



HM Government

The United Kingdom National Contingency Plan for Responding to Marine Pollution Incidents

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1 Introduction

The United Kingdom (UK) Government regards the potential pollution¹ of the marine and coastal environment as a serious threat² and, as the size and displacement of both commercial vessels increase, as does the offshore oil and gas industry, so then do the risks of pollution incidents.

The National Contingency Plan for responding to marine pollution incidents (hereinafter referred to as the “NCP”), is a strategic document, with a purpose to ensure clear identification of roles and responsibilities of those with charged for dealing with and managing maritime pollution incidents and how they may come together in part or in full.

It has been developed to ensure there is a timely, measured, and effective response to incidents of, and impact from, marine pollution, arising from both marine and / or terrestrial sources.

Incidents may result in the release of oil, hazardous and noxious substances, inert material, or a combination of all of these, all with the potential to threaten wildlife, on land as well as within the marine and coastal environment, public health, and local and national economies. An immediate and robust response to incidents causing, or with the potential to cause pollution is therefore necessary.

The NCP will run in parallel and / or dovetail with incident management systems adopted by Devolved Administrations³, other government agencies and commercial organisations, underpinned by their own associated response plans.

2 Legal Basis

The NCP is a jointly owned plan by the lead government⁴ departments; the Department for Transport (DfT) is responsible for pollution arising from marine shipping in and around UK waters, whilst and the Department for Energy, Security and Net Zero (DESNZ) for offshore installations such as oil and gas installations. The Maritime and Coastguard Agency (MCA) are the custodians of the plan and administer the document on behalf of the two lead government departments.

The UK must meet many national and international legal obligations relating to pollution from shipping and offshore installations, namely:

- Section 293 of the Merchant Shipping Act 1995 gives the Secretary of State for Transport the function of taking, or co-ordinating, measures to prevent, reduce and minimise the effects of marine pollution;

¹ For the purposes of this plan, the definition of ‘pollution’ is the same as that defined in the London Convention definition 10 “Pollution” means the introduction, directly or indirectly, by human activity, of wastes or other matter into the sea which results or is likely to result in such deleterious effects as harm to living resources and marine ecosystems, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.

² See useful references: <https://www.bonnagreement.org/activities/projects/i/final-report>; [UK EEZ Shipping Risks and Emergency Towage Provision Study - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368422/UK_EEZ_Shipping_Risks_and_Emergency_Towage_Provision_Study.pdf);

³ [Introduction to devolution in the United Kingdom - House of Commons Library \(parliament.uk\)](https://www.parliament.uk/about/offices/house/commons/library/)

⁴ [Lead Govt Cover \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/368422/UK_EEZ_Shipping_Risks_and_Emergency_Towage_Provision_Study.pdf)



- The Offshore Installations (Emergency Pollution Control) Regulations 2002, made under section 3 of the Pollution Prevention and Control Act 1999 provides powers for the Secretary of State for DESNZ to give directions and to take such other actions as may be necessary in respect of an offshore installation to prevent or minimise pollution or the threat of pollution.
- The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (OPRC), requires ports, harbours, oil handling facilities and offshore installations to have an approved OPRC Plan/ Oil Pollution Emergency Plan (OPEP) that is consistent with this Plan;
- as a Party to the United Nations Convention on the Law of the Sea, the UK has an obligation to protect and preserve the marine environment; and
- The Civil Contingencies Act 2004 is primarily concerned with the need for organisations to prepare effectively for emergencies on land and effective within territorial waters (from the coast/baseline out to 12 nautical miles offshore). NB: The arrangements in respect of organising the delivery of duties set out in the Act in the Devolved Administrations are a devolved matter, but the Act itself applies to the whole of the UK.

For more information on the legal basis behind this plan [Click Here](#)

3 Areas Covered

The NCP covers all pollution, containment⁵, and salvage incidents in, or likely to affect the UK Territorial Waters and the UK Exclusive Economic Zone The NCP also covers containment within the United Kingdom Continental Shelf (UKCS) (1)

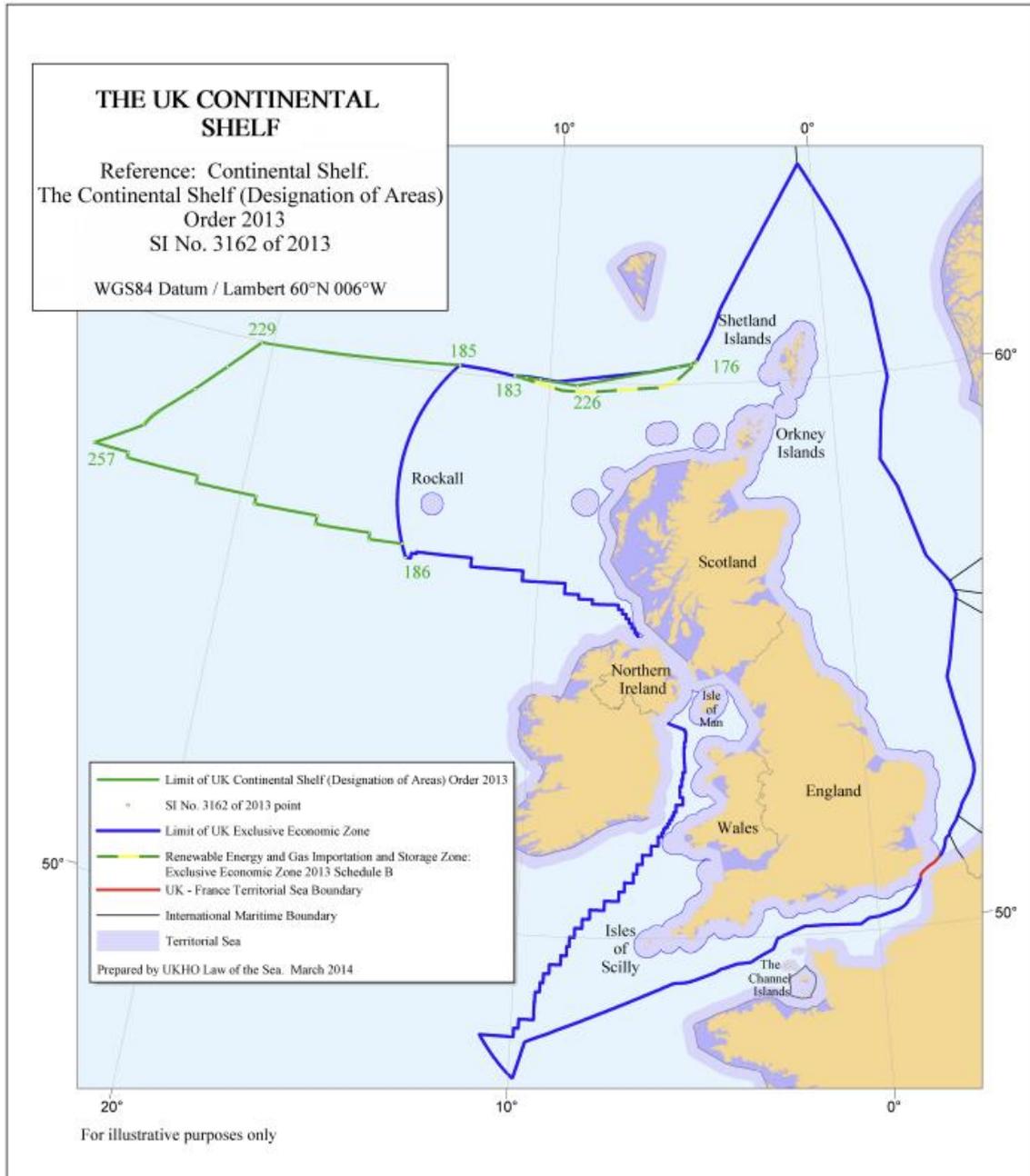
The Isle of Man, the Channel Islands and the UK overseas territories are responsible for their own pollution response arrangements but may request assistance from the UK Government.

