

## Chapter 9 Conservancy and Marine Safety

### Guiding Principles:

Chapter 4 details all the guiding principles relevant to the overall management of the Harbour. Whilst all should be given some consideration the following are of particular relevance to conservancy and marine safety.

**Key Guiding Principle numbers: 1, 5, 13, and 14.**

### 9.1 Responsibilities

Poole Harbour Commissioners are responsible for ensuring that shipping channels are routinely surveyed and clearly marked, as well as for controlling the movement of commercial shipping. The Commissioners also have powers to create, police and enforce byelaws such as those for speed limits and safe navigation. The Commissioners have applied for a Harbour Revision Order (HRO), which will review and modernise existing legislation under the Poole Harbour Act 1914. It will also give the Commissioners the powers of General Direction under which the Board of Commissioners will have greater regulatory control.

### 9.2 Harbour Control

Harbour Control is located at the Harbour Office and is manned by a Harbour Control Officer (HCO) on a 24-hour basis. The HCO controls the traffic entering and leaving and monitors all marine activity within the Harbour and its approaches. The office is the communications centre for the Harbour and the first point of contact in cases of emergency. The HCO also disseminates information on shipping movements as well as arranging pilots and tugs.

All craft over 50 metres in length (or over 30m in length if carrying more than 12 passengers) require a pilot. A pilot exemption certificate (PEC) may be awarded to masters on a regular trade who pass an oral and practical examination. These are re-validated on an annual basis.

The HCO employs CCTV and radar for managing traffic. Ships over 350 gross tons are also fitted with the Automatic Identification System (AIS) which enables the HCO to identify and locate ships with great accuracy.

As well as monitoring and recording tidal and weather information, Harbour Control keep an incident log, which records any safety or environmental incident that occurs within the Harbour. All radar, CCTV, radio and telephone conversations are also recorded.

### 9.3 Navigation

Poole Harbour Commissioners have responsibility for ensuring that navigational channels are clearly marked and that buoys and beacons are maintained. They act as a Local Lighthouse Authority to Trinity House who carry out an annual, independent inspection of navigational aids within the Harbour.

The Commissioners' commitment to the maintenance of navigational aids is detailed in the Poole Marine Safety Management Plan 2001.

All navigational marks conform to the International Association of Lighthouse Authorities (IALA) system of buoyage and are numbered consecutively from the seaward end of the Swash Channel. Buoys marking the port hand side of the channel have even numbers and buoys on the starboard side have odd numbers.



Minor channels are also marked with stakes or buoys and the Commissioners also maintain signs and notices around the Harbour.

## 9.4 Hydrographic Surveying

In order to maintain and establish channel depths for safe navigation, Poole Harbour Commissioners employ the services of a Hydrographer who manages the Harbour bathymetry. Regular surveys of the main channels are undertaken and the whole Harbour is surveyed on a 3 year rolling programme of work. Data collected is supplied to the Hydrographic Office who then use it to produce the Admiralty Chart for the Harbour. The continuous survey information collected easily allows for trends in deposition and erosion to be identified and is used to inform environmental studies.



## 9.5 Maintenance Dredging

### 9.5.1 Consents and Responsibilities

Maintenance dredging refers to the activity of removing sediment that has built up in existing channels or basins that have previously been dredged and is considered separately from Capital dredging, which refers to the excavation of the seabed in an area or down to a level not previously dredged during the preceding ten years. Maintenance dredging is carried out routinely by Poole Harbour Commissioners to maintain depths in existing shipping channels and also by third party dredging operators, boatyards, marinas and yacht clubs, to maintain access to their sites. A Harbour Works Licence is required for all dredging operations within the Harbour and is issued by the Commissioners under their 1914 Act. A Food and Environmental Protection Act (FEPA) licence must also be obtained from MMO for the deposition of dredged material at sea, along with Coast Protection Act (CPA) approval. Poole Harbour Commissioners presently hold 3 year licences from the MMO which authorise disposal of dredged material offshore at the Swanage disposal ground east of Old Harry Rocks in Poole Bay, and also for limited in-harbour disposal east of Brownsea Island.

The rights of The Crown Estate as owner of the bed of the Harbour are preserved in the Harbour legislation. The current practice of The Crown Estate is not to require the Harbour Commissioners to seek consent for Maintenance dredging each and every time such operations are undertaken, assuming there is no beneficial use of the material. The consent of The Crown Estate is however required for any Capital dredge and appropriate payments are sought in recognition of the improvements provided and for any beneficial use of the material.

Poole Harbour Commissioners have established a Maintenance Dredging Policy and Harbour Control record the quantity of dredged material removed from the Harbour either from Capital or Maintenance dredging operations.

