

LYMINGTON HARBOUR ADVISORY GROUP

MINUTES OF THE MEETING HELD ON WEDNESDAY 13TH MARCH 2024

At 1700hrs at LHC Harbour Office

PRESENT:

Rupert Wagstaff (Marinas), Chairman
Roy Froud (Recreational users – RlymYC, LTSC, Sailability)
Peter Lock (Recreational users – LARC, L&DSFC, LSS)
Peter Ferguson (NFDC Coast Protection)
John Durnell (HWT – Environmental interests)
Rob Thompson (Commercial boat owners)
Cllr Barry Dunning (Lymington & Pennington Town Council)
John Clarke (Lymington, Keyhaven and District Wildfowlers Association)
Steve Avery (NFNPA)
Guy Standley (local businesses)
Don Mackenzie (Lymington Society)
Al Mackay (RNLI)

ATTENDANCE:

Ryan Willegers (Chief Executive and Harbour Master)
Alison Towler (Chair, Lymington Harbour Commissioners)

APOLOGIES FOR ABSENCE

None

Minutes of previous meeting

The minutes of the meeting held on 18th July 2023 previously approved by email and published on LHC website.

1. Matters Arising From meeting of the 18th July 2023

- 1.1 Commercial Fishing Quay (Agenda Item 1.2) – The scheme to install an electric Davit on the commercial quay was completed on the 30th January following a LOLER inspection and test. LHC arranged LOLER training on the 27th and 28th February for commercial fishers who want to use the davit and for LHC officers and the davit was now operational. Fishers who decide they want to use the davit later will need to attend an IOSHH approved online LOLER course and receive instruction on the davit operation from a qualified member of LHC staff. The overall cost of the davit installation was £66,879 ex VAT of which £50,159 was funded through a grant from the Marine Management Organisation fisheries and sea-food scheme.

The fencing and lockable gate on the commercial quay to enable fishermen to secure the area from members of the public prior to commencing hazardous activities is reported to be working well.

Rob Thompson (RT) asked if some red or yellow cross hatching could be painted on the ground around the crane to indicate a safe working area.

RT cited a new MMO Fisheries & Seafood grant scheme and thought an application could be made to provide funding for storage bins in this area so fishers could keep their kit tidied away in a container. Ryan said he would look into this and asked if RT could forward the MMO website link.

Post meeting note: *The parameters for the grant scheme were not compatible.*

2. LHAG Membership

2.1 Since the last meeting the following appointments have been made: -

Peter Lock has been reappointed to represent recreational user's interests (LARC/L&DSFC/Lymington Sea Scouts) following renomination by the clubs – expires 29.07.2026

Roy Froud has been reappointed to represent recreational user's interests (RLymYC/LTSC/Lymington Sailability) – expires 06.09.2026

Alastair Mackay has been reappointed to represent the interests of Lymington RNLI – expires 06.09.2026

Rupert Wagstaff has been reappointed to represent marina interests – expires 05.01.2027

Peter Ferguson has been reappointed as the NFDC (Coast Protection) representative - expires 31.01.2027

John Durnell has been appointed as the representative for Hampshire and Isle of Wight Trust – expires 11.02.2027.

Rob Thompson has been reappointed to represent commercial boat owners following renomination by the commercial fishers – expires 15.04.2027

3. Commissioners

3.1 Since LHAG's last meeting on the 18th July, the following changes to the Commissioners have taken place:

Mike Bowles reappointed for a 2nd term - ends 31/10/2026

Alison Towler reappointed for a 3rd term – ends 31/10/2026

Paul Harrison reappointed for a 2nd term - ends 30/04/2027

The next vacancy of Commissioners will occur on the 31st October 2024 when Chris Lisher retires. LHC will commence the recruitment process for a new Commissioner in July.

4. 2023 Annual Plan

LHC and Ryan were commended on the well-considered annual report that gives a clear overview of LHC's activities.