For more information on bilateral and multilateral international assistance and co-operation agreements currently in force [Click Here](#)

⁵ Containment in this context means controlling pollution at its source either from a vessel and / or oil and gas infrastructure.



Figure 1





4 Reviewing the National Contingency Plan

A full review of the NCP will be conducted at least every five years, led by the NCP Strategic Working Group (SWG) with support from the NCP Tactical Working Group (TWG)⁶.

Additionally, a review may follow any national exercises and / or after significant real-world incidents, where it may be adjusted, as necessary.

The 'owners' of hyperlinked information contained within this document retain responsibility for the reliability of source data the links lead to and should ensure they remain extant; DfT will annually review the hyperlinks to confirm the validity of the content and accessibility.

Proposed changes to the NCP, feedback on the information it contains or problems with the hyperlinks should be reported by email to ncp@mcga.gov.uk.

5 Exercising

The ultimate test of any contingency plan is measured by performance in a real emergency; therefore, it may be that the response to a real event may negate the requirement for a scheduled exercise of the NCP.

However, notwithstanding such events, the NCP must be tested regularly, through a programme of realistic and credible exercises.

A simulation⁷ NCP exercise will be undertaken every 18 months, with an offshore industry scenario alternating with a shipping scenario, to ensure a high level of response preparedness by all parties. The MCA and the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED) – which is a DESNZ unit, responsible for environmental regulation, prevention of oil pollution and offshore environmental issues including approval of Oil Pollution Emergency Plans for the offshore industry – will assume the lead for their respective industries i.e., MCA will lead on shipping related scenarios and OPRED on oil and gas infrastructure related scenarios.

For simulation exercises, support is typically required from a shipping company or oil and gas operator to provide a suitable scenario and to engage with and to test, NCP interfaces.

Between these larger-scale exercises, a tabletop exercise⁸ or workshop (to be determined by the SWG and TWG's at the time) will also be held every 18 months, again alternating

⁶ Two NCP working groups have been established to ensure regular monitoring of the UK's response to pollution, following incidents, exercises, and changes to regulations.

⁷ A simulation exercise is a hands-on exercise with staff mobilised and undertaking response activity on the day. A simulation exercise is conducted in a realistic, real-time environment; however, movement of personnel and equipment is usually simulated.

⁸ A tabletop exercise is more informal and typically consists of discussing response plan details and actions and are aimed at facilitating conceptual understanding, identifying strengths and areas for improvement, and/or achieving changes in perceptions.



between a shipping and an oil and gas scenario, likewise, the MCA and OPRED will alternate the lead on each exercise.

Such tabletop exercises should not preclude the possibility of more ad hoc training and workshops to consider specific or particular aspects of the plan that may benefit from a closer study.

A publicly available report will be compiled on completion of the simulation exercises and made available on GOV.UK. Links to it will be provided to all members of both the Strategic and Tactical Working Groups for dissemination amongst the wider industry and government agencies who may have an interest.

Lessons and observations identified and actions arising from NCP Exercises will be the responsibility of those to whom they are assigned and overseen and supported by the NCP Tactical Working Group.

Outside of the scheduled testing regime described above, all those responsible for setting up national response cells⁹ should ensure that they test and exercise their teams regularly and in accordance with their response plans.

6 Government Departments

Major maritime pollution incidents require work on a wide range of issues apart from those directly connected with salvage, containment, and clean-up operations.

The UK Government and the Devolved Administrations' central crisis management organisation includes the COBR (Cabinet Office Briefing Room), which is made up of key government departments DfT, DEFRA, DESNZ, DHLUC, Scottish Office Government Resilience Room, the emergency co-ordination centre in Wales and the Northern Ireland Central Crisis Management Arrangements (NICCMA) in Northern Ireland.

The majority of marine pollution incidents will be managed at the local level, with little or no involvement from central government nationally. However, the increasingly complex and interdependent nature of society means that there are sometimes significant direct or indirect consequences even from apparently straightforward events that may well necessitate central government engagement.

This could include, for example, providing guidance, co-ordination, people, expertise, specialised equipment, advice or financial support. These decisions will be taken on a case-by-case basis depending on the nature of the incident and its impact.

Depending on the severity of the pollution incident, the activation of the UK's central government's crisis management facilities COBR may need to facilitate rapid co-ordination of central government response and effective strategic decision making. The activation of COBR does not remove the core principle of subsidiarity in a response, in which decisions should be taken at the lowest appropriate level, with co-ordination at the highest necessary level. Local responders are the building block of response for an emergency of any scale.

⁹ For the purpose of this document, 'cell' and 'team' are used interchangeably but both refer to an emergency response team.



Under the Civil Contingencies Act 2004, there is a generic national framework for managing emergency response on land which remains flexible enough to be adapted to the needs of any threat to UK coastal resources.

6.1 The Department for Transport

DfT has policy responsibility for several issues that arise from a marine pollution incident in line with the Secretary of State's responsibilities for taking or co-ordinating measures to prevent, reduce and minimise the effects of marine pollution.

The Maritime Resilience team, which forms part of the Maritime Directorate of DfT, has policy responsibility for a range of related maritime resilience, including marine pollution from shipping.

The Maritime Resilience team does not contribute to operational decisions during an incident. However, it monitors the Maritime and Coastguard Agency's (MCA) approach to incidents within the framework of the MCA's objectives and liaises with Ministers and senior Civil Servants across Whitehall. Questions or inquiries arising from an incident should be directed through the Maritime Resilience team who will liaise with a designated point of contact within the MCA in order to both manage communication channels and ensure that responses to the media and elsewhere are consistent and accurate and agreed with MCA.

6.2 The Maritime and Coastguard Agency

The MCA has specific responsibility for counter pollution preparedness and response at sea; for discharging the function as the UK Competent Authority with specific responsibility for counter pollution preparedness and responding to at-sea pollution from shipping and offshore installations within the UK Exclusive Economic Zone (EEZ), and the management of the UK Government's stockpiles of equipment and dispersant.

During an incident, the MCA's Chief Executive continues to manage the MCA as a whole. The Director of His Majesty's Coastguard (HMCG) is responsible, with Maritime Safety and Environment colleagues for ensuring that Ministers are kept informed of incident progress, liaising with the Chief Executive on matters of Agency policy.

6.3 The Department for Energy Security and Net Zero

DESNZ brings together responsibility for security of energy supply, energy markets, and co-ordinating Net Zero objectives across government.

In the event of a significant oil pollution incident, from any part of the offshore oil and gas infrastructure, OPRED will liaise with DESNZ' Emergency Response Capabilities and Operation team (ERCO) to determine the need for an Emergency Response Team to co-ordinate the response as lead government department.

If needed, ERCO will establish an Emergency Response Team in the Emergency Operation Centre at 1 Victoria Street, London with mutual support provided between ERCO and OPRED.



Working with OPRED, DESNZ' Emergency Response Team will maintain situational awareness across government, ensure Ministers are briefed and media and parliamentary interest is handled.

6.4 Offshore Petroleum Regulator for Environment and Decommissioning

OPRED is responsible for regulating environmental and decommissioning activity for offshore oil and gas operations, including carbon capture and storage operations, on the UK continental shelf including approval of OPEPs for the offshore oil and gas industry. OPRED may consult with a range of organisations/Government Departments during the OPEP approval process. The OPRED Inspectors provide a 24/7 on call facility to respond to any pollution incident, or potential pollution incident, related to offshore oil and gas activities.

In the event of any pollution incident, or potential incident, from offshore oil and gas activities the Duty OPRED Inspector engages with the relevant offshore oil and gas operator, the MCA Duty Counter Pollution and Salvage Officer (DCPSO), relevant Maritime Rescue Co-ordination Centre (MRCC), and when appropriate, the Joint Rescue Co-ordination Centre (JRCC).

For incidents involving oil and gas infrastructure, OPRED may also be involved in any Environment Group (EG) established and liaise with relevant government stakeholders.

6.5 Secretary of State's Representative (SOSREP)

The role of the SOSREP is to represent the Secretaries of State for Transport (in relation to ships) and DESNZ (in relation to offshore installations) by removing or reducing the risk to safety, the environment and property arising from accidents involving ships, or offshore installations.

