

Your HRO Questions Answered – Copy of detail on the Exeter City Council newsfeed and link from 28th July 2023

<https://news.exeter.gov.uk/your-questions-answered-over-plans-for-a-harbour-revision-order-in-exeter/>

A new question and answer guide has been produced as the Council continues preparations to consult on introducing a Harbour Revision Order (HRO) for Exeter.

The Q&A (below) explains what an HRO is and why it's important for Exeter.

A HRO is a set of rules which govern what the authority can do and the powers that it has within the boundaries of the harbour in Exeter.

Harbour Orders are a form of delegated legislation which either amends or introduces new harbour legislation. They confer powers on the harbour authority for the purpose of improving, maintaining or managing a harbour.

The process of introducing a Harbour Revision Order for Exeter is expected to take several years to complete and represents a significant change to the way waterways have been managed in the past.

Everyone will be given the opportunity to have their say when formal consultation is launched at a date to be arranged.

In the meantime, any comments or questions about the process are welcomed and should be emailed to epa@exeter.gov.uk.

Harbour Revision Order – Questions and Answers

Q: Why does Exeter City Council need a Harbour Revision Order

A: Exeter City Council (ECC) is the Statutory Harbour Authority for the port of Exeter and the Exeter Ship Canal. The Council are seeking a Harbour Revision Order (HRO) under Section 14 of the Harbours Act 1964 in order to seek compliance with the Port Marine Safety Code (PMSC). Compliance with the code is not mandatory but by being compliant, the Council will be able to demonstrate best practice. In order to achieve compliance with the code, the Council has to have the correct powers of General Direction and Special Direction, which can only be gained by an

application to the Secretary of State of the Department for Transport to have a Harbour Revision Order.

Q: What do users of the Exe waterways gain by an HRO?

A: Currently, the river Exe has a small number of byelaws that cover the estuary, and date back to 1976 so are not fit for purpose in managing a harbour in a modern and efficient way. By having an HRO the Council will be able to review those byelaws and update their meanings in modern day harbour General Directions and apply Special Directions for specific incidents or occasions. An HRO will also allow the Council to make the harbour as safe and sustainable for the long term future.

Q: Does this mean users of the Exe waterways will have to pay harbour dues?

A: Currently nobody is paying harbour dues to use the water for recreational purposes. The exception is that visiting yachts pay a small overnight mooring fee or for the seasonal storage or restoration of boats at the canal or Topsham Quay. The HRO will give the Council powers to levy harbour dues but before any scale of fees are decided upon there will be a full public consultation. Under the Port Marine Safety Code, any fees charged will have to be reasonable and justifiable.

Q: Is this just a way of making more money for the Council?

A: No. If it is decided by the Council that fees are to be levied, then those funds will be ring-fenced and invested in the port. That is a requirement of the Port Marine Safety Code. The Council will continue to invest in the port as it always has done.

Q: I am a paddle-boarder and enjoy kayaking too. Will I have to pay to use the river or canal for exercise?

A: There are no plans currently to levy a fee to kayakers or paddle-boarders to use the waters of the Exe.

Q: Will I still be able to launch my boat/kayak/paddleboard whenever I want to?

A: Yes, access to the river and canal will not change.

Q: Will the shore-side facilities be improved?

A: Facilities at the canal will continue to be upgraded as funding permits. Elsewhere in the river the navigation buoyage will be improved as will mooring facilities for visitors at Topsham Quay.

Q: Will the navigation channel in the river be dredged?

A: There are no plans to dredge the navigation channel in the river. Under the Port Marine Safety Code the council are not obliged to dredge the channel but it does have to carry out regular surveys of the depths and alter the positions of navigation aids to mark the best route up the river.

Q: How long will the process take?

A: The process of obtaining an HRO might take up to three years to complete.