John Durnell (HWT – Environmental interests) enquired as to whether LHC might want to expand their reporting in the annual plan under the Environment, Conservation & Sustainability section to include more on their Climate Adaptation Policy, how LHC are going to deal with the future impacts of climate change and what business risks this proposed. Alison thought this could be a good discussion point at a forthcoming LHC strategy meeting to be held in September (action LHC)

5. **Strategic Plan**

To support the meeting LHAG members were supplied a copy of the most recent report to Commissioners (July) setting out progress to date on the Strategic Plan 2023 objectives. No further comments were made.

6. **Environment**

- 6.1 Saltmarsh Replenishment Trial - On the 15th December 2023, the Marine Management Organisation (MMO) awarded LHC a 10 year marine licence to undertake a new saltmarsh creation trial on Boiler Marsh. The trial will use a new technique to move sediment that has already been beneficially placed in this location higher up in the tidal frame to facilitate new saltmarsh growth. While disappointing that it took 11 months for the MMO to determine this licence application when their KPI is 13 weeks, it is pleasing to secure the consent. LHC are now targeting August 2024 for implementation of the first trial phase.

LHC has also joined forces with Hampshire & Isle of Wight Wildlife Trust and Land and Water/Earth Change to target potential grant funding opportunities for schemes of this nature and have collaboratively produced a pamphlet (circulated) to describe the scheme to potential funders. This came about following encouragement from the Environment Agency (EA) who has been working with DEFRA in relation to a 'Nature for Climate' fund and other funding opportunities. To this end LHC have submitted an application to the EA who have been asked to provide DEFRA with a high-level overview of projects that can be delivered in 2024/25. LHC also understand that having a fully consented scheme is an advantage when applying for funding opportunities. Separately LHC have submitted other funding bids, including to the Crown Estate, Blue Marine, and Innovate UK.

In the event that LHC do not succeed with a funding bid for a six week mobilisation to restore a 1.6Ha area of saltmarsh, it is understood that their partners Land & Water/Earth Change will fund a smaller two-week mobilisation as they are keen to prove the concept of their new technique. They are looking towards longer term commercial opportunities associated with selling natural offsets (nutrient sequestration/carbon sequestration/bio-diversity net gain) through scaling up saltmarsh restoration in the Solent and elsewhere.

7. **Safety and Port Marine Safety Code Compliance**

- 7.1 MSC Audit - The next external audit to verify that LHC's Safety Management System is working effectively and is compliant with the provisions of the Port Marine Safety Code (PMSC) is scheduled to take place on the 12th April. The findings will be reported to the Commissioners May board meeting. It was confirmed that LHC have an external auditor who looks at all aspects of the harbour operation.

Don Mackenzie (Lymington Society) enquired if the provision of safety ladders was a

consideration in these audits as he had pointed out to LHC that he thought the provision on Dan Bran was low. RW responded that the audit will focus on LHC's policies, risk assessments and safe operating procedures as opposed to physical infrastructure. For example, the provision of safety ladders was a risk mitigation measure with LHC's risk assessments. RWill further responded that although LHC's safety ladder provision was compliant with all current standards for the provision of safety ladders, they have a plan to increase the provision so no boat is further than 50m from a ladder or safe exit point from the water. The ladders had been purchased and will be installed in the coming months.

8. Bath Road slipway

- 8.1 At their November meeting Commissioners approved expenditure to lay a new concrete slab on the upper slipway at Bath Road and replace the Armourflex matting on the lower section.

Commissioners were hoping to delay renewal of the slipway until there was a better awareness of the Environment Agency (EA) plans for new sea defences. However, EA feedback as part of the consultation arrangements on the Hurst to Lymington flood defense scheme indicated that they were 3 to 4 years away from having a clearer picture about the strategy outcomes and probably a decade away from seeing work start in high priority areas.

Also, an asset condition survey by LHC consulting engineers showed the slipway had started to deteriorate more rapidly than predicted two years ago and while it could be patch repaired, this would be uneconomical in the medium term.

