

POOLE HARBOUR COMMISSIONERS
THE POOLE HARBOUR REVISION (WORKS) ORDER 2014: STATEMENT IN SUPPORT

1. INTRODUCTION

1.1 Poole Harbour Commissioners (PHC) have applied to the Marine Management Organisation (MMO) for a Poole Harbour Revision (Works) Order under section 14 of the Harbours Act 1964 (“the 1964 Act”) relating to proposed development within the Port of Poole. PHC are the statutory harbour authority for the Port of Poole and Poole Harbour and therefore meet the requirement of s.14 2(a) of the Harbours Act of being “*engaged in improving, maintaining or managing the harbour or a person appearing to have a substantial interest or body representative of persons appearing to have such an interest may apply for one of these orders*”.

1.2 The application is accompanied by:

- i. the draft Poole Harbour Revision (Works) Order 2014 (HRO) with supporting drawings and plans;
- ii. this Statement in support of the draft HRO;
- iii. the Poole Harbour Revision (Works) Order 2014 Environmental Statement (ES) Volumes 1 (Non Technical Summary), 2 (Environmental Statement), 3 (Figures) and 4 (Technical Annexes and Habitats Regulations Assessment) (May 2014); and
- iv. the fee for the application, payable to the MMO, to the sum of £10,000.

1.3 The HRO proposes Works 1 to 10 in five phases of development to create a new deep water quay east of the existing Ro-Ro berths, strengthen, extend and deepen the existing conventional quays within the Port and reclaim land to create additional land adjacent to these new and extended quays. The final phase of works will comprise the reconstruction of the two existing Ro-Ro berths. A more detailed overview of the proposed works is outlined in Section 5 of this document and Section 2 of the ES.

1.4 This supporting statement explains why the proposed works described in the HRO are needed and how the requirements of the Harbours Act 1964 have been met. In accordance with PHC’s strategy outlined in the Poole Harbour Port Master Plan (2013) the works are required so that the Port of Poole can continue to attract new trades and develop existing ones. In summary, the proposed works have been designed to:

- i. improve the Port’s capacity and capability to deal with a range of shipping and marine activities, thereby enabling it to maintain and improve its commercial viability;
- ii. provide additional and deeper quays, thereby improving operational flexibility and facilitating expansion and diversification;
- iii. reduce the risk of future exclusion from some markets and/or over-reliance on individual trade sectors;
- iv. replace ageing infrastructure that is approaching the end of its design life with modern facilities better matched to likely future market needs;
- v. facilitate the expansion of traditional links between the Port and other elements of the local and sub-regional economy; and

- vi. continue to generate the necessary resources to conserve and protect the Harbour.

2. THE HARBOURS ACT 1964

2.1 Section 14 of the Harbours Act 1964 (“the Act”) confers powers (which have been devolved to the MMO) to make a harbour revision order in relation to a harbour that is being improved, maintained or managed by the harbour authority in the exercise and performance of statutory powers and duties for achieving all or any of the objects specified in Schedule 2 to the Act.

2.2 Section 14 of the 1964 Act requires that written application be made to the MMO by the authority engaged in improving, maintaining or managing the harbour in question and that the MMO must be:

“satisfied that the making of the order is desirable in the interest of securing the improvement, maintenance or management of the harbour in an efficient and economical manner or facilitating the efficient and economic transport of goods or passengers by sea or in the interests of the recreational use of sea going ships”.

2.3 In accordance with Schedule 3 of the Act, and as this is an application for a harbour revision order which, directly or indirectly, authorises a project (within the meaning of paragraph 1 of Schedule 3 to the 1964 Act), prior notification to the Secretary of State under paragraph 3(a) of Schedule 3 to the 1964 Act of PHC’s intention to apply for a Harbour Revision Order in respect of these works is required. Prior written notification was provided to the MMO on the 11th October 2011. The MMO responded on the 3rd January 2012 with a screening and scoping opinion pursuant to paragraph 6 of Schedule 3 to the 1964 Act concluding:

- a) that the proposals constitute a project which falls within Annex II, paragraph 10 – Infrastructure projects,(e) – Construction of roads, harbours and port installations etc. of the EC Directive 85/337/EEC;
- b) that the proposals constitute a relevant project within the meaning of Schedule 3 to the 1964 Act;
- c) that the proposals should be subject to Environmental Impact Assessment (EIA) and that an environmental statement should be prepared and submitted with the application for the HRO;
- d) that the environmental statement should cover the issues identified in the letter by way of its scope; and
- e) that the proposed developments could lead to a likely significant effect on a European site and that information should be provided to support the MMO’s Habitats Regulations Assessment under the Conservation of Habitats and Species Regulations 2010.

2.4 It is considered that the application for the Poole HRO meets the requirements of:

- a) section 14(1) of the 1964 Act because it is made in relation to a harbour which is being improved, maintained and managed by a harbour authority in the exercise and performance of its statutory powers and duties for the purpose of achieving objects falling within Schedule 2 to the Act, and

b) section 14(2) of the 1964 Act because:

- the application is made upon the written application of a harbour authority engaged in improving, maintaining or managing the harbour: and
- the making of the HRO is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner.