The intervention powers available to the SOSREP extend to UK territorial waters for safety issues. For pollution from shipping, the powers apply to both territorial waters and the UK Exclusive Economic Zone. For pollution incidents from offshore installations and associated infrastructure, the powers can be applied inside the UK Continental Shelf.

The SOSREP is also the national Competent Authority for places of refuge and wreck removal in the UK and empowered to make crucial and often time-critical decisions, without delay and without recourse to higher authority and where such decisions are in the overriding UK public interest.

The SOSREP has the ultimate and decisive voice for maritime salvage, offshore containment and intervention but does not include any responsibility for either at-sea or shoreline clean-up activities.

Where time permits, this will be conducted in consultation with key stakeholders.

6.6 Role of the Devolved Administrations

Action to prepare and respond to marine pollution remains a reserved function of the UK Government.



Nevertheless, the Scottish Government, the Northern Ireland Executive, and the Welsh Government (the “Devolved Administrations”) need to be closely involved when their areas are, or may be, affected and it is essential to recognise the importance of working closely with the Devolved Administrations throughout a marine pollution incident in their waters.

Devolved Administrations have responsibilities for the marine environment and fisheries and other activities in waters adjacent to their coasts and are concerned with the effects on their coastal areas.

In areas of reserved responsibility, the Lead Government Department co-ordinates the response, working closely with the relevant Devolved Administration

6.6.1 Scotland

The Scottish Government is responsible for a wide range of devolved issues including environment, health, education, justice, agriculture and rural affairs, the water industry and transport.

Marine Directorate is a Directorate of Scottish Government and is responsible for marine planning, marine nature conservation, fisheries and aquaculture policy and the sustainable use of the marine environment.

The Marine Directorate operates emergency response procedures (and has emergency contacts) to provide environmental and public health advice in the event of marine pollution incidents.

Scottish Government’s resilience guidance is available on [Ready Scot](#).

6.6.2 Wales

The Welsh Government’s Climate Change and Rural Affairs Group have the lead policy responsibility for the protection of the natural environment throughout the Welsh Zone, including marine pollution.

In addition, the Welsh Government’s Marine and Fisheries Division is responsible out to the median line for policy on fish and the protection of fisheries, including liaison with the fishing industry”

The Welsh Government sponsors Natural Resources Wales. Details of the Welsh Government’s Emergency Preparedness obligations can be found [here](#).

6.6.3 Northern Ireland

The Department of Agriculture, Environment and Rural Affairs (DAERA) is responsible in Northern Ireland for the development of policy concerning the environment and natural heritage, including the marine environment and the living resources that it supports.

The Department’s work on marine issues is undertaken by its Marine and Fisheries Division which aims to deliver integrated policy, planning and operations which ensure the protection of the marine environment fisheries and aquaculture to ensure the sustainable use of our seas.



Northern Ireland Environment Agency (NIEA) is an executive agency within the Department of Agriculture, Environment and Rural Affairs and will be the lead agency responsible for implementing environmental legislation and policy in Northern Ireland.

NIEA has accepted the non-statutory responsibility for shoreline 'clean up' where no other party has responsibility.

Details of Northern Ireland's Emergency Preparedness obligations can be found on www.gov.uk and <https://www.executiveoffice-ni.gov.uk/publications/northern-ireland-civil-contingencies-framework>

6.7 Cross Border Working

Given the nature of the marine environment, it is possible that a maritime incident could involve UK Government, the Standing Environment Groups and any, or even all three Devolved Administrations, for example an oil spill in the Irish Sea. It would also be possible for an incident in the Irish Sea to impact the waters and/or shoreline of the Ireland and / or the Isle of Man

It is for each Devolved Administration to review and assess the threat to their internal waters and shoreline, to formulate the best method of response and to communicate with other administrations.

7 Ports and Harbours

For ship casualty incidents occurring inside the jurisdiction of a harbour authority, the harbour master directs the initial incident response in accordance with the port's emergency response plans and OSCP's.

All harbour masters have powers to direct the time and manner of a ship's entry into, departure from, or movement within a harbour; these powers include vessels in need of assistance. This gives a harbour master the power to regulate day to day movements within the harbour.

Some harbour authorities have powers to issue general directions, but unlike the harbour master's powers, these powers are not ship and movement specific, nor do they enable the harbour authority to prohibit or insist upon a ship's entry or departure.

King's Harbour Masters (KHM) who, under the Dockyard Ports Regulation Act 1865 (as amended) do have the power to issue special directions i.e. closing the port to traffic and to direct individual vessels if required.

However, powers do exist in the Dangerous Vessels Act 1985¹⁰ that permits a harbour master to prohibit entry or require departure from a harbour if it is considered that the condition of the ship, or the nature of anything it contains, is such that its presence in the harbour might pose a grave and imminent danger to the safety of persons, the environment and/or property or there is risk that the ship may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other ships.

¹⁰ Does not apply in Northern Ireland.



The harbour master must have regard to all the circumstances and to the safety of any person or ship, but it must be noted that the exercising of this power may be overridden by the SOSREP.

8 Oil and Gas Operators

Operators must report in accordance with OPRED's Petroleum Operation Notice 1 (PON1) Guidance to the nearest MRCC / JRCC and OPRED, any unpermitted release of hydrocarbons or chemicals, regardless of volume.

As part of the reporting requirements the operator is required to submit, within six hours of the incident being identified, an electronic PON 1, to OPRED, which is also sent to Aberdeen MRCC, and a list of other pre-agreed recipients depending on the location of the incident e.g. The Marine Directorate for an incident in Scottish waters. For spills of greater than 1 tonne, and certain other spills, the report must be phoned in to the nearest MRCC and OPRED within 1 hour. Where pollution has occurred from the loss of inert material to sea from an offshore installation and which may pose a threat to navigation or the safety of users of the sea, then operators must report the incident as a PON2 in accordance with OPRED's Incident Reporting Service guidance [here](#).

9 Overall Incident Management

A major maritime emergency has the potential to pose significant challenges for responder organisations.

The UK operates a parallel command structure when responding to maritime emergencies, which means strategic decisions are taken by different regulators and government departments and not by a single entity.

Whilst it is recognised each port/harbour, government agency and commercial organisation have adopted their own incident management systems, under the OPRC regulations all maritime incident management systems must be adaptable and meet the requirements of the UK Government departments during incidents.

The four principal aims of managing the response to any maritime incident are:

- to protect public health;
- to prevent pollution occurring;
- to minimise the extent of any pollution; and
- to mitigate the effects of any pollution.

To help achieve these aims, it is necessary to establish a response structure which is scalable and adaptable to changing situations including hybrid working i.e., both in person and / or remote meetings. This will not only allow for a quicker response to be initiated, but also future proof and build resilience for any delays or inability to respond in person either due to travel delays, pandemic, or other reasons.



As aforementioned, the UK operates a parallel response structure during maritime incident working. It is important to recognise that each response cell must co-operate with other response cells i.e. the operator will be required to liaise with each of the government cells.

9.1 Heads of Cells

Briefings should be established between the Chairs (or Heads) of all response cells (SCU/OCU, MRC, EG and SCG / TCG) as often as is felt required.

These briefings can be face-to-face meetings, but due to the short durations of the briefing and response cell locations, are more likely to be conducted by MS Teams and / or other telephone/video conference calls.

The briefing is an opportunity for Heads of Cells, or a nominated Deputy, to advise colleagues within other response cells of the actions which have been taken, what tasks are currently ongoing and their future intentions.

The briefing enables the Heads of Cells to calculate any impact on their own operations by other cells and discuss or adjust their plans, as necessary.

Figure 2 Typical information flow between stakeholders during an incident affecting a port / harbour.

