

## **LYMINGTON HARBOUR ADVISORY GROUP**

### **MINUTES OF THE MEETING HELD ON TUESDAY 6th MARCH 2018**

At 1700 hrs at the Royal Lymington Yacht Club.

#### **PRESENT:**

Andrew Wilkes (Business Interests) Chairman  
Rupert Wagstaff (Marinas), Vice Chairman  
Peter Upcher (Recreational Users)  
Michael White (Lymington & Pennington Town Council)  
John Clarke (Lymington, Keyhaven and District Wildfowlers Association)  
Bob Chapman (Hampshire and Isle of Wight Wildlife Trust)  
David Illsey (NFNPA)

#### **IN ATTENDANCE:**

Ryan Willegers (Chief Executive and Harbour Master)  
Richard Jenner (Lymington Harbour Commissioners Chairman)  
Alison Towler (Lymington Harbour Commissioner)  
Clive Sutton (Lymington Society)

### **1. Apologies for absence**

Peter Ferguson (NFDC Coast Protection)  
Peter Lock (Lymington Rowers)  
Derek Graham (Wightlink)  
Rob Thompson (Commercial Boat Owners)

### **2. Minutes of previous meeting**

The minutes of the meeting held on 26th September 2017 were approved by email prior to the meeting.

### **3. Lymington Society**

- LHAG members had previously discussed by email, the possibility of the Lymington Society being represented on the Harbour Advisory Group. The conclusion was that, subject to the Commissioner's approval, they should be invited to do so. Under the LHAG constitution, membership has to be approved by the Commissioners which they will consider at their next meeting.
- Clive Sutton stated the aims of the Lymington Society which are:
  - A Civic Society for all wishing to protect the character of our historic town
  - To ensure new development is in keeping
  - To encourage the maintenance and improvement of civic amenities
  - To provide a forum where residents can express views on such subjects publicly

Clive Sutton went on to outline work the Society had done recently relating to various local developments.

## 4. Matters Arising

### **(a) Strategic Plan - Town Quay consultations**

R.Wil reported as follows: “ At their meeting on the 22<sup>nd</sup> January, the Commissioners took a decision to progress plans to reconfigure the Town Quay mooring area to meet changing market requirements for more walk ashore visitor berths. Details of the decision and the accompanying press release were circulated by the LHAG Chairman on the 24<sup>th</sup> January, 2018.

The policy to redevelop the Town Quay moorings was first incorporated into LHC’s strategic plan following extensive public consultation in 2010. As part of a further public consultation on an update to the strategic plan in 2015, initial proposals were brought forward. Having taken time to carefully consider the consultation feedback, in 2016 LHC consulted on a revised layout which received strong support.

The revised layout responded to the request from commercial fishermen to improve the turning space available opposite the commercial quay and to relocate the commercial fishing boat berths to provide better segregation between commercial and leisure boat activities.

During 2017 the Commissioners have taken time to develop the proposals. This included further consultation which resulted in a modification to the southern end of the walk ashore pontoon in order to increase the available turning space for large vessels using the Berthon Boatyard. The Walcon drawing M0222-149-SHT2-REV B represents the final layout that will be taken forward.

LHC also commissioned Shoreline Surveys to undertake further tidal flow monitoring off the Berthon northern boatyard wall over a two week period at the end of January/early February 2018. This was in response to a concern raised by Berthon about current flows in this area and the impact this might have on craft going astern off the finger berths opposite. The monitoring period included one of the biggest predicted spring tides of the year coinciding with heavy rain thus including an almost ‘worse case’ scenario. The information gathered will help inform future berth management measures in this area. The peak ebb flow recorded was 0.73 knots recorded for just 0.15% of the time. The average ebb flow rate over the whole period was just 0.1 knot and correlated well with previous monitoring undertaken by LHC (Shoreline Surveys) and the Environment Agency in the wider Town Quay area. These figures illustrate that in line with the experience of Harbour Officers, tidal flows in the Town Quay area are benign for the vast majority of the time. It is appreciated that on rare occasions there will be exceptional spate conditions where current flows will be greater but these will largely be in winter and very few and far between.