3. NEED AND JUSTIFICATION FOR THE HARBOUR REVISION (WORKS) ORDER

- 3.1 The Government requires Trust Ports to be run as commercial businesses (Paragraph 1.2.1, Modernising Trust Ports, Second Edition 2009) and one of the Harbour Commissioners' key business objectives is therefore to ensure that the commercial port remains competitive in the face of changing markets. In order that this objective can be achieved and maintained, it is necessary to strengthen and broaden the Port's capabilities to adapt to market trends.
- 3.2 As a Trust Port, all profits realised by the Harbour Commissioners are reinvested in the Port and Poole Harbour to enhance the existing port and facilities and fund new developments. PHC's commercial activities account for approximately 90% of its revenue and are therefore crucial in ensuring that the organisation can meet its legislative (including conservancy and environmental) and fiduciary responsibilities.
- 3.3 The proposals reflect PHC's assessment of the infrastructure needs of both existing and potential new customers. For many years the ferry trade provided the Port with its core business. Much reduced passenger and vehicle numbers in recent years are witness to a general decline in ferry business in Poole and other south coast ports. Whilst other trades, notably dry bulk cargoes, have increased in importance, in order to provide long-term security for the Port it is necessary to enhance its capability to accommodate a wider range of trades. Studies undertaken by Fisher Associates (Appendix C, HRO ES), have confirmed that if investment is not made in additional and deeper berths and additional land behind the quays for the Port's core business, there is a significant risk that the Port will be left behind as the trend towards larger vessels leads to a shrinking market for its services.
- 3.4 Poole's ability to respond to the challenges and opportunities it faces, notably the maritime trend for larger and deeper draught vessels, is currently constrained by the limitations of its internal infrastructure, specifically the depth and length of its quays. PHC need to be able to respond quickly and efficiently to changing market demands if the Port is to remain competitive. In the Port Master Plan, PHC therefore set out a phased strategy of expanding the Port to take account of immediate and future likely demands, of which the proposals in this HRO are a first, urgently needed, stage.
- 3.5 Government policy for ports (National Policy Statement for Ports, DfT, January 2012 [NPSfP]) recognises that the provision of sufficient sea port capacity is and will remain an essential element in ensuring sustainable long-term growth and prosperity, and encourages sustainable port development and a competitive and efficient port industry. It confirms that judgements about where and when new developments might be proposed should be made on the basis of commercial factors by the port industry operating within a free market environment. The Government wishes to see port development being an engine for economic growth, supporting sustainable

transport and providing additional capacity for the development of renewable energy. At the same time it seeks to ensure that proposals meet legal, environmental and social constraints and objectives, including those in relevant European directives and corresponding national regulations (NPSfP paragraphs 3.3.1 and 3.3.5).

- 3.6 Poole is one of a number of south coast ports that jointly link the economy of southern England with international markets. The closest are the major international deep-sea port of Southampton and the ports of Portsmouth and Portland, all of which have investment proposals designed to sustain their competitiveness into the future. As well as contributing to national port capability, the Port of Poole is an important component of the local and regional economy in its own right. It is also at the centre of a nationally significant cluster of marine-related businesses and has the potential to serve the development of offshore wind energy. The HRO proposals, which will also safeguard the Port's rail connection to the national network, will therefore have a correspondingly wide economic and social benefit.
- 3.7 The works proposed in the HRO are thus considered to be fully in line with Government policy. They are commercially driven and required to ensure that the Port remains competitive and retains and enhances its ability to support the economy of the surrounding area and the conservation of the sensitive environments within and around Poole Harbour.
- 3.8 The HRO does not include works to the main approach channel to the Port. This is because, in a joint project between PHC and the Borough of Poole completed in 2006, the channel has already been dredged to 7.5m, in anticipation of the foreseen need to accommodate larger ships. The HRO proposals will thus provide the port with the necessary ability to handle such vessels, making effective use of, and adding value to, the considerable investment already made in the channel dredge.

Dry cargo trades

- 3.9 Dry cargo trades (general cargo/break-bulk, bulks, and short sea containers) are a principal business sector for the Port of Poole. Some new facilities were provided during 2013, including construction of a new grain shed, and PHC are experiencing increasing demand from bulk and liner cargo companies who wish to have a presence in the Port subject to additional infrastructure being provided. As noted above, the Port is significantly constrained in its ability to accommodate the larger vessels that are increasingly used within the UK maritime sector. In order to successfully accommodate these trades the Port needs to provide deeper, longer quays and associated quayside backup land.
- 3.10 Increasing levels of global containerisation are likely to result in a growing demand for multi-modal short sea ports capable of handling container feeder traffic with opportunities for significant expansion in the future. Additionally, there is the opportunity for significant growth in direct short sea container traffic, principally with other European Union countries. With its rail connections the Port of Poole is well placed to meet this demand. To improve its capability in these markets, PHC need to increase the alongside water depths to allow greater numbers of feeder and short sea container ships to utilise the Port of Poole.
- 3.11 The existing Ballast, Bulwark and New Quays are utilised by the bulk cargo trade.

They are approaching the end of their design life and PHC propose to strengthen, deepen and raise the quay level to combat sea level rise.

- 3.12 The proposed works are thus designed to meet an identified strong commercial demand for additional berths and deeper quays and allow the Port to increase the space behind the new and improved quays to accommodate new infrastructure as required. The precise requirements for landside infrastructure will depend on the needs of the trades attracted. Any additional consents that may be required, for example for new sheds or workshops, will be subject to separate applications when the needs have been identified.

Ferry sector

- 3.13 Since Poole began operating as a Ro-Ro ferry port in 1973, the cross channel ferry trade has seen many changes, including the construction of the Channel Tunnel, the growth of low cost airlines and the loss of duty free sales. Following 10 years of continual decline, south coast ferry ports saw a slight increase (3%) in passenger numbers during 2013 (Sea Passenger Statistics: 2013 Department for Transport, February 2014). PHC is committed to growing Ro-Ro activity at the Port and will continue to provide good quality ferry facilities and market the Port to existing and potential operators. It is envisaged that in the foreseeable future, Poole will continue to be a strategic south coast ferry port but it is unlikely that it will see a major increase in volumes of freight or passenger traffic.
- 3.14 A deeper main channel (see paragraph 3.8 above) allowed Brittany Ferries to introduce MV Cotentin providing services between Poole and Santander and between Poole and Cherbourg from 2007. While the company decided to close this route at the end of summer 2013, LD Lines has since commenced a twice weekly service to Santander and Gijon from the Port. In addition, Brittany Ferries re-commenced the Poole to Cherbourg service in March 2014. It is likely that the Condor (fast craft) Ferry service to the Channel Islands and northern Brittany will be shared by the Ports of Poole and Weymouth. PHC understand that Condor Ferries are considering the introduction of a larger vessel on the western France route in the future.
- 3.15 PHC recognise that the new vessels at the Port are just within the tolerance limits of the current berth facilities. The proposed works to provide the necessary deeper berths will enable PHC to offer first class facilities to retain ferry operators in competition with other south coast ports for a share of the western Channel ferry business.
- 3.16 Cross-channel ferry operators, especially those serving the western Channel routes, face further challenges in the next few years. The potential impact of the IMO Sulphur Regulations coming into force during 2015, which will reduce the amount of sulphur allowed in fuels from the current level of 1.0% to 0.1%, in terms of increased costs to ferry operators resulting from conversions or increased fuel bills, is at present unknown. Although Poole is affected by these Regulations, its location to the west of the Solent means that steaming times, particularly from Northern Spain, are shorter and the additional costs are correspondingly less severe. This potentially gives Poole a competitive advantage over other ports to the east.
- 3.17 In response to this uncertainty, later phases of the proposed works retain the