Ports & Harbours

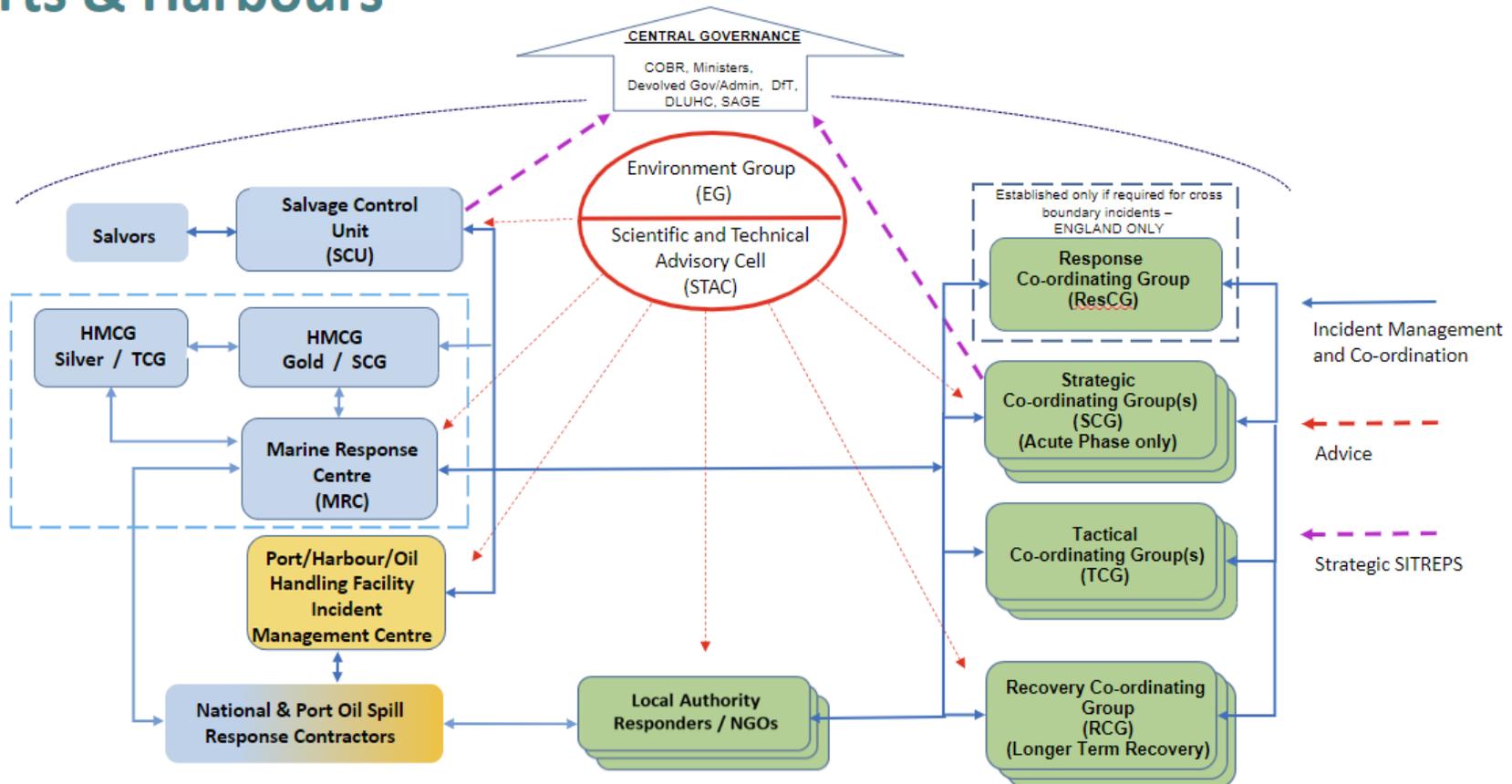




Figure 3 Typical information flow between stakeholders during an incident affecting an offshore installation.

Offshore

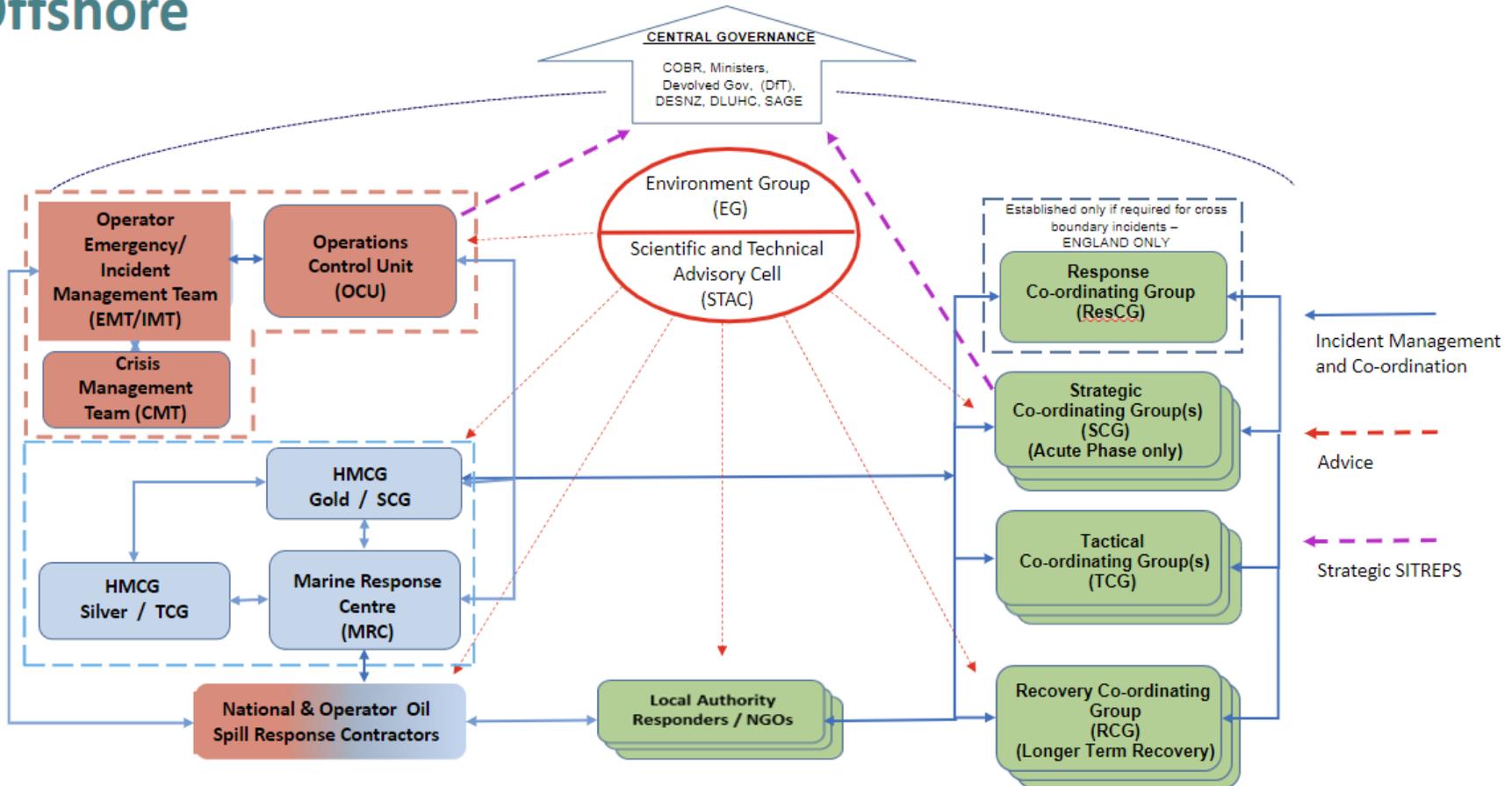
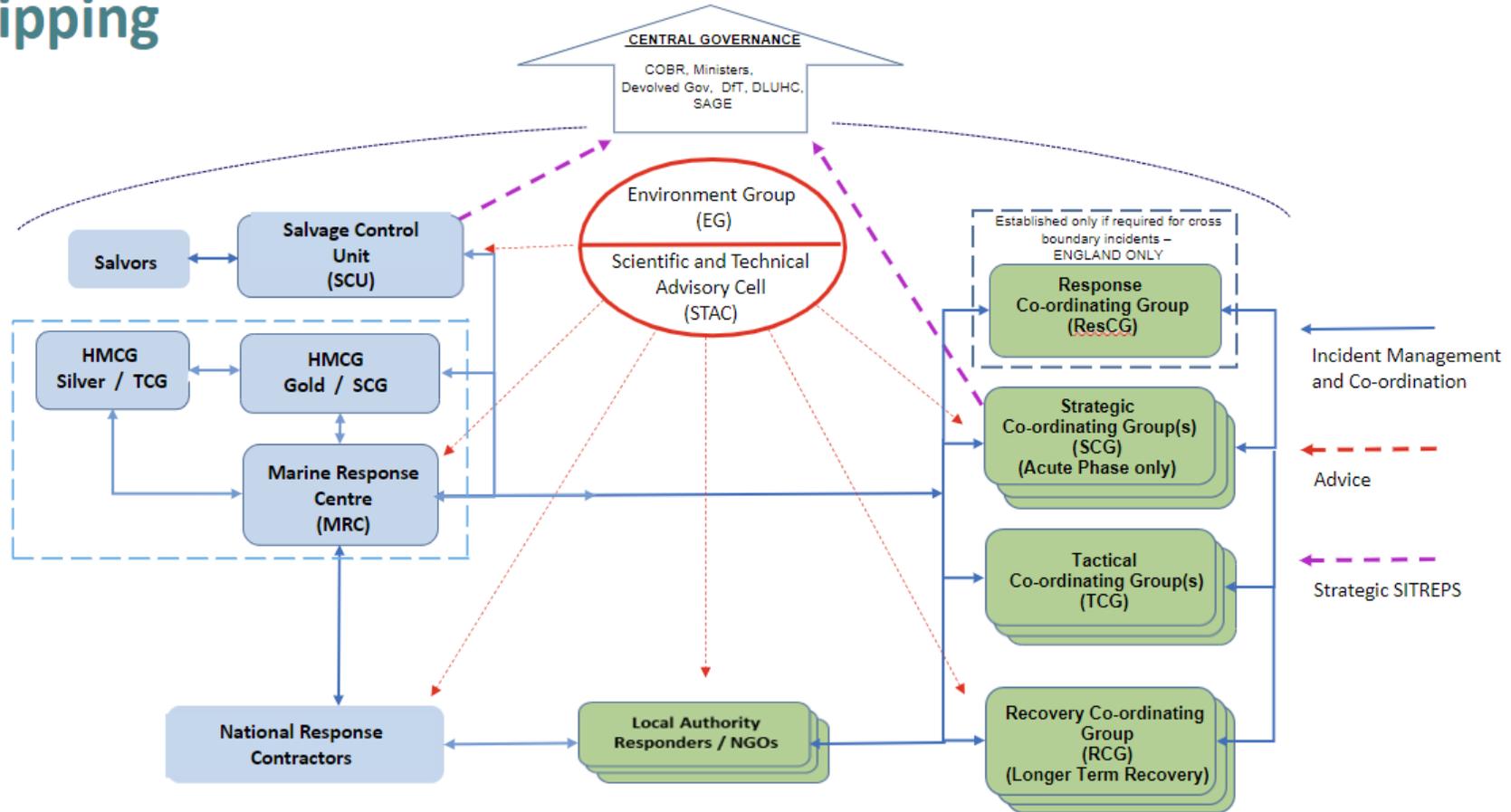




