

River Hamble Harbour Authority's Role in Protecting the Hamble Estuary Environment

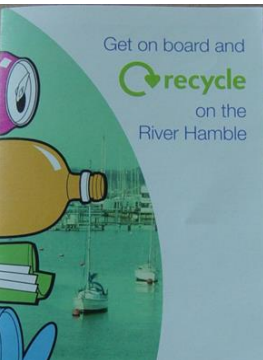
Alison Fowler - Environment & Development Manager

RHHA Management Committee - 16 June 2023

RHHA's key areas of work:

- Navigational Safety & Port Marine Safety Code
- Moorings Management
- Events and Activities on the water
- Oil Spill Planning & Prevention
- Port Waste Management Plan (for boat-derived waste)
- Development & maintenance works in the estuary below high water mark (RHHA's own and permitting 3rd party)

ALL COME WITH ENVIRONMENTAL RESPONSIBILITIES



What needs protecting in the Hamble Estuary?

Internationally important bird populations

Water quality

Saltmarsh

Maritime Archaeology

Estuarine flow and function

Invertebrates

Mudflats

Bass nursery & Migrating salmonids

Natural habitats of International Importance

Shellfish beds



Almost all of the estuary and its banks are designated for nature conservation:

Local

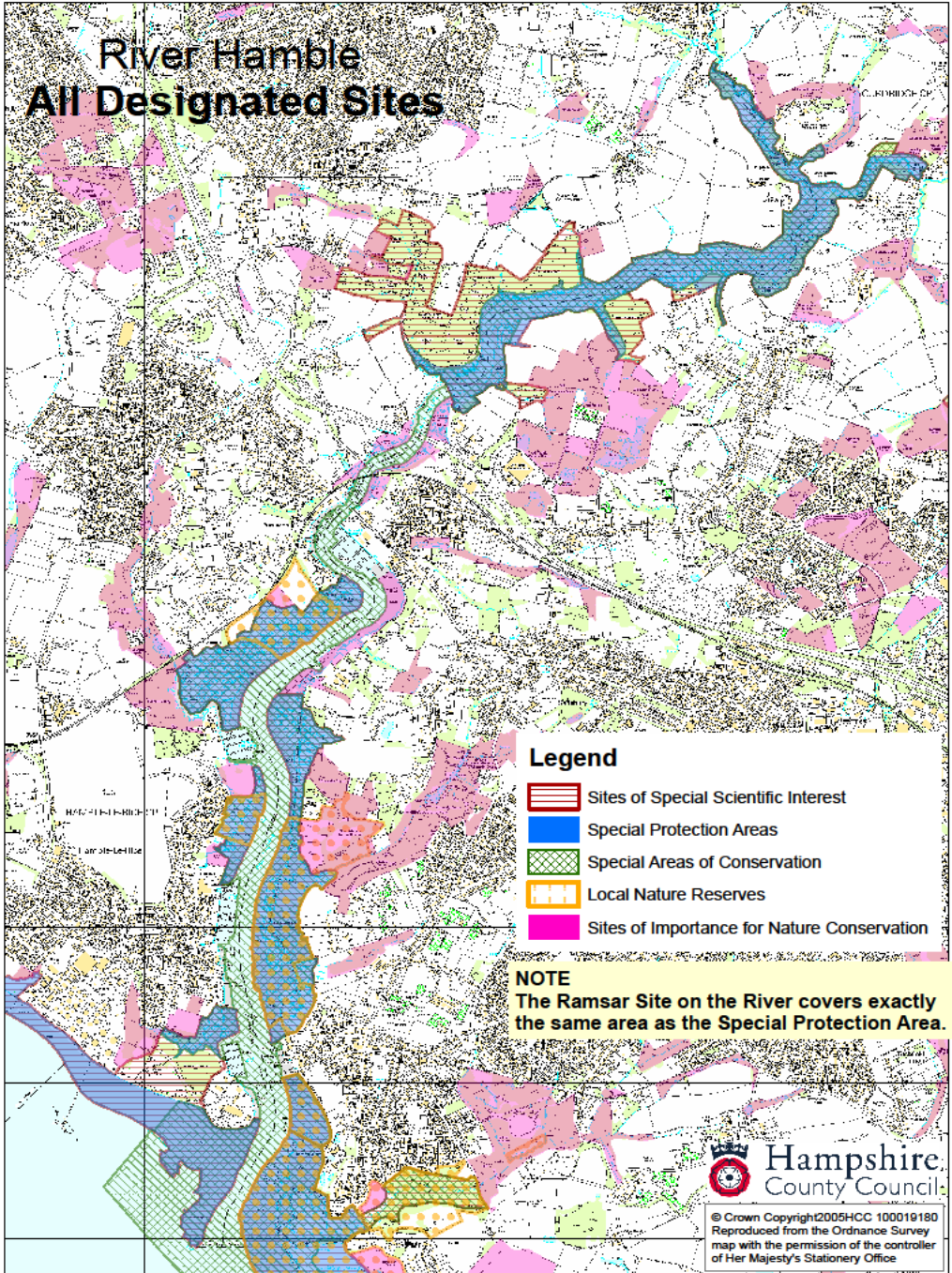
Locally important habitats & species

National

Mature saltmarsh
High populations of invertebrates
Major feeding ground for birds

International

Saltmarsh & mudflats
>20,000 waterfowl incl. significant nos. of brent geese, teal, ringed plover, terns, black tailed godwit.



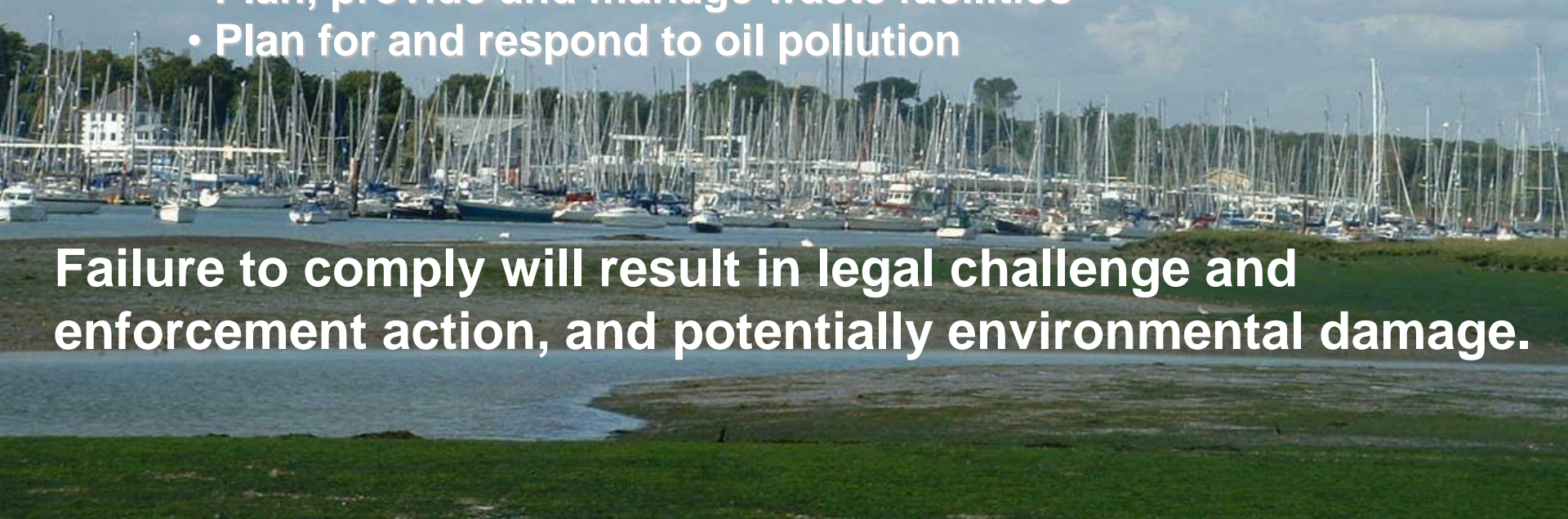
Why does RHHA protect the Environment?