flexibility to reconstruct the current Ro-Ro berths and increase quay depth to cater for trends in the ferry trade in terms of capacity and larger ferry size.

Cruise

- 3.18 There are opportunities in the cruise sector, for both “turn arounds” and itinerary “port calls”, as the South West develops as a destination. Poole’s central location on the south coast means that the Port has a significant opportunity to win a share of this growing trade, provided that it can offer facilities for UK cruise companies and for passing trade en route to the Mediterranean destination market. Despite the recent economic downturn, demand in this sector remains strong and the cruise sector has seen growing passenger numbers, larger cruise ships and more frequent calls to UK ports.
- 3.19 For cruise ship passengers looking to visit the local area, Poole is well located in relation to a number of major attractions in Dorset, Wiltshire and Hampshire. Should passenger numbers warrant it, there is the opportunity in the future for trains carrying cruise passengers to utilise the safeguarded rail link from the Port and the main line rail links to London, the Midlands and the north.
- 3.20 Last year saw the Port’s most successful cruise ship year with 5 “turn arounds”. Involving embarking and disembarking of passengers, this service relies on the availability of appropriate facilities at the Port and therefore offers the prospect of greater economic benefit to Poole, the Port and the local area, for example with the supply of goods, services, transport and overnight hotel accommodation. Ships using Poole as a “port of call” offer passengers the opportunity to disembark and visit local attractions or go on organised trips from the Port thereby increasing economic benefit to both Poole town and the wider region, including tourism related businesses.
- 3.21 There is currently sufficient demand to double the number of cruise ship calls during the next two years both for turn arounds and itinerary port calls, with a reasonable prospect that Poole could see up to 40 cruise ships over time. PHC’s discussions with the cruise operators has confirmed that the existing Ballast, Bulwark or New Quays are not suitable for the new vessels the operators wish to bring to Poole in the future. The longer and deeper berths proposed in the first phase of works would be utilised by this trade bringing immediate benefits to the Port and local economy.

Proposed Navitus Bay Wind Park

- 3.22 The Port of Poole occupies a good marine and landside strategic location and could act in both the assembly and operation and maintenance (O&M) support roles for the joint Eneco Wind UK Ltd and EDF Energy Renewables wind park proposals off the Dorset coast. Subject to the necessary consents, the developers anticipate that construction of the wind park could commence in 2017. Discussions with the potential operators of the Navitus Bay Wind Park have identified that in order to fully exploit this opportunity; the Port needs to be able to offer additional and deeper quays, plus the associated backup land.
- 3.23 The multi use deep water quay and later phases of the proposed works to increase land behind the new and improved quays would provide the necessary facilities

sought by the wind park developers. The viability of the Port in this role has recently been recognised by the developers in signing a statement of intent with the Port. Significant economic benefits would be likely to accrue to the local economy should the Port be selected as the preferred location for assembly and/or O&M support phases of this project.

Other marine industries

- 3.24 One of the key objectives of PHC, set out in Section 5 of the Port Master Plan is to support the needs of marine related industries and act as a catalyst for growth to the benefit of the local, regional and national economies. The Harbour supports an active fishing fleet and numerous other marine related businesses located in and around the Port area. Sunseeker, a major international yacht builder and an important Dorset employer are a prime example. Despite the fact that its main construction base is in Poole, the company currently has to transport many of its yachts along the coast to Southampton from where they are exported to overseas markets, because the Port of Poole cannot handle the size of vessel needed. The company has made it clear that a simpler and more cost effective solution would be to export directly from the Port of Poole. The Port cannot handle the vessels employed in the yacht export trade without the construction of the deeper and longer quays for which consent is sought in the HRO.

Benefits to the local economy

- 3.25 As one of the major trust ports in the UK, the Port of Poole makes a significant contribution to the local and regional economy. A key objective of PHC's Port Master Plan is to strengthen work with local authorities and stakeholders to maintain and expand the Port's role as an important employment source of direct and indirect employment opportunities. Approximately 110 people are directly employed by the Port of Poole with a further 2,450 people employed by companies based on the dock estate; 2,300 by Sunseeker and 150 within other businesses such as Brittany Ferries, HM customs, security, CEMEX, Jenkins and Perenco. Indirectly the Port is believed to support several thousand jobs within Poole and the surrounding areas. A study for the former South West Regional Development Agency (2007) estimated that the Port generated a total of £52.9 million gross value added (GVA) to the local economy (paragraph 1.2, 'Economic Impact Study and Assessment of Port of Poole', Ove Arup and Partners for the South West Regional Development Agency, November 2007).
- 3.26 The works described in the HRO will provide long term security for the Port and its employees and safeguard existing jobs at PHC, on the Port estate and local areas. The anticipated increase in the volume and diversity of trades attracted to the new and improved facilities will also provide new development employment opportunities. Opportunities for Poole to increase the number of visiting cruise ships and strengthen current local tourism initiatives, such as Destination South West, will also bring economic benefits to Poole and surrounding areas by providing services to ship passengers, crew and operators.
- 3.27 The area will also benefit during construction of the proposed works from increased economic activity generating local spending. It is estimated that construction of the proposed development will generate 35 direct full time equivalent (FTE) (paragraph 17.6.3, Poole HRO ES) and 16 indirect/induced (FTE) jobs (paragraph 17.6.12,

Poole HRO ES). Where it is possible to do so in terms of relevant skills availability and cost, PHC will implement a policy using local contractors and services for the construction phase of the proposed developments. This will provide jobs for local people and the income generated will largely be kept within the Poole area, further adding to the economic and employment benefits of the proposed development.