Figure 4 Typical information flow between stakeholders during an incident involving a ship.

Shipping





9.2 Responsibility for Pollution Response

The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (as amended) uses the terms 'operator' or 'responsible person' in relation to the person managing an oil handling facility or production installation and its connected infrastructure, an at sea well operator or the person entitled to control the operation of a non-production installation and its connected infrastructure. For the purposes of this document the term 'operator' will be used to mean all these persons.

Ship owners, operators and harbour masters/operators of ports/harbours bear the primary responsibility for operating in a manner that avoids marine pollution.

They are also responsible for ensuring that they have the means at their disposal to respond to pollution incidents when they occur.

To achieve this, accredited marine pollution response contractors and salvors are engaged under either permanent arrangement and/or 'on-demand' when required, to undertake the physical clean-up and associated support activities. In addition, the MCA, as the National Competent Authority, has contractual arrangements with specialist pollution response contractors to support a response i.e., aerial surveillance and dispersant spraying aircraft.

It is envisaged that many incidents will be handled entirely adequately by implementing local contingency plans and through the combined efforts of harbour masters and crew, salvors, ship owners, commercial towage companies and UK regulators.

Where ship owners/operators, operators of oil and gas installations and port/harbour authorities face pollution incidents that exceed the response capabilities that they can reasonably maintain, additional capability may need to be brought to bear.

Similarly, local, or regional coastal authorities and accredited pollution response contractors may become overwhelmed and require equipment or expertise beyond their capabilities.

In all such events, additional response capability may be obtainable directly from other accredited pollution response contractors or the use of national assets may be requested via the MCA. Figure 5 summarises the UK's expected response responsibilities.



Figure 5

Location of pollution	Responsibility for ensuring clean up
On the water, jetties, wharves, structures, beach or shoreline owned by the harbour authority within the port/harbour area	Harbour authority
Shoreline (including land exposed by falling tide)	Local authority / NIEA
Jetties, wharves, structures, beach or shoreline which is privately owned	Owner of the property / land
All other areas at sea (inside the EEZ)	MCA

Tier levels are used to categorise the level of response required for marine pollution incidents. The tiered approach (as Figure 6 illustrates) to pollution contingency planning, identifies resources for responding to pollution of increasing magnitude and complexity, and often, by extending the geographical area over which the response is co-ordinated.

Figure 6



9.3 Liaison Officers

Incidents which involve multiple authorities, governmental or otherwise, or have several agencies involved, require the positioning of reciprocal liaison officers between response cells.

When considering candidates for the liaison officer role, response cells should identify personnel of sufficient experience so that they can act on behalf of their parent organisation and make autonomous or semi-autonomous decisions in matters of operational response.



The major responsibilities of the response cell Liaison Officers are:

- to be the main conduit of incident management and technical information from the Liaison Officer's parent (donating) cell to the response cell in which they are drafted to;
- participate in briefings and planning meetings as required, providing clear guidance on the capabilities and constraints of parent organisations where appropriate;
- assist in establishing and co-ordinating inter-agency contacts or inter-organisational contacts;
- keep their parent organisation aware of incident status;
- monitor incident operations to identify current or potential inter-agency or inter-organisational problems;
- brief the response cell on Liaison Officer's parent organisation issues and concerns;
- support response resource needs for incident operations;
- ensure that all required forms, reports, and documents are completed prior to demobilization; and
- maintain a personal log of all activities and one for the cell in which they are operating;

Response cells may need to find several liaison officers depending on the number of other response cells activated.

9.4 Theatres of a Response

There are potentially four theatres of a response when dealing with maritime incidents. These may be set up independently or they may set up in parallel.

Government agencies / Devolved Administrations, responsible for one (or more) theatres of a response, are responsible for establishing their own incident management teams to manage the incident, with the potential to establish national cells if required:

- HM Coastguard is responsible for managing search and rescue;
- the MCA are responsible for overseeing the at sea response;
- the UK SOSREP is responsible for overseeing the source / containment / salvage response; and
- the local authority / NIEA or private landowner is responsible for responding to / overseeing the shoreline response;



At the request of the MCA or the SOSREP, an EG may be established to provide independent and impartial advice on the environmental impact and risk to public health.

Each organisation responsible for chairing a response team or national response cell must ensure they have sufficient tactical response plans detailing the roles and responsibilities of their teams/cell and their associated membership.

9.5 Salvage and Containment

During salvage and containment incidents the duty officers from OPRED / MCA will notify the SOSREP in accordance with the relevant instructions and protocol. The SOSREP will then consider whether the salvor or containment contractor has the capability to carry out the necessary actions, in terms of experience, personnel, and equipment. The SOSREP may subsequently liaise directly with whomever they need to, including the owners, operators and insurers, to gather further details and assess the situation.

