



Poole Harbour Commissioners

HARBOUR WORKS LICENCE APPLICATION GUIDELINES

In accordance with Sections 20 and 21 of the Poole Harbour Act 1914, amended by the Poole Harbour Revision Order 2012, any work or structure below the line of Mean High Water of Spring Tides (MHWST) requires a Harbour Works Licence from Poole Harbour Commissioners.

Poole Harbour falls within both SSSI (Site of Special Scientific Interest) and SPA (Special Protection Area) zones, and as such is subject to the Habitats Regulations. Under these Regulations, Poole Harbour Commissioners are required to follow strict guidelines when issuing licences for works which could affect the Harbour. These works include all new structures or extensions of structures (eg jetties, slipways, sea walls), dredging, or other works below the line of MHWST.

For major development schemes, the Harbour Engineer's Department should be contacted prior to application on 01202 440234 or harbourengineer@phc.co.uk

In order to apply for a licence, you will need to complete the Poole Harbour Commissioners Licence Application form. Please note that the application cannot proceed unless the required information is supplied in full and your application will be delayed if insufficient or incomplete information is received.

1. A full description of the proposed works, with one set of digital drawings as detailed in the application form, a plan showing the relationship of the proposal to any existing works, and a Method Statement for construction. New drawings for current structures may be needed as requirements have been updated.
2. A statement of the purpose and justification for the proposed works, including potential impacts and any measures that will be taken to mitigate those impacts. The following points should be considered during the planning stage of your project:
 - Expected level of use
 - Ensuring that the structure is no larger than needed to ensure fitness for purpose
 - Structural detail, preferably using environmentally friendly construction
 - Any potential environmental benefits arising from the scheme, eg removal of redundant neighbouring jetties or slipways, removal of swinging moorings, etc
3. A statement of the expected requirements for maintenance operations associated with the works.
4. An A4 location and site plan at a 1:1250 scale showing High Water Mark, the proposed structures and all obstructions on the foreshore 100m to either side of the application site with the property outlined in red. (*See example map below*). Please note that a simple copy of the OS landline is not sufficient for this purpose, and if used it needs to be modified to reflect the present situation including obstructions.
5. A digital set of photographs taken from various directions at low water showing the application site and any current structures, and the foreshore either side of the proposed works. Please ensure the photos are dated.
6. An application fee of £100 (for new licences, not required for change of ownership)

7. For a change of ownership where no alterations are planned, no application fee is payable but recent photos (Item 5) are necessary. PHC require detailed drawings of the structures, see Item 1 above. If in doubt, please contact the Harbour Engineers Department on 01202 440234 to enquire whether the current approved drawing(s) will suffice or whether new drawings will be required.

Notice should be taken of the following points:

- Normally construction within the SPA is not permitted between 1st November and 31st March due to the potential for disturbance to overwintering birds.
- Poole Harbour Commissioners are required to consult formally with Natural England prior to issuing a licence, and their recommendations are taken into consideration.
- Certain areas on the foreshore of the Harbour have been designated as 'red zones' where further development is unlikely to be sanctioned by Natural England. You are invited to enquire prior to making an application by emailing harbourengineer@phc.co.uk
- An Appropriate Assessment (under Regulation 48 of the Habitats Regulations) might be deemed necessary. Should this be the case the applicant will be advised and any additional information required will be requested. This may include such matters as environmental surveys, bird counts, etc (at the applicant's expense). *There is no guarantee that approval will be granted following an Appropriate Assessment.*
- It is also your responsibility to obtain all other approvals, such as planning approval from the Local Authority, approval under the Marine & Coastal Access Act 2009 which can be obtained through the Marine Management Organisation, and the Crown Estate (if you do not own the foreshore). The contact details for these organisations are shown below.
- Licensees will be required to declare that they hold and maintain public liability insurance with respect to the works. The requirement will be for a minimum liability of £2,000,000 but may be increased at the Commissioners' discretion with respect to larger projects.
- Structure licences are normally issued for a period of 10 years with an interim review after 5 years, subject to payment of an initial consideration and an annual fee. At the end of this period the works are inspected and if all is in order the period of the licence may be extended.
- Larger developments will be reviewed by the Board of the Commissioners. Contact the Harbour Engineer's Department in the first instance.
- Applicants are advised to note that licences for new works or alterations to works include a construction time limit, and if construction is not completed within that period, the licence becomes null and void.