- 3.28 It is expected that PHC will employ a minimum of five additional FTE workers as a direct result of the proposed development (paragraph 17.6.21, Poole HRO ES). . Based on interest already expressed by ship operators PHC estimate that the operation of the new and improved deep water quays would generate £3 million per year (paragraph 17.6.21, Poole HRO ES).
- 3.29 Studies carried out as part of the EIA of the HRO proposals (Table 17.3 of the Poole HRO ES) conclude that approximately £16.9 million GVA would be contributed to the local economy from increased trade as a result of the proposed works. Using an average GVA for Poole of £21,218 per person (2012), it is estimated that this benefit would translate into some 462 direct jobs and 220 indirect/induced jobs in the wider local area and south-west region, and excluding those created as a result of PHC operations. However, it is likely that the majority of these additional jobs would be in the local area and in Poole and Bournemouth in particular having a major beneficial effect on the local economy (paragraphs 17.6.30 – 17.6.32, HRO ES).
- 3.30 If the Port of Poole is chosen as the location for the operation and maintenance base for the Navitus Bay wind park, the wind park developers estimate that a total of 140 FTE jobs would be created annually during the 25 year life cycle of the wind park, contributing around £590 million to the regional economy (Paragraph 9.23 Navitus Bay Wind Park, Environmental Statement, Non Technical Summary, April 2014).

4. RELEVANT POLICY AND GUIDANCE

- 4.1 The Marine and Coastal Access Act 2009, at section 58(1), makes clear that “A *public authority* (which includes the MMO) *must take any authorisation or enforcement decision in accordance with the appropriate marine policy documents, unless relevant considerations indicate otherwise*”.
- 4.2 This section of the statement therefore explains the “relevant considerations” at a national and local policy level that supports the need for the proposed development at the Port of Poole. Chapter 6 of the HRO ES considers the wider policy context for the proposed development. The Technical Assessments contained in Volume 4 of the HRO ES also identify relevant planning policies, documents, advice and guidance considered appropriate as part of assessing the environmental effects of the proposed development and the significance that should be attached to them.
- 4.3 Chapter 9 of the HRO ES, Ecology and the accompanying Ecological Impact Assessment in Volume 4 of the ES explains the network of habitats and species which comprise the designated sites in and around Poole Harbour. These include:
- Poole Harbour Special Protection Area (SPA) and Ramsar site;
 - Poole Harbour Site of Special Scientific Interest (SSSI);
 - Dorset Heathlands SPA and Ramsar site;

- Dorset Heaths SAC; and
 - Dorset Heaths (Purbeck & Wareham) & Studland Dunes SAC.
- 4.4 PHC fully embrace their conservancy duties as a comprehensive manager of a highly complex natural environment which need to be balanced on a day to day basis with the management of commercial, fishing and leisure activities which are critical to the sustenance of the local and regional economies.
- 4.5 The HRO ES also explains that as the footprint of the proposed works fall outside the boundaries of the designated areas, there are no direct impacts to these European Sites. However PHC recognise that the proposed works are not directly connected with or necessary for the management of the European site. Under Regulation 61 of the Conservation of Habitats and Species Regulations (2010), it is therefore necessary to assess the indirect implications for European sites and European offshore marine sites which could be affected by the proposed works. Information on this has been prepared to assist the MMO, as lead Competent Authority in a separate Habitats Regulations Assessment (HRA) in Volume 4 of the ES.
- 4.6 The remainder of this section of the statement concentrates on key relevant policy and guidance in terms of the need for the proposed works.

National Policy Statement for Ports (February 2012)

- 4.7 The National Policy Statement for Ports (NPSfP) deals with nationally significant infrastructure proposals in so far as it provides the framework for decisions on proposals for new port development. It is nonetheless a relevant consideration for the Marine Management Organisation and for local planning authorities in making decisions on ports generally and is a statement of Government policy for ports in general. The essence of Government policy for ports has already been described in paragraph 3.5 et seq. In summary, port development is market led, in the context of the requirements for sustainable development and of European and national legislation and regulation.
- 4.8 The proposed HRO works will not exceed the thresholds for nationally significant infrastructure projects set out in Part 3 of the Planning Act 2008. Recognition in the NPSfP of the important role ports play in national and local economies supporting the further growth in prosperity is of general application to all ports. The 'cluster effect' bringing together groups of related businesses within a port estate is recognised as it supports economic growth by encouraging innovation and the creation and development of new business opportunities (paragraph 3.1.7, NPSfP). In recognising the need for ports to expand, which should be based on commercial and free market factors, long term sustainable port development is encouraged having due regard to the relevant legal, environmental and social constraints and objectives, including those in the relevant European Directives and corresponding national regulations (paragraph 3.3.1, NPSfP).
- 4.9 Government encourages retaining flexibility in port capacity and infrastructure and on the need to ensure effective competition and resilience in port operations (paragraph 3.4.1, NPS). Of particular relevance to the Port of Poole, the role of ports in supporting the UK's growth in the renewable energy market, during the installation, operation and maintenance is stressed in the NPSfP.