If the threat of the incident merits the establishment of a Salvage Control Unit or an Operation Control Unit, the SOSREP may establish this virtually in the first instance i.e., over Microsoft Teams or via conference call.

Should the incident warrant further monitoring and / or intervention, the SOSREP may convene a Salvage Control Unit or an Operation Control Unit at the most appropriate location.

Where a salvor or source control company has not yet been appointed an Intervention Warning may be given to a casualty vessel's master, or its owners, or the Operator in terms of oil and gas, stating that the powers of intervention may be exercised unless an appointment is made without undue delay.

As part of any salvage / source control operation, the SOSREP is expected to consult, as far as practicable, with OPRED and / or the MCA, affected local authorities and Devolved Administrations, as well as environmental bodies.

The SOSREP is actively supported in this by the MCA (and OPRED for oil and gas incidents) who have ready access to the dedicated or specialist bodies able to deliver the information required. However, given the fast-developing nature of maritime emergencies, the SOSREP is not compelled to conduct extensive consultation or to accept the advice of those consulted.

If the SOSREP intervenes and takes control, all those involved must act on the Safety Directions issued. In other cases, the salvors operate by agreement with, or with the tacit¹¹ approval of the SOSREP, without the need to issue Safety Directions. The SOSREP will also consider what should happen if the current salvage plan fails or the incident escalates in severity.

¹¹ Section 3.13 of the Donaldson Report into the Sea Empress disaster stated, "In other words the "no action" option in fact tacitly involves positive approval of, and responsibility for, the existing plan of action".



It should be noted that in the event a vessel and an installation are involved in the same incident, the SOSREP will oversee the response to both the affected installation and vessel/wreck, with just one unit being mobilised (if required).

9.5.1 Access to the Casualty Vessel / Offshore Installation

The SOSREP strictly monitors and, if necessary, controls access to the casualty, establishing any necessary protocols, through the appointed salvage master. The SOSREP may allow others with clearly defined and beneficial roles access to the casualty. For example, the SOSREP may grant a single special representative of hull and/or cargo owners and insurers, access to the casualty.

Similarly, as soon as it is judged that the situation is safe, the SOSREP grants access to one or more Inspectors of Marine Accident Investigation Branch (MAIB) or a flag State representative.

The MAIB has a statutory duty to investigate accidents falling within its jurisdiction and prompt access to witnesses and to other evidence on board greatly facilitates the work of these technical investigators.

9.5.2 Places of Refuge

A place of refuge¹² means a place where a ship in need of assistance can take action to enable it to stabilise its condition and reduce the hazards to navigation, and to protect human life and minimise impacts on the environment.

Except in the most severe incident, a ship is likely to retain some of its cargo, bunkers and other potential pollutants. It may be desirable to carry out a cargo and bunker transfer operation from the stricken ship to prevent or minimise further loss. It may help to move the ship to a more sheltered area, such as a port, anchorage, or oil terminal.

Whilst it is safer to carry out cargo and bunker transfer operations in sheltered areas, the decision to use an area may move the risk of pollution to an area that the incident might otherwise not have affected.

The SOSREP is the designated UK Competent Authority to grant or deny places of refuge and the SOSREP will have to consider that time may be short, and that the damaged ship may not be in a condition to travel any significant distance.

The process of identifying an appropriate place of refuge is driven by the circumstances of the incident, including such event-specific data as the weather, the tide, the location of the incident and the type of threat posed by the vessel and its cargo.

¹² [IMO Resolution A.949\(23\) Guidelines on Places of Refuge for Ships in Need of Assistance](#) provides further information and guidance. While no longer a member of the EU the UK will follow the principles set down in the [EU Operational Guidelines](#), as the UK was instrumental in the development of that document.



The MCA, in consultation with any EGs, will identify and carefully consider potential places of refuge, as far as is practicable. A risk assessment will be conducted on those potential locations prior to submission to the SOSREP who will make the final decision to grant or deny a place of refuge.

9.5.3 Harbour Master and the SOSREP Co-operation

Many incidents originating within a harbour area are handled entirely adequately by implementing the local port or harbour contingency plans and through using the combined efforts of the harbour master, salvors, ship owners and crew, and the MCA.

When notified of an incident within a harbour area, the SOSREP monitors the response actions being taken and assesses the appropriateness of future proposals.

The statutory powers of the Secretary of State enable the SOSREP to take over command of all operations. For example, where there is an urgent need to provide a place of refuge for a vessel, to reduce the risk of pollution and / or in the interests of safety. In such a case, and if the harbour master does not wish the vessel to remain in the harbour area, then the SOSREP may override the authority of the harbour master¹³.

The SOSREP can also exercise the powers of intervention when dealing with a person in charge of coastal land or premises, privately owned or otherwise.

Where possible the SOSREP will endeavour to issue a Safety Direction in writing, however if this is not immediately possible, a verbal Direction will be given, and written confirmation will be provided once circumstances permit.

The SOSREP will work with the harbour authority to resolve incidents and use the intervention powers in support of the harbour authority's management of the incident.

It is recognised that the process of bringing a vessel into a port or harbour, particularly one that is damaged or has difficulty in manoeuvring, is a complex and demanding process and achieving it safely requires the proper co-ordination of port resources. In many situations, the best outcome will be achieved by requiring the vessel master to fully co-operate with the port entry requirements including facilitating inspections where necessary.

The control exercised by the SOSREP may not need to be ultimate, it can be limited to requests made to the harbour master or harbour authority requiring certain general courses of action to be adopted or avoided. This control need not take the active form of issuing Safety Directions.

It can be in the form of monitoring the proposals for, and progress of operations to ensure that the wider public interest is being safeguarded.

¹³ With the exception of King's Harbour Masters who, under para 1(2)(g) of Schedule 3A to the Merchant Shipping Act (as amended) are not harbour authorities for the purpose of the Merchant Shipping Act (as amended). SOSREP powers could be used to direct the owner/master etc. of a ship within a KHM area of jurisdiction but they could not be used to direct the KHM him/herself.



It is recognised that there is complex legislation applying to harbour authorities and harbour masters, including strict liability offences which may be contravened as a result of undertaking salvage operations in certain circumstances.

Whilst a legal indemnity is unlikely to be available, SOSREP will consider the risks of prosecution and exercise the powers appropriately in order to minimise this risk.

9.5.4 Potential Pollution Offences and Defences (Ports and Harbours and Salvors)

Provisions in the Environmental Permitting (England and Wales) Regulations 2016 (EPR 2016), enable action to be taken against a person for causing or knowingly permitting entry or discharge of polluting matter to coastal waters and territorial waters (out to 3 nautical miles). In Scotland, the provisions in regulations 39 and 40 of the Marine (Scotland) Act 2010 apply. In Northern Ireland the provisions of the Water (NI) Order 1999 apply.

However, a particular concern exists that a salvor, port and harbour, might be liable to prosecution under the EPR 2016 whilst complying with a SOSREP Direction.

Alternatively, they could be prosecuted under the Merchant Shipping Act 1995 (as amended) if they did not comply with the SOSREP Direction. In this scenario, it may be that the EPR 2016 inhibits the adoption of what would otherwise be the prudent course of action.

Offences and defences in the EPR 2016 exist to ensure that in the event of deliberate conduct or reckless behaviour, salvors and others involved with dealing with a stricken vessel can be held accountable.

In particular, it should be noted that it is a defence for a person charged with an offence under regulation 38 of the EPR 2016 to prove that the acts alleged to constitute the contravention were done in an emergency (in accordance with regulation 40 of the EPR 2016) in order to avoid danger to human health in a case where:

- the person took all such steps as were reasonably practicable in the circumstances for minimising pollution; and,
- particulars of the act were furnished to the regulator as soon as practicable after they were done.

To minimise any threat of prosecution it is suggested that through the adoption of clear protocols and/or measures, the regulators and other key stakeholders can work in partnership to minimise the risk and deal with any discharges that are necessary.