LHC will now apply for the statutory consents and permissions required. Subject to consents being achieved, work on the scheme will commence in November 2019 and will be completed by Easter 2020.”

Replying to a question from AW, R.Wil said that LHC had requested a EIA screening opinion as to whether or not an Environmental Impact Assessment would be required. LHC have received legal and planning advice that that by virtue of the Pier and Harbour Order (Lymington) Confirmation Act, 1951 (as amended), LHC has permitted development rights granted by Parliament under the Town and Country Planning General Permitted Development Order (England) 2015 which grants planning permission for certain types of development. The advice also concludes that the proposed reconfiguration of moorings falls is permitted development.

In practice this means a slightly different mechanism for formalising planning permission. Following receipt of the EIA screening opinion, the next stage is to apply to the local planning authority (NFDC) for a certificate of

lawful development. Under this process the local authorities legal department will undertake their own assessment of the regulations to determine if they agree that the development is permitted development. If so they will issue a Lawful Development Certificate (LDC). On receipt of a LDC, LHC still need to apply to NFDC for prior approval to the detailed plans and specifications. NFDC will then consider and consult on the request for prior approval in accordance with the regulations. If necessary, NFDC may also impose conditions on granting prior approval. JC asked what dredging of the Town Quay area would be needed. R.Wil said that no capital dredging will be required. The 5 yearly maintenance dredging cycle will carry on as normal. Under the 5 year cycle dredging of this area will take place a year before the proposed development.

JC asked about the depth of water beneath the railway bridge and commented that large craft had occasionally navigated beneath the bridge. R.Wil said that the restrictions to navigation were primarily because of the low air-draft beneath the bridge not water depth.

R.Wag asked if a business case study had been made for the Town Quay development. R.Wil confirmed that it had and said he would forward some details of the payback calculations to members by email. He did so the following morning and they are:

- “For the visitor mooring infrastructure LHC modelled 4 scenarios with revenue forecasts for different volume/pricing assumptions. For the resident moorings (commercial & Resident) LHC assumed existing revenues. For all LHC assumed an inflation rate of 2% per annum for revenues/costs.
- Visitor Berths (paid for only from visitor income) – Between 5 to 8 years. LHC expect to be closer to 5 than 8 as scenario 8 gives the payback period assuming existing income with no volume growth or changes to the price structure - so represents the absolute worst case.
- Commercial Fishing berths – 14 years
- Resident Moorings – 8 years
- Combined scheme – 6 to 8 years

R.Wag asked what fees would be charged for the various categories of berths. He noted that it was LHC’s assumption that more visiting yachts would be attracted to the town but expressed some concern that the development would merely attract yachts away from the existing marina berths. R.Wil confirmed that visitor berths would be charged at the market rate for harbour walk ashore berths which would be less than full service marina walk ashore berths. It was intended that the finger visitor berths would be charged at a premium to the Dan Bran rates.

#### **4 (b) Radar Speed Signage**

The LHC Safety Committee has given further consideration to the suggestion by a mooring holder to install was to install a radar speed sign similar to those used on road to give river users an early indication of their speed, in order to deter instances of speeding and wash. Notwithstanding the Safety Committee’s view that there were a number of things to consider with such an approach, namely:-

1. What would Trinity House think of a such a display and the implications for causing confusion with navigation aids.
2. A sign would been to be reliably powered by solar (it would not be practical/cost effective to lay cables).
3. What are the implications for night vision.

4. Are the type of radar installations you see on the side of a road able to remove the 'clutter' caused by the sea state. Also they focus on a relatively narrow area within a dedicated car lane. River users have a lot more flexibility on approach and angle of approach. Can the radar cope with this? Is there a risk of readings from other vessels?
5. The speed limit in the General Directions is based on speed through the water (TTW). Any radar reading will be Speed over Ground (SOG). That means the reading will invariably at times display a number incompatible with the legislated speed limit. This might lead to LHC may be accused of providing misleading/inaccurate info. For example, an outbound boat with a following spring ebb tide might only be doing 6 knots through the water but the radar might read as high as 8 SOG. Conversely, inbound against an ebb tide the SOG radar reading may read 4 knots OG but the vessel might already be doing 6 knots TTW. If a boat thinks it can speed up, LHC could be complicit in a breach. One option to overcome this is not to display a speed but instead display a 'slow down' message.
6. It is not just speeding vessels which cause wash. The size and hull shape can also have a significant effect. It is not uncommon for a motorboat with a 'dirty' hull shape to cause unacceptable levels of wash below the legislated speed limit. This is why there is a separate GD related to keeping wash down.
7. What is the cost – It was not a reasonable use of stakeholders money to incur large costs for an experiment that had not been tried and tested elsewhere.