National Infrastructure Plan (December 2013)

- 4.10 The updated National Infrastructure Plan confirms “95 per cent of all goods in and out of the UK are moved by sea, making port infrastructure crucial to the UK’s economic prosperity. The need for port infrastructure in the future is partly a function of the demand for increased capacity, but must also take into consideration the requirement to respond flexibly to changing patterns of demand, so that capacity is located where it is most required” (paragraph 1.30).
- 4.11 The Government notes that ports also have an important role to play in the import and export of energy supplies and in the development of the UK’s offshore wind capacity, through contributing to the assembly and O&M of offshore wind developments. As noted in section 3 above, the proposed works offer flexibility at the Port to accommodate the assembly and operational requirements associated with the Navitus Bay wind park.
- 4.12 The National Infrastructure Plan identifies the need for substantial additional port capacity over the next 20-30 years and sustainable port development across all sectors of the ports industry is encouraged. In particular, the government wishes to see port development wherever possible:
- being an engine for economic growth;
 - supporting sustainable transport by offering more efficient transport links with lower external costs, and
 - supporting sustainable development by providing additional capacity for the development of renewable energy (paragraph 3.62, National Infrastructure Plan).
- 4.13 One of the priority areas for the National Infrastructure Plan is ensuring that marine and landside planning takes account of the economic importance of ports and shipping and working to simplify the application process for planning and related consents with the publication of the Coastal Concordat (2013).

National Planning Policy Framework (March 2012)

- 4.14 The National Planning Policy Framework (NPPF) published in March 2012, is a key part of the Government’s reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable and positive growth. At the heart of the NPPF is the presumption in favour of sustainable development.
- 4.15 The NPPF explains that planning has three roles in the promotion of sustainable development: economic, social and environmental. Specifically, the economic role involves ‘contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and requirements, including the provision of infrastructure’. The actions identified by the Government as important to the delivery of sustainable development include:
- building a strong, competitive economy;
 - promoting sustainable transport;

- meeting the challenge of climate change, flooding and coastal change;
- conserving and enhancing the natural environment, and
- conserving and enhancing the historic environment.

4.16 The NPPF supports the growth of ports. It says that planning for ports such as Poole, that are not subject to the National Policy Statement for Ports, should “*take account of their growth and role in serving business, leisure, training and emergency service needs*”. In addition, “*plans should take account of this Framework as well as the principles set out in the relevant national policy statements . . .*” (NPPF paragraph 33).

National Planning Practice Guidance (2014)

4.17 The National Planning Practice Guidance (NPPG) (March 2014) updates planning practice guidance in a number of areas, making it more accessible. Of relevance to the ES, it includes updated guidance on EIA, air quality, conserving and enhancing the historic environment, climate change, flood risk and coastal change, health and wellbeing, land affected by contamination, light pollution, natural environment, and noise.

UK Marine Policy Statement (2011)

4.18 The Marine Policy Statement (MPS) sits alongside and interacts with the existing planning regimes across the UK, including existing town and country planning legislation, guidance and development plans (paragraph 1.3.1, MPS). The MPS also provides the framework for the preparation of Marine Plans. It encompasses ‘high level marine objectives’ to promote sustainable economic development; enable the UK to move to a low carbon economy; ensure a healthy and sustainable marine environment and protect marine habitats, species and heritage assets; and contribute to societal benefits of the marine area including the sustainable use of marine resources to address local social and economic issues.

4.19 The Port of Poole is located within the South Inshore Marine Plan area. The South Inshore and South Offshore areas are the third and fourth areas in England to be selected for marine planning.

South Marine Plan (South Inshore and South Offshore areas) (September 2013)

4.20 The MMO’s draft South Plans Analytical Report (SPAR) published in September 2013 builds upon informed discussions by a range of stakeholders, and provides “*a synthesis of the evidence and issues for the South Inshore and South Offshore marine plan areas*” (paragraph 1.1, SPAR). In line with the UK Marine Policy Statement, the report covers all the key activities that take place in the marine area, as well as the environment, social and economic considerations that need to be taken into account in marine planning. It highlights the role of ports in providing infrastructure for multiple activities and in managing the quayside space they provide. The report further emphasises the recreation-related infrastructure that ports often provide alongside commercial operations, notably marinas.

4.21 The MMO’s evidence base and analysis concentrates on five main themes of:

- enabling economic growth;

- protection of the environment;
- opportunities for employment, investment and regeneration;
- maintaining and enhancing social benefits, and
- climate change.

4.22 Table 7 of the SPAR confirms the changing role of the Port of Poole in respect of building upon its cruise and Ro-Ro successes to accommodate new growth as set out in the Port Master Plan. It notes that sustainability and the economic security for the future of ports generally in the South Marine Plan is dependent on the ability to remain competitive, including the need to accommodate larger vessels with deeper draughts. The MMO recognise that there may be an on going balance to be struck between maintaining the flexibility that enables thriving ports and the long term management of natural resources.

Borough of Poole Local Development Framework

4.23 The Borough of Poole's statutory Core Strategy (February 2009), together with the documents "Poole Site Specific Allocations & Development Management Policies" and "Delivering Poole's Infrastructure Development Plan" (adopted in April 2012), replace the majority of the policies in the Poole Local Plan First Alteration (March 2004). Local planning policies are supportive of the development of the Port of Poole. They recognise the vital role it plays in the local and sub regional economies as a 'principle location for economic investment' (Policy PCS 1):

- recognising its role as a ferry port handling a range of freight;
- protecting wharves for the import/export of minerals, and
- safeguarding port rail facilities for the long term.

4.24 Local policy supports the growth of the Port of Poole as a regionally significant feeder port with capacity to accommodate cruise ships, as well as its continued sea-based handling of freight and passengers. Due to the finite nature of the deep water frontage, land on the port estate and the dedicated freight rail line is safeguarded for port use and port related activities, including freight transfer and handling to and from quaysides, and for those uses requiring access to deep water (Policy PCS 3). In line with other adopted local policies, policies for the Port require adverse impact on the integrity of the designated nature conservation sites to be avoided.

4.25 In addition, planning policies aim to improve links between the Port and town centre and the A31 Trunk road and to the wider conurbation as part of a recognised strategically important transport corridor (Policy PCS 18). The Core Strategy recognises that the Port is part of the Trans-European Network system and concludes that this means that good connections need to be recognised as 'more than local issue' (paragraph 6.105). Whilst no specific proposals to improve links to the A31 trunk road are put forward in the Core Strategy the Highway Authority identifies the need for them as a 'continued priority' (*ibid*).