Consequently, and as a minimum, the following measures should be implemented as soon as reasonably practicable following notification of an incident:

- clear visibility of Master, salvor, harbour master or harbour authority's future plans and intentions.
- where applicable, early consultation with the SOSREP.



For a prosecution to be brought, the environmental regulators (or the Procurator Fiscal in Scotland), must be satisfied that it is in the public interest to do so. The final decision on prosecution will be made by the MCA or its Devolved Administrations' equivalents considering both evidential and public interest elements.

There are few, if any, circumstances where it is likely to be in the public interest for a harbour authority to be prosecuted when complying with a SOSREP Direction, and if the EG is consulted in any decision leading to a ship being directed into a particular harbour, that risk should be reduced further.

9.6 At sea response and recovery

The aim of any clean-up operation is to minimise and balance the damage (environmental, amenity or financial) that the pollution would cause and as the National Competent Authority for at sea response and recovery, the MCA will monitor an at sea response; supporting a response as required.

In most incidents, the DCPSO is normally the first point of contact via either an MRCC or the JRCC.

The DCPSO will assess whether the proposed at sea response actions by the Operator are suitable and reasonable and undertake external notifications as deemed necessary.

Where the DCPSO assesses that the current response may be inadequate, for any reason, a further assessment is made by the DCPSO as to whether an escalation in response is warranted.

For a shipping incident the DCPSO discusses the situation within the MCA to determine whether an escalated response is required.

If the situation relates to an offshore oil and gas incident, the DCPSO discusses the situation with the Duty OPRED Inspector and/or, in extremis, the Operator.

A Marine Response Centre (MRC) is established at the discretion of the MCA's Head of Counter Pollution and Salvage or delegated person and mobilised to the most appropriate location.

The MRC monitors the proposed clean-up activities and if necessary, supports the response to contain, disperse, and remove potential pollutants by mobilising and deploying national assets.

9.6.1 National Assets, Resources and Response Options

National pollution response equipment is stocked by the MCA and maintained/deployed by its accredited response contractor. When used in incident response it is managed by the MRC.

Requests for use of national assets are considered when resources become overwhelmed and should be passed to the DCPSO in the first instance or the MRC if activated.



It is important to note that support from the MCA can be requested at any level of response and supply support advice as necessary.

Assistance may be requested by the operator for offshore installations, spill response contractors, operators of oil handling facilities, and the harbour masters/operators of ports/harbours, where planned and currently deployed response capability is overwhelmed or may be in the future.

Depending on the circumstances and duration of the incident, operational control of national assets may be retained by MCA Counter Pollution and Salvage (usually through the MRC if mobilised), who co-ordinates parallel activity with other response capability.

The cost of using national assets is not charged to the government agencies, but rather it is recovered via the incident claims process.

For oil and gas incidents costs would be recovered from the licensees who bear the financial liability for pollution response, clean up and compensation from their offshore petroleum operations

Where national assets are requested by commercial pollution response contractors, then a scale of charges will be agreed and levied for the service provided.

Through participation in mutual support agreements with neighbouring coastal States, the MCA has the option to request the services of additional international pollution response capability. If, following the request, international resource is deployed on the UK's behalf, it will come under the operational control of the MRC as part of the national response.

[Click Here](#) for the catalogue of UK counter pollution equipment.

9.7 Shoreline Response

The introduction of the Civil Contingencies Act 2004 enabled the formation of a wide area, multi-agency, policy, and planning body named the Local Resilience Forum in England and Wales.

[Response and Recovery to a Maritime Pollution Incident Impacting the UK Shoreline](#) provides guidance to local authorities and partner organisations that have a role in the response to and recovery from a shoreline marine pollution incident.

The Devolved Administrations (covered later in this section) will deploy their own liaison officers for incidents in their jurisdictions. and with central government.

For more information on the UK civil contingency arrangements [Click Here](#)

9.7.1 Strategic Co-ordinating Group (SCG)

During the acute phase of an incident where there are likely to be significant onshore consequential impacts on health, the economy or environment or where significant public and media interest has been generated, a Strategic Co-ordinating Group (SCG) may be activated.



It is normally chaired by a senior police officer during the response phase, although on occasions, particularly where there is no immediate threat to life, a senior local authority official or other appropriately trained and experienced individuals may assume the role.

The purpose of a SCG is to take overall responsibility for the multi-agency co-ordination of the emergency shoreline response and establish the policy and strategic framework within which lower levels of co-ordination will operate.

It co-ordinates (by consent) the overall on-shore response strategy, dovetailing when appropriate with the at-sea response.

The SCG does not have the collective authority to issue executive orders to individual responder agencies. Each organisation retains its own responsibilities and command authority, operating in the normal way.

Where a SCG has been established, a Government Liaison Officer is normally deployed immediately from Resilience and Recovery Directorate (part of the Department for Levelling Up, Housing and Communities) in England.

9.7.2 Tactical Co-ordinating Group (TCG)

When established, a Tactical Co-ordinating Group (TCG) develops and co-ordinates the onshore operational response plan.

The TCG usually comprise the most senior officers of each agency within the area of operations and assumes tactical co-ordination of the event or situation.

9.7.3 Response Co-ordinating Group (ResCG) – England Only

Where an incident affects more than one Local Resilience Forum area a Response Co-ordinating Group (ResCG) may be established by the Department for Levelling Up, Housing and Communities to co-ordinate multi SCG interaction including shared situational awareness.

The ResCG will normally be chaired by the Department for Levelling Up, Housing and Communities Resilience and Emergencies Division, with Lead Government Department input as required.

ResCGs observe the principle of subsidiarity – in which it is recognised that decisions should be taken at the lowest appropriate level.

The ResCG will not interfere in local command and control arrangements but provides a mechanism for ensuring that local responders can be as fully informed as possible in the decisions they have to take.

9.7.4 Recovery Co-ordinating Group

After the acute phase of an incident, recovery may be co-ordinated by a RCG chaired by a representative of the affected LRF / Local Authority.



9.7.5 Contracted Shoreline Clean-Up

Shoreline clean-up operations may be contracted directly by the body responsible for the pollution, and if this is the case, a SCG, TCG or RCG may be activated to oversee its activities and ensure it is in accordance with local requirements and environmental considerations.

Where a polluter is unknown it is likely that the local authority / NIEA will lead the clean-up operation and may incur costs associated with this.

9.7.6 Scotland

In Scotland there are 12 Local Resilience Partnerships and three Regional Resilience Partnerships with oversight of the Local Resilience Partnerships. In Northern Ireland, there are three regional Emergency Planning Groups.

On shore, and in addition to the groups listed above, the relevant Local Resilience Partnership co-ordinates the multi-agency response to a marine emergency. The role of the partnership, as well as regional and national support arrangements will follow best practice as set out [here](#).

9.7.7 Northern Ireland

An emergency can range from a purely local incident to one having an impact across Northern Ireland and beyond. These events require different co-ordination arrangements.

While most emergencies are local level and dealt with entirely by responders acting on a local basis some emergencies due to the nature and scale of their impacts require strategic co-ordination by central government.

Local level emergencies are those where the outcomes are such that the response can be delivered entirely by organisations operating locally. This might be the case if a limited stretch of coastline was impacted by pollution.

Strategic level emergencies are those where the extent or severity of their impact is such that strategic level intervention and co-ordination by central government is required.

This might be the case if there was major incident impacting on Belfast Lough which could result in the closure of a power station and shut down the Port of Belfast.

Where the impacts of the incident are such as to require strategic intervention by Central Government the Lead Government Department co-ordinates the response and recovery, in line with its Major Emergency Response Plan.

It is likely that DAERA will be the Lead Government Department for any maritime incident causing water pollution at sea that is likely to come ashore.

It should be noted that this strategic arrangement will be in addition to, and work in conjunction with, the tactical co-ordination arrangements outlined above.



For the most severe emergencies the Northern Ireland Central Crisis Management Arrangements, NICCMA may be invoked to direct and co-ordinate the strategic response and recovery for Northern Ireland.

