

## **Port Security Regulations 2009, as amended, and 33 associated Port Security Designation Orders at local port level**

**Department for Transport**

**RPC rating: fit for purpose**

### **Description of proposal**

The measure implemented an EU Directive, which strengthened port security by making entire ports subject to a security regime, rather than individual port facilities. A port is defined as any specified area of land and water, with boundaries defined by the Member State in which the port is situated, containing works and equipment designed to facilitate commercial maritime operations. A port facility is the location where interactions with a ship takes place such as anchorages, waiting berths and approaches from seaward. The aim is to encourage security co-ordination among port facilities and to increase security in the wider port area.

### **Impacts of proposal**

The original IA estimated present value costs of £9.9 million over the 10 year appraisal period, affecting 33 ports; this included transition costs of £1.9 million and annual costs of £0.8 million.

The Department has engaged with various stakeholders in the maritime industry, through meetings, consultations and questionnaires. The general consensus is that the measure has achieved its objective of improved port security. The majority of survey respondents also stated that the measure was less costly than the Department had initially estimated.

Some respondents reported costs in excess of those anticipated; however, these respondents went beyond the minimum implementation of the Directive specified in the Regulations and Orders.

The PIR identifies a possible improvement to the measure; amending the drafting to allow a more proportionate approach to compliance based on the size of the port. It noted that the evidence collected suggests that the measure was less helpful to smaller ports with fewer facilities.

### **Quality of submission**

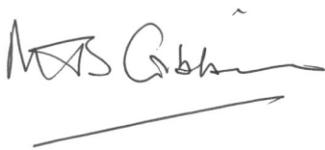
The Department has taken a proportionate approach to reviewing this measure, gathering information from ports and others affected.

The PIR helpfully identifies proportionate implementation as a potential improvement to the measure; however, the PIR does not provide an analysis of the disproportionate impacts that smaller ports have faced thus far. The PIR would benefit from including this analysis.

Departmental recommendation	Renew
Estimated equivalent annual net cost to business (EANCB)	Not provided

### **RPC assessment**

Is the evidence in the PIR sufficiently robust to support the departmental recommendation?	Yes
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**Michael Gibbons CBE, Chairman**