4.26 Separate policies protect the international and nationally designated nature conservation sites within Poole Harbour from adverse impact, including increased nutrient loading. New development proposals and management of existing sites are required to provide appropriate mitigation measures, and for those areas outside European sites likely to impact on SSSIs, demonstrate that the benefit of the

proposals outweigh any potential harm and look to incorporate measures to include and enhance biodiversity within a site (Policies PCS 29 and DM 9).

Purbeck Local Development Framework

- 4.27 The proposed development lies wholly within the Borough of Poole, but a significant part of the statutory Harbour is in Purbeck District.
- 4.28 The District Council adopted the statutory Purbeck Local Plan Part 1: Planning Purbeck's Future in November 2012. The Plan includes Policy PH, which protects Poole Harbour's internationally designated sites from adverse effects on their ecological integrity specifically with regard to water quality. It also emphasises the Council's commitment to working with neighbouring local authorities, statutory bodies and landowners to manage shoreline access to the Harbour and implement the objectives and policies in the Poole Harbour Aquatic Management Plan (2011), which seeks to co-ordinate the effective management of the Harbour.

Dorset, Bournemouth and Poole Minerals and Waste Development Framework

- 4.29 The Minerals and Waste Development Framework is a portfolio of statutory development documents that set out minerals and waste policy guidance for Dorset, Bournemouth and Poole. The three Mineral Planning Authorities adopted the Minerals Strategy in May 2014 and the relevant policies for the Port are outlined below.
- 4.30 This Strategy confirms the importance of marine dredged sand and gravel as well as aggregates to serve the local areas landed at a quay in the Port, and seeks to safeguard the facility in Policy SG3. The Strategy confirms that without expansion to increase the capacity of the wharf, there is currently limited additional capacity in Poole. The Authorities recognise that the export of ball clay through the Port makes a significant contribution to the operation of the Port. Policy AS4 allows for new, improved and expanded mineral handling facilities at rail depots and wharves where the need can be demonstrated and providing European wildlife sites are safeguarded from harmful effects. The difficulties in transport links from the Port to the wider area are also highlighted.

Dorset Local Transport Plan (2011)

- 4.31 Adopted in 2011, the statutory Local Transport Plan (LTP) sets out a 15 year strategy for the development of the transport network in Bournemouth, Poole and Dorset. It specifically supports the sustainable and efficient movement of freight, including the role of ports for water-based freight. The provision of a reliable access to the Port of Poole is identified as a priority, as is support for the growth of passenger and freight services. The LTP seeks to maximise future opportunities to enhance the role of rail freight, including support for the development and expansion of rail freight terminals at the Port of Poole.

Dorset Local Enterprise Partnership

- 4.32 The Dorset Local Enterprise Partnership (LEP) has identified objectives to boost business in Dorset including:

- creating a global hub for international trade and business, focusing on Bournemouth Airport and the Ports of Poole and Portland;
 - advancing integrated spatial and infrastructure planning across the whole conurbation;
 - planning positively for sustainable economic growth, emphasising the need to be “open for business”;
 - securing opportunities from offshore renewables;
 - reviewing and implementation of the Dorset Employment & Skills Strategy;
 - encouraging businesses to “go global”, and
 - encouraging the work of, or development of, sector-specific advisory bodies.
- 4.33 The LEP’s ‘Transforming Dorset Strategic Economic Plan’ (SEP) (April 2014), identifies the proposed infrastructure improvements around the Port and the Poole Regeneration Area as amongst the most significant investment proposals in the South of England, and gives them the full support of the Partnership. Other major investment proposals to accommodate business growth in this area are identified including PHC’s proposals in the Port Master Plan, which in total will create 500 new jobs at the Port and relieve pressure on port capacity elsewhere, complementing proposed developments at Portland. The role of the Port in providing facilities to support renewable energy schemes is emphasised. Major transport improvement schemes including improved links to the A31 and beyond to achieve the Port’s full potential are also highlighted. The LEP’s ‘Dorset European Structural and Investment Funds Strategy 2014-2020’ submitted to Government in January 2014 supports the SEP.

Poole Harbour Aquatic Management Plan (2011)

- 4.34 This non statutory document sets out the strategy for the integrated management of Poole Harbour across a diverse range of statutory, commercial and environmental interests, which are represented by the membership of the Steering Group that guided the preparation of the Aquatic Management Plan (AMP). In recognising the important economic role of the Port, the AMP notes that the future success of the Port relies in part on a flexible approach from the Harbour Commissioners, who need to be able to adapt to the changing requirements of the commercial operators that use the Port. Improved road and rail links both locally and regionally are seen as key to the future security of the commercial port. The Aquatic Management Plan also notes that the regeneration schemes around the second lifting bridge have reduced significantly the length of deep-water frontage within the town of Poole.
- 4.35 The Poole Harbour AMP also provides an agreed management scheme under Regulation 36 of the Habitats Regulations for the European Marine Site component of Poole Harbour SPA. This scheme sets out the framework for resolving management issues and how activities are managed and through which the conservation objectives of the site are achieved.

Tourism Strategy for Poole (2006)

- 4.36 Poole Tourism’s non statutory ‘Tourism Strategy for Poole 2006-2015’ emphasises and supports:

- the Port's role in positively contributing to the local economy through attracting new cruise liner visits;
- increased berths for visiting yachts;
- the promotion of water based activities, and
- the development and improvement of Poole Quay as a vibrant visitor destination.

Dorset Area of Outstanding Natural Beauty (AONB) Management Plan 2014 - 2019

- 4.37 The proposed works lie outside the AONB, although around half the Harbour is within the designated area. All relevant authorities are required to have regard to the purposes of the conservation and enhancement of the AONB through the framework set out in the Dorset AONB Management Plan, when discharging their statutory functions within the designated area. As the statutory Harbour Authority, PHC already have a similar obligation under countryside legislation.

Dorset Coast Strategy 2011 - 2021

- 4.38 Prepared by the Dorset Coast Forum, comprising all the local authorities for the Dorset coast with the Environment Agency, Wessex Water and Dorset Wildlife Trust, this non statutory guidance sets the ways in which the Forum members can work together to improve planning and promote sustainable coastal and marine management of the coast and inshore waters.
- 4.39 The significance of local ports and an aim to maintain and develop good working relationships between the port and harbour authorities and other groups with an interest in coastal management is recognised and encouraged. A separate Topic Paper on Ports and Shipping was produced in 2010.

