement with the Crown Estate. There are around 3200 vessels afloat on the River and a similar number ashore. It is also a significant contributor to the local economies in both Fareham and Eastleigh Boroughs.

This role plays an important part in creating a profitable, efficient and stable platform upon which local businesses and River Users can plan and operate safely. It is a rather unusual but significant unit in Hampshire County Council's wide portfolio.