1. General legal duties as a statutory body/competent authority
2. Specific duties as a Harbour Authority

When undertaking OWN functions involved with managing the river RHHA must do so due to legal obligations that ensure we:

- Protect water quality
- Conserve and enhance 'SSSI' features
- Safeguard the European Sites
- Have regard for nature conservation and the environment
- Plan, provide and manage waste facilities
- Plan for and respond to oil pollution

Failure to comply will result in legal challenge and enforcement action, and potentially environmental damage.



General legal duties as a statutory body/competent authority

For ANY work managing the river, be it own activities or those we permit of others (incl. determining Harbour Works consent):

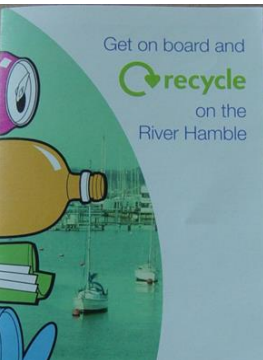
- Have **regard for conservation of biodiversity** in the undertaking of our activities. (NERC Act 2006: Section 40)
- **Protect water quality** – is an offence to cause /knowingly permit discharge of polluting substances, or to impact the water quality such that it would result in the alteration of the Classification of shellfish beds. (Various laws)
- “Take reasonable steps, consistent with the proper exercise of our functions, to further the **conservation and enhancement of SSSIs**”. (Wildlife and Countryside Act 1981)
- For SSSIs, must **consult Natural England** for advice before licensing others or undertaking works ourselves (if no other license/consent required e.g. Marine License). (Wildlife and Countryside Act 1981)
- General duty, in the exercise of any of our functions, to have **regard to the EC Habitats Directive** (Reg3(4)) and **consult Natural England** with regard to Likely Significant Effect (and if appropriate, undertake an Appropriate Assessment). (Conservation of Habitats and Species Regulations 2017). Also part of SEMS Management Group.
- Make all authorisation and enforcement decisions which are likely to affect the marine areas in accordance with the South Inshore and Offshore Marine Plan published by the Marine Management Organisation. (Marine & Coastal Access Act 2009)

Specific duties as a Harbour Authority:

- Legally required to have an '**Oil Spill Contingency Plan**', qualified staff, appropriate equipment, undertake exercise & annual reports to MCA (Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998, SI 1998 No. 1056)
- Legal requirement to produce a '**Port Waste Management Plan**' to ensure sufficient facilities in the Harbour (Merchant Shipping (Port Waste Reception facilities) Regulations 2003)
- Responsible for the provision of appropriate **Waste Disposal Facilities** for RHHA waste and any waste left by our visiting yachts (Environment Protection Act 1990, Hazardous Waste (England and Wales) Regulations 2005, Animal By-Products Regulation (Regulation (EC) No 1774/2002)
- Production of a **Baseline Document** for maintenance dredging activities within a Natura 2000 site (Maintenance Dredge Protocol)
- A HA will discharge its duties in respect to protection of the environment within the harbour, and ensure environmental awareness of employees (Port Marine Safety Code)
- General duty to exercise functions with regard to nature conservation and other related environmental considerations. (Harbours Act 1964: Section 48A)

How does RHHA ensure it meets environmental obligations?

- Port Waste Management Plan
- Oil Spill Contingency Plan
- Solent Marine Sites Management Group
- Consents: Harbour Works, Maintenance, Dredging, Byelaws (grant & obtain)
- Consultations
- Enforcement of Legislation & Byelaws
- Education/Promotion of best practice (boat maintenance, wildlife disturbance)
- Projects (e.g. Saltmarsh Study, Solent Water Quality Working Group)
- Partnerships (Solent Forum, Hamble Estuary Partnership)



Who else protects it?

Statutory Bodies

- Natural England - Nature Conservation
- Environment Agency - Pollution Prevention, Fisheries, Flood Defence
- Inshore Fisheries & Conservation Authority (IFCA) – Inshore sea fisheries
- Marine Management Organisation - Marine Planning & Licences
- Local Authorities – Planning applications, site management

Partnerships

- The Green Blue, Solent Forum, Hamble Estuary Partnership

Charities

- Maritime Archaeology Trust, Hants & IOW Wildlife Trust, Blue Marine Fndn

Local Interest Groups (Solent Protection Soc., Warsash Cons'n Vols, BROWAPG)

Landowners - (The Crown Estate, Private individuals)

Members of the public..... and many more groups and individuals