Policy Conclusions

- 4.40 As the above summary demonstrates, there is strong national and local policy support for development proposals, which are the subject of the HRO, which are designed to maintain and expand trade through the Port of Poole. The location of commercial port activity at the heart of both a substantial urban area and the sensitive environment of Poole Harbour means that in designing and assessing the proposals account has to be taken of a diverse range of economic, social and environmental interests.

5. OVERVIEW OF THE PROPOSED WORKS

- 5.1 As described above, the proposed works, HRO Works 1 to 10, are designed to be undertaken in five phases of development as shown on drawing HRO1, to allow the Commissioners flexibility in development, and meeting the demands of future diversification of trade at the Port. An additional benefit is the replacement of ageing infrastructure while taking the opportunity to increase flood defence capabilities. It is anticipated that the majority of materials for the construction of the proposed quays will be brought to the site by sea.

- 5.2 Phases 1 and 2 will allow the Port to accommodate larger conventional dry cargo vessels, short sea container vessels and cruise ships. It could also provide suitable quay length and land for the Navitus Bay wind park both construction and maintenance vessels.
- 5.3 The first phase (HRO Works 1 and 2) comprises the construction of South Quay, a new 180 metre long quay connected to the south eastern corner of the Port by reclamation of the Harbour bed using vertical steel sheet piled quay walls, and concrete capping. Dredging to the south facing berth will create a berthing pocket maintained at 9.0m below Chart Datum. South Quay would be built to a height of 4.5m above Chart Datum and be used by a variety of craft such as cruise ships, small container feeder ships, bulk cargo vessels, and possibly wind park construction vessels. The reclamation footprint of 8,000 square metres enables retention of the existing Port of Poole Marina. Some initial dredging may be required to remove soft material (silts) from the footprint of the new quay and this material would be disposed of to existing consented areas. Further dredged material from construction of the quay would be incorporated into the area to be reclaimed. Subject to the granting of the necessary consents, it is envisaged that this first phase of work could commence in 2015 with a construction period of between six and nine months.
- 5.4 Phase Two (HRO Works 3 and 4) proposes increasing the width of South Quay by 20m, and the construction of a new east facing berth, East Quay, 120 metres in length. Construction would follow the same methods as Phase One works and involve additional reclamation for a further 7,000 square metres of port area. The new East Quay would be built to 4.5m above Chart Datum and dredged to 7.5m below Chart Datum. Phase Two works could commence during 2017.
- 5.5 Deepening and extending Ballast and Bulwark Quays and New Quay and New Quay extension by realigning the existing quays to create berths at 7.5m below Chart Datum from Phase Three (HRO Works 5 and 6) to cater for deeper and larger vessels from 2017 onwards. Other minor modifications to raise the height of the coping for the quays will address current flooding issues and create 2,600 square metres of reclaimed land. These works would comprise the construction of vertical sheet piled walls and concrete capping. The new quay walls would be aligned with East Quay created during Phase Two works.
- 5.6 Phase Four (HRO Works 7 and 8) involves the completion of East Quay to join the newly extended New Quay by infilling the Port of Poole Marina through construction of sheet piled walls and concrete capping across the marina access. This phase would create an additional 22,000 square metres of port land and could be utilised as a construction area as well as an operation and maintenance site for the proposed Navitus Bay wind park. It could equally be used for handling conventional cargo and container operations. As with previous phases it is anticipated that dredged material will be incorporated into the reclamation works as far as possible.
- 5.7 Phase Five (HRO Works 9 and 10) involves the reconstruction of the existing Ro-Ro berths 2 and 3 using the same methods as the other phases, reclaiming 5,000 square metres to align the new berthing face with South Quay constructed during the early phases of development. The new berth 360 metres in length would be dredged to a depth of 9.0m below Chart Datum. Phase Five works will depend upon the future requirements of ferry operators using the Port and will offer flexibility to handle

larger ferries in the future. It would also offer the potential to accommodate larger conventional cargo vessels.

6. ALTERNATIVES CONSIDERED

- 6.1 As described earlier, the HRO proposals are a principal element of PHC's response to the key challenge it faces of ensuring that the commercial Port remains competitive in the face of changing markets and meets the Government's requirement that trust ports should be run as commercial businesses.
- 6.2 The options open to PHC are analysed (in the complex physical, ecological, economic and social context of Poole Harbour and its surrounds) in the Port Master Plan (see in particular Section 4) and in Chapter 4 of the ES accompanying the HRO. The consideration given to alternative approaches at a strategic and design level is summarised in the following paragraphs.
- 6.3 At the strategic level, 'doing nothing' is not a viable option. It would not meet the identified need. If PHC does not invest in additional and deeper berths and provide more land behind the quays, there is a significant danger that the Port will be left behind as trends in trade and shipping, including larger vessels, leading to a shrinking market for its services. Apart from the obvious harm 'doing nothing' would do to the Port's finances, this would endanger PHC's ability to fulfil the conservancy element of its statutory functions and have ramifications for the existence of Port-related businesses and the health of the regional marine economy as a whole.
- 6.4 A further strategic consideration is the question of what can be done to support the commercial future of the Port which is heavily constrained and influenced by the obligations to conserve and protect large areas of the Harbour under European and UK legislation. This rules out the possibility of speculative major port expansion, which could only be justified if there were national reasons of public interest to do so sufficient to override the requirements of conservation legislation and regulations.
- 6.5 PHC therefore sought to identify a scale and form of development that would ensure the Port's continuing prosperity whilst at the same time not compromising the Commissioners', or the UK's, obligations in respect of the natural and man-made environment. This process undertaken by PHC is explained further in Chapter 4 of the HRO ES.
- 6.6 The need for additional and deeper quays and more back-up land could in theory be met at other locations in the Harbour. It is however, self-evident that a new location could not be contemplated whilst it is possible to extend the existing port facilities with far fewer environmental effects.
- 6.7 The more specific question of the precise location and scale of the port extension that would meet the need at acceptable cost to the environment was then tackled at operational port level with the assistance of the results of the marine and terrestrial studies carried out in support of the SEA for the Port Master Plan and the EIA of the HRO proposals. The overall area and form of the quay extension and berth deepening required were essentially defined by engineering and operational considerations modified to meet the need to safeguard the environment. The HRO

proposals provide sufficient depth of water alongside and land area behind the quays to constitute a viable commercial proposition, able to accommodate the trades that PHC believes the Port can attract, whilst not endangering the integrity of the environmental designations that apply to the wider Harbour.