LHC's consulting engineers (Andrew Waring Associates) have finalised a specification for re-surfacing the concrete slipway and installing a new heavier duty concrete block mattress in the lower section. The design has been 'sense checked' in a meeting with a local contractor who will be included on the tender list. Tender invitations were issued on the 1st March with the date for returns being the 1st May 2024. LHC are targeting a mid October mobilisation to coincide with being ready for the very low spring tides from the 16th to 20th October which will be needed to work on the lowest part of the slipway. It is currently estimated that a closure of circa 5 weeks will be needed but this will firm up on receipt of tenders. LHC have met with the RNLI, RLymYC and LTSC to brief them on the slipway design and the indicative closure period. Once tenders are returned the closure period should firm up and at that time LHC will communicate the closure more widely. Commissioners have also taken a decision to discount annual and winter permit by 1/12th and 1/6th respectively to reflect the anticipated closure period.

9. Consultation Arrangements

- 9.1 Review of Stakeholder Engagement Processes - A strategic plan objective for 2023 was to undertake a review of stakeholder engagement processes to ensure they remained effective and in line with Ports Good Governance Guidance. A paper was produced (circulated) to compare how LHC consults and engages in practice, with the recommendations set out in Ports Good Governance Guidance (PGGG) and the Port Marine Safety Code (PMSC). It also identified how LHC complies with the consultation requirements contained in the Lymington Harbour Revision (Constitution) Order 2002 (2002 Order). The report concluded that LHC complies in full with the recommendations of the PGGG, PMSC and the requirements of the 2002 Order. The chair of LHAG was also sent the paper and invited to consider if there were

other cost effective and practical measures which may improve the stakeholder engagement process. Rupert Wagstaff responded indicating that he was happy that the current arrangements complied with and exceeded the requirements of PGGG and the PMSC. Commissioners accepted the findings of the review at their November 2023 meeting

LHAG members further discussed if there could be more engagement with the minutes of the meeting being sent to the local press or if the press should be invited to attend the meetings. It was agreed that having press at the meetings might stifle the free and frank exchange of ideas and opinions which often occur before a consensus is reached.

LHAG members were reminded that they can always suggest agenda items to be added to the meeting and that it was the members responsibility to gather information from the organisations they represent and to feed back to their organisations any relevant information from the meetings.

Don thought a poster at each Yacht Club might help to promote LHAG role among river users.

10. Request for information on Environmental Impact Assessments and Risk assessments for non mooring river users.

John Clarke (Lymington, Keyhaven and District Wildfowlers Association) cited two examples of reported use of the river and surround in a potentially dangerous manner by paddlesports enthusiasts, notably stand up paddleboards (SUP's) or Kayaks / Canoes.

LHC have Risk Assessments in place to cover these activities and RWill explained the limitation in LHC's powers to control PWC use, especially if they do not launch from LHC facilities.

A discussion took place on the impacts and control measures in place for paddle sports to include SUP's and the new generation of foiling equipment. It was agreed that it is a difficult balance between encouraging access to the water, one of LHC's commitments, and ensuring safe use. In general, it was felt that these users, although increased in numbers since Covid, were generally well behaved.

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Don asked LHC about the violent incident that occurred on Dan Bran pontoon and if there were any plans to increase the CCTV provision on walk ashore pontoons. RWill explained that LHC had a lot of CCTV provision around the river, including on the Dan Bran and it was impractical to cover every area. LHC keep the need for provision of CCTV under review but because of the associated costs, will prioritise higher risk areas based in incident trend analysis. There were no current plans to further increase the provision in the area of the Dan Bran pontoon. LHC are however looking at increasing the provision above the railway bridge where the coverage is currently poor.

A discussion took place on any lessons that could be learnt from a recent boat fire, where a 28ft Axopar motor boat caught fire when travelling up the river. There were no injuries and RWill understood from the insurance loss adjuster that the cause was an electrical fault.

Minutes taken by R. Wagstaff