Applications to be submitted on the Licence Application form, accompanied by all required information to:

The Harbour Engineers Department
Poole Harbour Commissioners
20 New Quay Road
Poole, BH15 4AF

Or scanned and emailed to harbourengineer@phc.co.uk

Other Contact Details:

Local Authority

Bournemouth, Christchurch & Poole Council

Web Address <https://www.bpcouncil.gov.uk/Planning-and-building-control/Planning-and-building-control.aspx>

Dorset Council (Purbeck Area)

Web Address <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning/planning>

Marine Management Organisation

Web Address www.marinemanagement.org.uk

Tel No. 0300 123 1032

Crown Estate Managing Agents

Web Address www.knightfrank.co.uk/residential/marine-consultancy








Example of Site Location Plan



Natural England's Good Practice Checklist

In order to help your application succeed this checklist outlines some of the important factors that need to be considered.

These measures will avoid or minimise potential impacts.

Good Practice Guide		
Is your proposed structure or works necessary?	<ul style="list-style-type: none"> • Applicant has explored the possibility of using their neighbours' jetty and slipway or a single communal multipurpose structure <ul style="list-style-type: none"> ○ demonstrated why this is not possible 	
Have you considered a structure that has no impact on over-wintering birds?	<ul style="list-style-type: none"> • Use of temporary structures explored • Structures removed during the winter periods 	
Can you make more of the foreshore available for foraging and roosting birds?	<ul style="list-style-type: none"> • Can any existing derelict structure be removed from adjacent foreshore? <ul style="list-style-type: none"> ○ especially within direct location of the new proposed development or at neighbouring properties 	
Are the dimensions of your proposed structure no longer or wider than required for their purpose?	<ul style="list-style-type: none"> • Define length; <ul style="list-style-type: none"> ○ no longer than required length for use of boat ○ no longer than neighbouring structures • Detailed plan supplied, including the dimensions of the structure • Bathometric survey included to detail shore gradient 	
Have you maximised the remaining bird feeding area?	<ul style="list-style-type: none"> • Position structure so as to maximise undeveloped open areas • Maintain bird sightlines 	
Have you considered a sensitive design for your proposal?	<ul style="list-style-type: none"> • Use materials from a sustainable source wherever possible • Perforated mesh design for slipways; <ul style="list-style-type: none"> ○ benefit of allowing sunlight through, resulting in less shading effects on the inter-tidal habitat • Incorporation of some timber; <ul style="list-style-type: none"> ○ e.g. in the piling would provide an additional type of substrate for colonising species such as seaweeds and sponge • Use of open piling <ul style="list-style-type: none"> ○ benefit of allowing movement of tidal waters, maximum retention of shore area and minimum displacement of tidal water 	
Can you minimise disturbance during construction?	<ul style="list-style-type: none"> • Time the construction to avoid disturbance effects on winter feeding birds • Best time for construction would be during spring and summer from 1st April to 31st October 	



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HARBOUR WORKS LICENCES FEE STRUCTURE

- Fees may be paid by BACS, over the telephone on 01202 440234, or by cheque. When payment is made, please email details to harbourengineer@phc.co.uk
- Application fee for new licence: £100 including vat. (NB: there is no application fee for simple Change of Ownership licences where no changes to the structures are envisaged)
- For simple residential property Licences there will be a once-off consideration of £400 (which could increase if there is unexpected or prolonged administration required), and an annual fee of £100 for the first structure licenced, plus £50 for each additional structure.
- Floating pontoons which might be included in a Harbour Works Licence are charged annually on the usable length of pontoon. The rate is calculated as the Commissioners standard mooring fee multiplied by the length.
- Fees are payable upon the receipt of invoice, and prior to issuing finalised documents for signature.
- Vat will be added, where applicable.
- Any large scheme or proposal requiring additional consideration due to the size or complexity of the development will be licensed through our solicitors. A separate fee structure is applied in these circumstances and the client is responsible for PHC's cost in putting the licence in place.
- A Harbour Works Licence is a legal document, completed as a Deed, and should be retained with the Deeds of the property.