- 6.8 This analytical process was diligently followed in consultation with relevant statutory and local bodies to the point at which the HRO proposals are effectively the best options. Once that point was reached, there were effectively no other options, because other physical interventions in the Harbour would have greater consequences for the environment and therefore would be unlikely to be approved.

7. PRIOR CONSULTATION

- 7.1 This section of the Statement explains the prior consultation of the HRO proposed works undertaken by PHC in accordance with the requirements of the 1964 Act. Chapter 3 of the HRO ES describes the overall consultation undertaken and Appendix A to the HRO ES contains a list of the wide range of consultees which have been engaged in the process.
- 7.2 Section 2 above outlines the conclusions of the Screening and Scoping Opinion issued by the MMO in 2012 following its consultation with the relevant statutory bodies. Full details are provided in Appendix B of the HRO ES. Details of the proposed works described in the draft HRO and accompanied by the draft ES and a draft Statement in Support were submitted to the MMO and Natural England for comment on 21st March 2014.
- 7.3 Extensive consultation has been undertaken as part the Master Plan, SEA and EIA processes. In the early stages of formulating the proposed works, PHC actively engaged the local community and members of the public through a series of consultation events throughout the development of each stage of the Master Plan, the outcomes of which have fed into the EIA. Consultation with a wide range of stakeholders, existing site users and various statutory and non-statutory consultees through a series of meetings and presentations has also informed the proposed HRO works.
- 7.4 During the consultation at various stages of the Port Master Plan process there was general agreement and support for PHC's proposals for the existing Port of Poole in providing deeper and longer quays. There was also general support for PHC's intention to provide facilities to allow an increase in the number of cruise ships visiting the Port.
- 7.5 The technical specialists undertaking the EIA have engaged with relevant statutory consultees in undertaking the assessment of each specialist topic as shown in Table 3.1 of the HRO ES. Where appropriate, separate meetings have been held to discuss the proposed HRO works and the mitigation measures proposed. Advice in relation to the proposed works and the statutory designated sites has been sought through Natural England's Discretionary Advice Service to ensure sufficient information is provided in the HRO ES to deal with any issues raised.

- 7.6 PHC placed a public notice in local newspapers on 15th April 2014, and on its website (www.phc.co.uk) inviting the local community and interested parties to a public drop in exhibition of the draft HRO proposed works, which was held on 28th April 2014. PHC staff were on hand to explain the proposed works, the need for the Commissioners to undertake these works and to answer questions raised. Almost 60 visitors were recorded at the event with widespread support for the proposals. Key stakeholders were contacted separately by letter about the consultation event. Interested parties and visitors to the exhibition were invited to make any further written comments on the proposals to PHC by 9th May.
- 7.7 Five responses were subsequently received from members of the general public via the comments sheets available at the exhibition, a further email response from a Borough of Poole Councillor and separate letters supporting the proposed works were received from Borough of Poole Chief Executive; Dorset Local Enterprise Partnership; Poole and District Fisherman's Association; Wessex Grain; Othniel Oysters Ltd; Gleadell Agriculture Limited; and Sunseeker International.
- 7.8 All responses gave support to the proposed HRO works in terms of economic benefits they would bring to local businesses and the town and wider local area generally; and cited the importance of a thriving, competitive port to the local economy to maintain and create employment opportunities. Several local businesses, including some that currently use the Port, expressed a desire to work closely with PHC to discuss the establishment of dedicated new facilities to meet their future business needs within an expanding Port. Other respondents rely on PHC to oversee conservation of the wider Harbour to operate successful businesses and welcomed the proposed HRO works as a means to increase financial viability of the Port and allow PHC to continue to achieve and maintain non-commercial statutory duties.
- 7.9 PHC intend to continue working closely with the local community and statutory and non statutory stakeholders throughout the construction phases of the proposed HRO works to inform on progress and ensure any concerns raised as a result of temporary disturbance are attended to promptly.

8. CONCLUSIONS

- 8.1 This Statement in Support explains the need and justification for the proposed works in that if the move towards deeper and longer quays is not realised, the Port of Poole faces the prospect of losing potential future trade to other ports that can accommodate the needs of operators seeking economies of scale. 'Doing nothing' is not an option if the Port is to meet the Commissioners objectives of growing and diversifying businesses at the Port to the benefit of the local and regional economies. Not would this enable to PHC to meet Government expectations that Trust Ports are to maximise their commercial potential.
- 8.2 The existing Port provides access to deep water, and local planning policies support developments which depend upon this access, recognising that development of the regeneration areas between the two lifting bridges has restricted the areas of deep water access available to marine businesses. In recognising the physical limitation of the Harbour, PHC propose to make best use of the existing facilities, safeguard land for future growth and improve the Port to retain and support existing businesses while

at the same attract new business and diversify into other commercial sectors. The proposed works will increase the viability of the Port as a whole, thereby helping to secure the long term future for existing employees, create new employment opportunities and to make additional contributions to the local and regional economies. The HRO proposals also enable PHC to fulfil the conservancy element of its statutory functions and responsibilities.

- 8.3 PHC consider that the proposed works will ensure the Port of Poole's remains competitive as a regionally significant port, will meet the Commissioners business objectives to protect and retain existing trades in the Port and diversify and attract new trades. The proposed works take full advantage of the potential to create modern quays, which maximise the deep water frontage PHC can offer at the Port.