An initial conversation with a supplier of this equipment that had been contacted by the mooring holder for costs revealed that their equipment had not been used in a marine environment before and was not cheap to procure. However, they did agree to loaning some equipment free of charge for a trial (LHC to pay for shipment). It is therefore proposed to sound out the Trinity House Officer who will be auditing LHC's marks on the 12<sup>th</sup> March in order to determine if a formal application to undertake a trial has a realistic prospect of succeeding. If so, LHC will progress on this basis. If not, LHC will abort further work on this. RWag indicated that Yacht Haven Group had experimented with LED signage previously and it had been an abject failure.

#### **4 (c) The sea wall adjacent to Royal Lymington Yacht Club**

AW noted that the sea wall adjacent to the yacht club, which started to subside again following dredging operations in the autumn of 2016, was still not repaired. He said that the site was untidy and affected the operations and enjoyment of both visitors and local people. Responsibility for the repairs is being debated between the Royal Lymington Yacht Club, New Forest District Council and the Berthon Boat Company. The situation was discussed and it was agreed that AW should, on behalf of LHAG, write a letter to the CEO of New Forest District Council asking for the resolution of the matter to be prioritised. MW noted that the wall subsidence may have affected the structural integrity of the RLymYC club house.

#### **5. Commissioners**

On the 31<sup>st</sup> October 2017 Peter Mills retired as a Commissioner after completing two three year terms of service. Captain Alison Towler (RN) was appointed to fill the vacancy from the 1<sup>st</sup> November 2018.

As reported at the LHAG September meeting, the Commissioners also sought to second a Commissioner with experience of commercial ferry or port operations and a working knowledge of the Port Marine Safety Code. The intention was to allow the new seconded Commissioner to have a 12 month 'handover' period before taking over as the Commissioner with responsibility for the Safety Portfolio on Geoff Stokes retirement at the end of October 2018. Very sadly, Captain Keith Lightbody who was appointed to the seconded position from

the 1<sup>st</sup> October 2017, passed away in January. Because of the challenges in finding a replacement candidate with the required skills in time to have a meaningful handover period, the Commissioners will be invited to appoint Geoff Stokes for further term of office at their meeting in March. Geoff has agreed he will step down following a suitable handover period with a replacement candidate.

## **6. Dredging**

LHC have successfully applied for a new joint marine disposal licence for maintenance dredging in the river. The new licence which lasts until 2024 authorises up to 10,000 tonnes per year to be used beneficially to re-charge Boiler Marsh as well as disposal at the Hurst Fort disposal ground.

Dredging of 'A Row' and 'Special Area' was successfully completed within the expected timescales albeit there is a delay in reinstating the 'A Row' moorings because of a collision incident which snapped a steel mooring pile. Berthon are responsible for replacing the pile and are dealing direct with the vessels insurers. This is currently scheduled for replacement in early March. The lower river east bank was also dredged between No 7 and No 5 post navigation marks and a high spot was removed from the edge of the channel just upstream of No 7 post.

AW asked if any there was any news about the proposed MCZ which could have an impact on discharging dredged material at the traditional sites. This could have an impact on dredging costs and on mooring fees. R.Wil said he had received reassurances that the dredging could continue in the traditional sites.

## **7. Safety & Port Marine Safety Code**

A scheduled River Users Safety meeting took place on the 1<sup>st</sup> March 2018. A copy of the minutes will be circulated to LHAG members once completed. 2017 was a particularly good 'safe' year.