### 9.5.2 Sediment Management Plan

Intertidal mudflats and marshes within the Harbour are of significant ecological value and are the basis for many of the habitat designations. Each year several thousands cubic metres of fine sediment are lost from the Harbour through natural processes and it is estimated that similar amounts of material are also removed annually through Maintenance dredging. It is recognised that the removal of fine silts and muds from the Harbour may be having a detrimental effect on intertidal habitats and Poole Harbour Commissioners are evolving a Sediment Management Plan. An in-harbour disposal site east of Brownsea Island has been established and is continuing to be monitored closely. Approximately 20,000 m<sup>3</sup> of suitable silty material dredged from marinas and channels is disposed of annually in the Harbour to allow material to recirculate onto the mudflats. The Plan was developed as mitigation for major Capital dredge works and looks to evaluate different dredging techniques with the aim of developing best practice guidance for retaining fine sediments within the Harbour system whilst keeping navigational channels clear.



### **9.5.3 National Dredging Protocol and Baseline Document**

Regulation 48 of the Habitats Regulations 1994, states that an Appropriate Assessment needs to be undertaken in respect of any plan or project which either alone or in combination with other plans or projects would be likely to have a significant effect on a Natura 2000 site. In order to meet the requirements of Regulation 48 for Maintenance dredging and to limit the requirement for an Appropriate Assessment a Conservation Assessment Protocol has been produced. This national scheme has yet to be finalised but will provide assistance to operators and regulators seeking or giving approval for Maintenance dredging activities. Environmental Assessments can be expensive and time-consuming and repeated assessment of separate Maintenance dredge applications can add disproportionately to the cost of obtaining consents. A Baseline Document is being produced which will inform an appropriate assessment for consent applications and fulfil statutory requirements. The Baseline Document will include current and historical information on dredging activities within the Harbour. It will synthesize existing relevant information about its environmental status and the known impacts of previous Maintenance and Capital dredging.

## **9.6 Safety and Enforcement**

### **9.6.1 Overview**

Safety within the Harbour is the responsibility of all users, however Poole Harbour Commissioners seek to maintain safety with the use of guidance and byelaws. Byelaws have been created which pertain to certain recreational activities while others relate to the safe and responsible use of the whole Harbour.

The Commissioners have established a Poole Marine Safety Management Plan for the purpose of meeting the standards set by, and the requirements of, the Government's Port Marine Safety Code in conjunction with their Guidance to Good Practice for Port Marine Operations and Competence Standards for port personnel.

### **9.6.2 Speed Limit**

A speed limit of 10 knots operates within, and to a distance outside, the Harbour for all power driven craft.

This is lifted between the 1st October and the 31st of March in the Swash, Middle Ship, North and Wareham channels only, but remains in force for all remaining areas of the Harbour.

A limit of 6 knots is in force at all times for craft operating within Little Channel and Holes Bay and an advisory speed limit of 6 knots is in place within the quiet area to the south of Brownsea Island.

The Environment Agency also enforces a 4 knot speed limit on the River Frome between South Bridge, Wareham and the mouth of the river.

Some organisations and vessels are exempt from the speed limit where necessary for operational reasons. These include: Police and Harbour Patrol Vessels, RNLI Lifeboats and Inshore Rescue Boats, the Coastguard and Fire and Rescue RIBs and the Royal Marines.

The speed limit may also be lifted for the testing of production craft on the half-mile test zone to the south of the port area, however this requires registration with Harbour Control who must be informed of any intended movements over the 10 knot speed limit.

### **9.6.3 Chain Ferry**

The Harbour entrance is only 300 metres wide and is the most hazardous area for navigation due to the strong tidal streams. A chain ferry operates across the entrance to the Harbour and has right of way over all vessels under 50 metres in length. All vessels with engines are strongly advised to use them when transiting the entrance and to pass well clear astern of the Chain Ferry, which is very restricted in its manoeuvrability.



### **9.6.4 Enforcement**

The Harbour Master operates a number of patrol craft within the Harbour limits at times of busy recreational activity. Their main roles are byelaw enforcement, escorting commercial vessels, and educating the users

who may not have sufficient knowledge of the regulations, or who are behaving irresponsibly. The Harbour Master will take further action in appropriate cases.

The Dorset Police also operate regular patrols around the Harbour. There are also regular joint enforcement operations, one such being Operation Senator. These involve all the regular enforcement authorities including the Southern Sea Fisheries District Committee as well as volunteers from local yacht clubs and boatyards.

## **Management Objectives:**

The following is a list of the management objectives identified. Whilst some are specific to conservancy and marine safety others may relate to activities and issues discussed in other chapters of this plan. All management objectives can be found in the matrix contained within Section 2, which also lists proposed management actions.

- To ensure dredging does not result in a loss of important habitats (e.g. mudflat & saltmarsh) and that potential impacts to shellfish areas are minimised.
- To better understand the potential effects of elevated turbidity due to both anthropological activities and natural or storm events.
- To ensure minimum footprint from dredging.
- To better understand the extent and potential effects of remobilised contaminants.
- To minimise the loss of fine material from sediment budget.
- To maintain current management initiatives and make improvements where necessary.