

HAMPSHIRE COUNTY COUNCIL

Report

Committee	River Hamble Harbour Management Committee
Date:	7 December 2018
Title:	Environmental Update
Report From:	Director of Culture, Communities and Business Services

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1. Recommendation

- 1.1. It is recommended that the River Hamble Harbour Management Committee notes and supports the contents of this report.

2. Summary

- 2.1. This report summarises activities relating to the River Hamble Harbour Authority's (RHHA) environmental management of the Hamble Estuary between May and October 2018.

3. Updates

- 3.1. Oil Spill Preparedness

3.1.1 The Environment & Development Manager (EDM) has undertaken a comprehensive review of the RHHA Oil Spill Contingency Plan as required every 5 years under the Merchant Shipping (Oil Pollution Preparedness, Response and Co-operations Convention) Regulations 1998. The Plan received positive feedback from the statutory consultation and was approved by the Regulator (the Maritime & Coastguard Agency) in August. Formal copies have now been distributed to the official Plan holders. It will be valid until 2023.

3.1.2 The EDM and Marine Director took part in a Tier 2 oil spill response table-top exercise at ABP Southampton. Over 30 representatives attended on behalf of organisations likely to play key response roles in an oil spill incident, including the emergency services, oil companies, oil terminal operators, salvage operators, local harbour authorities and oil spill response contractors. The practical exercise was held by ABP Southampton in September 2018.

- 3.2. Port Waste Management Audit

The Maritime & Coastguard Agency conducted a formal inspection of RHHA's Port Waste Management Plan (PWMP) and waste facilities to ensure ongoing compliance with The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003. The inspection reports states that the MCA was *"impressed by your proactive nature in dealing with your customers' waste requirements, as well as acting as the co-ordinator for the other 17 sites that fall within your PWMP. It can be clearly seen that you are complying with the spirit of the legislation in reducing the instances of marine pollution from waste disposal at sea"*. RHHA's next review

of the Plan is due by Autumn 2020, however, work and discussions on improvements for the River remain continuous.

3.3. South Marine Plan

- 3.3.1 The South Inshore and Offshore Marine Plan was published on 17 July 2018 by the Marine Management Organisation (MMO). It has been prepared in collaboration with Defra colleagues, other government departments and with stakeholders representing relevant interests and sectors. 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. It aims to inform and guide decisions by regulators managing the development of industry in marine and coastal areas, while conserving and enhancing the environment and recognising leisure uses. The plan documents are available at: <https://www.gov.uk/government/publications/the-south-marine-plans-documents>.

All public bodies are legally required to make all authorisation and enforcement decisions which are likely to affect the marine areas in accordance with marine plans. Such decisions vary widely and the MMO is offering workshops aimed at decision makers to provide an outline of marine planning, legislation, obligations and responsibilities.

- 3.3.2 The EDM arranged a briefing for Solent Harbour Authorities from the MMO in September to ensure RHHA and others implement the South Marine Plan in its own decision-making processes appropriately.
- 3.3.3 The EDM and Marine Director attended a Marine Planning engagement workshop in October.
- 3.3.4 The impact of the Marine Plan on RHHA decision making is expected to be minimal as the principles of those policies relevant to RHHA are also addressed through one or more of the many existing regulatory frameworks, as well as the RHHA's Vision. An element of this is because the Hamble estuary (unlike some areas under the Plan that are solely 'marine') is also covered by (i) terrestrial planning policies, and (ii) is classed as a main waterbody under the Water Framework Directive.
- 3.3.5 The MMO will be attending this Management Committee meeting to give a briefing on the Marine Plan following the formal agenda.

3.4 Deacons Marina Redevelopment

Harbour Works Consent was granted by the Harbour Board in 2011 for Deacons to extend what is now the existing pontoon configuration out to the mid-stream pontoon location, creating a marina style layout. This RHHA consent has remained valid but the planning application related to the same design was turned down by Eastleigh Borough Council (EBC). The applicant has recently won an appeal against EBC's decision and intends to construct the development.

3.5 Hamble Estuary Partnership

A meeting of the Hamble Estuary Partnership was held on 19 June 2018. The meeting focussed on the wide variety of different local and regional projects underway, although there was a particular emphasis on plastic pollution. Presentations were given on the following:

- Marine plastic pollution overview
- Solent Forum's Clean Seas & Shores Project
- Secrets of the Solent Project led by Hants & IOW Wildlife Trust
- Marine Conservation Zones
- Solent Oyster Restoration Project

- Update on the drive to achieve a project to beneficially reuse dredged sediment for habitat restoration and enhancement in the Solent
- Research into the decay of sacrificial anodes on vessels
- The Port Energy & Carbon Savings project (PECS)
- 'Greening the Grey' to pilot ecological enhancements on the shoreline at Warsash.

Each HEP member gave an update on their organisation's work relevant to the Hamble Estuary. Members gave thanks to Anthony Gallagher who has chaired the HEP since 2011 and will now be standing down.

A copy of the minutes and presentations are available at

<http://www3.hants.gov.uk/hambleestuarypartnership/hep-members.htm>

3.6 Solent Oyster Restoration Project

RHHA has been assisting with the identification of suitable trial sites which are now underway on the river bed for a 6-month period until late Spring 2019. These will inform options for the pending large-scale restoration of bed populations of the native oyster which is planned for the next phase, subject to consents. More information on the project can be found at <https://www.bluemarinefoundation.com/>

3.7 Solent European Marine Sites (SEMS) Management Group

The EDM attended the bi-annual Solent Forum (SF) Members' Meeting and the SEMS annual meeting to ensure that RHHA both inputs and remains up to date on emerging issues and project work, and that environmental obligations continue to be met. The annual process relating to the SEMS Management Group ensures that relevant authorities such as RHHA are fulfilling duties with regards to monitoring and managing the impacts that activities (as opposed to plans or developments) have on the protected SEMS. The Marine Director has accepted the Solent Forum's invitation to become the new Chair of the group with immediate effect.

3.8 Regional Habitat Compensation Programme (RHCP)

The EDM attended the Regional Habitat Compensation Programme (RHCP) and Solent Bird Studies stakeholder meeting. RHHA input is helping to inform the potential options for consideration by the Eastern Solent Coastal Partnership in taking forward any future habitat creation sites relevant to the Hamble.

3.9 Winter Maintenance Dredging

Maintenance dredging will be undertaken this coming winter at Hamble Point Marina, Swanwick Marina and Mercury Marina, consistent with the approved River Hamble Maintenance Dredge Plan.

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.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. 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.

1.2. 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.

2. Impact on Crime and Disorder:

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

3. Climate Change:

3.1. 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

3.2. 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.