JC asked if the Wightlink ferries were still subject to restrictions during periods of high wind speed. R.Wil confirmed that they were. When the W Class ferries were first used in Lymington, they were not used when the wind speed was high. The maximum wind speed during which ferries are allowed to be operated has increased as the ferry Masters became familiar with the handling characteristics of their vessels in different weather conditions.

## **8. Bournemouth University Marketing Initiative**

Towards the latter part of 2017, LHC teamed up with Bournemouth University to implement an initiative whereby eleven post graduate students studying for an MBA in Strategic Applied Marketing produce strategic marketing plans for Lymington Harbour. Prior to that the students split into two groups to gather analytics and data to formulate suggestions to achieve LHC's objectives. This was presented to members of the LHC Business Development Group at a meeting in December. It is hoped that between the plans there will be some very useful strategic strands that LHC can take forward in the formulation of our own strategic marketing plan for the next three years. MW led the group in commending the initiative.

## **9. Dinghy/tender moorings**

JC had made it known by email that he was concerned that, since the construction of the Dan Bran pontoon, there had been a loss of dinghy mooring facilities. A local resident had brought to his attention that there could be a further loss when the new walk ashore facilities are constructed at the Town Quay. With the increase in local housing, JC asked what LHC were doing to provide extra moorings for residents who would like to have a small dinghy to potter around the river?

R.Wil had responded saying “that it was LHC’s long standing policy to only provide tender berths to access boats with moorings on the river as there was limited space for dinghies other than those used as tenders for mooring holders.

The principle reason for building the Dan Bran pontoon was to respond to the loss of lower river moorings due to increased exposure as a result of marsh erosion. The mid river moorings along the west bank of Horn Reach where Dan Bran was constructed were also removed to make way for Dan Bran. This resulted in a significant reduction in the overall number of moorings requiring tender access in Horn Reach and the lower river. Subsequent to the construction of Dan Bran LHC also extended the Fortuna North tender pontoon to create additional tender mooring space. Overall the net effect has been to create more tender berths for fewer mid river moorings. This is clearly reflected in the fact that prior to Dan Bran construction we had a long waiting list for tender berths where now we do not have a waiting list at all, albeit granted not every owner can moor their tender in the location that is closest to their mooring - but they never could.

Concerning the impact of the Town Quay scheme on tender berths. Currently, to the north of the existing Town Quay visitor pontoon bridge section we have a 28m long pontoon section for resident tenders and to the south of the bridge section a 17m long section for visiting tenders, the later servicing 97 mid river visitor moorings. Combined this gives a total pontoon length of 45m allocated to tenders. Under the new pontoon proposals we will have a minimum of 13m north of the bridge section and there will be 35m south of the bridge section, so 48m overall. Also the number of mid river visitor moorings will fall from 97 to 42 thereby reducing the space required for visitor tenders. This will allow for some limited redistributing in favour of resident spaces but this will be determined in the light of practical experience.”

The question of whether LHC could or should provide moorings for dinghies not used as tenders to access river moorings was debated. It was agreed to ask the Commissioners to consider doing so and to find out if there was any space which could be used for additional dinghy moorings.

## **10. Public Meeting**

As has been the custom in recent years, LHC are planning to hold a public meeting to explain topical issues relating to the harbour, answer questions and invite feedback. This is planned to take place at 1900 on 21st March at the Community Centre. AW will be giving a short talk about the role of the LHAG. LHAG members are invited to attend and to suggest topics for inclusion in AW’s talk.

## **11. Any Other Business**

- JC noted that some of the tenders moored on LHC pontoons were not being bailed out after rain. Some dinghies were barely floating and this was causing a problem for people using their tenders. R.Wil said that it was LHC policy to tell owners to keep their dinghies bailed out and, if LHC intervention was required, owners would be charged accordingly.
- JC noted that a house in the Salterns is being offered for sale with a mooring. R.Wil will investigate whether or not this is on LHC’s demise.
- DI gave the meeting a brief update on the proposed large scale housing scheme at Fawley. An outline planning application for the development, which will eventually be the size of Lyndhurst, is likely to be submitted this year. Further details should be available in time for the next LHAG meeting in September.

## **12. Next Meeting**

Tuesday 25th September 2018.