It should be noted that the land-based consequences of a maritime incident may well affect more than one district county area. Where geography, or the extent of the incident, makes this likely, standing arrangements must address the issue of co-ordination.

Northern Ireland has a Civil Contingencies Framework (revised 2021). In emergency response these forums bring together strategic leadership from relevant organisations to form a senior co-ordinating group, which takes overall responsibility for the multi-agency management of an emergency and establishes the policy and strategic framework for response and recovery.

9.7.8 Scientific and Technical Advice Cell

During the response to an emergency, the SCG consider establishing a STAC to provide timely and co-ordinated advice on scientific and technical issues, when an incident poses a significant threat to health or the environment. This includes, for example, public health or environmental implications of an incident at-sea and shoreline and the release of toxic material.

Where the incident poses a significant threat to health or to the maritime environment, the SCG may request a Scientific and Technical Advice Cell (STAC) is established, which may in turn may be integrated with the EG.

The role of the STAC is to provide a common source of scientific and technical advice to the SCG, co-ordinate activity within the scientific and technical community, and share information and agree on courses of action.

In addition, it liaises between agencies represented in the STAC and their national advisors to ensure consistent advice is presented locally and nationally. Its role is like that of the EG in providing guidance and advice to the SCG and TCG.

In incidents where both the EG and the STAC are established, both liaise closely and may on occasions merge fully.

9.8 Environment Group

Standing EG's, comprise of statutory environmental regulators, fisheries departments, nature conservation bodies and public health bodies plus a range of specialist public sector and non-government organisations. HMCG co-ordinates the geographical coverage of individual groups, their contact details and call out arrangements.

The Environment Group (EG) provides advice on environmental and public health impacts of the incident and associated response operations both real and potential.

The EG's remit is advisory, and it has no powers of direction or enforcement. Regulatory functions of individual members of the group are exercised outside the group structure and function.



At the outset of a maritime incident, the MCA or the SOSREP may formally request the activation of an EG, via the MCA, to provide advice.

The EG framework enables a co-ordinated and timely environmental and public health input to any other more localised or specialised incidents and may be activated as a proactive measure, if the incident has potential to escalate.

In many incidents the activated EG remains a “virtual” group responding with advice when requested.

[Maritime Pollution Response in the UK: The Environment Group](#) provides more guidance on the roles and responsibilities of the EG.

9.9 Other Organisations

Any other organisation, for example a local authority or environmental organisation, receiving a report of marine pollution of any type or quantity, or a threat of marine pollution, whether from a ship, offshore oil and gas installation or unknown source, should immediately alert the nearest MRCC¹⁴/JRCC and/or OPRED.

Organisations sending information to the MRCC/JRCC and OPRED should make every practicable effort to provide as much information as possible.

9.10 Waste Management

The management of waste is regulated by the UK’s environmental regulators: the Environment Agency for England, Natural Resources Wales, the Scottish Environment Protection Agency, and the Northern Ireland Environment Agency.

During any major incident inter-agency co-operation should ensure that accelerated procedures are put in place to ensure that waste is managed appropriately.

Waste could be oily waste or other hazardous and noxious substances or large quantities of less hazardous substances resulting from marine incidents. Retained European Union law clarified that spilled oil, even though it is 'discarded involuntarily' is to be regarded as a waste and that the owner of the oil is the 'original owner' of the oil. It is the owner of the oil' responsibility to ensure any waste products (pollution) are managed appropriately.

It is possible that the cargo itself may be waste material. In these circumstances close liaison with the environmental waste regulator(s) is required to confirm if the cargo should be returned to its place of origin or its intended destination.

A Waste Management Team may be established in a shoreline response. Additional information on this team is available in [STOp Notice 3/16](#)

The management of waste arising from clean-up operations in the UK must comply with waste legislation, including the retained [EU Waste Framework Directive \(2008/98/EC\)](#), [The Waste \(England and Wales\) Regulations 2011 \(legislation.gov.uk\)](#); the [The Hazardous Waste \(England and Wales\) Regulations 2005 \(legislation.gov.uk\)](#); [Duty of care: code of practice for managing controlled waste - gov.scot](#)

¹⁴ [HM Coastguard rescue coordination centre contact details - GOV.UK \(www.gov.uk\)](#)



www.gov.scot) and [Waste Management The Duty of Care - A Code of Practice | Department of Agriculture, Environment and Rural Affairs \(daera-ni.gov.uk\)](http://www.daera-ni.gov.uk)

Those involved in the decision-making process for managing waste arising from a marine incident must consult with and liaise with the relevant environmental regulators. Whilst the removal of waste following a shipping incident is normally covered by insurance, responsible persons should develop a Waste Management Plan as part of their response strategy, complementing the clean-up strategy and using suitable waste management contractors.

The Waste Management Plan should ensure that:

- waste generation is minimised, and waste is segregated;
- there is a plan for temporary and intermediate storage of waste from shoreline and from sea;
- appropriate technical advice is available on location and format of storage and treatment areas and options for treating and managing the waste including by removal to existing waste management facilities;
- waste is comprehensively assessed and classified and consigned or transported in accordance with the Hazardous Waste Regulations and the Duty of Care, transport being by registered waste carriers; and
- decisions on final treatment/recovery/disposal are made in accordance with technical advice and the waste hierarchy and other waste regulation, as advised by the environmental regulator.

Article 13 of the retained EU Waste Framework Directive, requires that waste management is carried out without endangering human health and without harming the environment. When dealing with an incident where there is a likelihood of serious environmental damage the regulators may agree and continue to review, a regulatory position statement so that the situation can first be controlled.

This does not preclude subsequent enforcement action being taken in accordance with the regulators' enforcement and sanctions guidance. Measures required to protect human health should be considered with the relevant health bodies and local authorities.

9.11 Wildlife Response

It is imperative that actions taken in pursuit of wildlife welfare be compatible with wider environmental safeguard requirements.

In the event wildlife is affected by a pollution incident, there is a mechanism to take contaminated animals into captivity for cleaning and rehabilitation.

The lead agencies for wildlife welfare action and management are The Royal Society for the Prevention of Cruelty to Animals (England and Wales), The Scottish Society for the Prevention of Cruelty to Animals (Scotland) and The Ulster Society for the Prevention of Cruelty to Animals (Northern Ireland), augmented as appropriate by special local arrangements.



These organisations have well developed and high standards for capture, cleaning, and rehabilitation of oiled wildlife.

It is important that the EG direct the welfare efforts of third parties toward the recognised welfare bodies to ensure the maximum benefit for wild animal welfare and wildlife conservation.

The Royal Society for the Protection of Birds will be involved in the co-ordination of response with regards to the collection of data and dead wild animals.

Sea Alarm brings together non-government organisations, government agencies and industry to enhance oiled wildlife response acting as an independent and impartial facilitator.

9.12 Unattributed Marine Pollution

In relation to an incident involving pollution in the marine environment from an unknown source, the MCA take the lead in providing United Kingdom government ministers and other pre-agreed recipients with SITREPs. These SITREPs are compiled from information gathered from all the response organisations involved.

When involved, the SOSREP acts as chair for these multi-cell briefings and determines the frequency and timings of these briefings daily. For incidents not involving the SOSREP, the chair is determined by the nature of the incident.

In circumstances where national response cells are not established, the format of the Heads of Cells meeting may still be adopted to assist in the response, by any Head of Cell to achieve the same.

If a Heads of Cells meeting is called, the lead for that meeting will issue a brief Situation Report (SITREP) to other government agencies, in addition to external organisations as required.

9.13 SITREPs

It is essential that each response cell/organisation has in place processes and procedures to ensure timely and accurate situation reporting both into their internal organisation and external audience.

For most incidents, the MRCC / JRCC will issue SITREPs, these may include but are not limited to pollution reports, defect reports, search and rescue SITREPs, etc; these SITREPs are promulgated to agreed distribution lists and will be issued throughout any incident, keeping stakeholders up to date with the incident situation.

Should the DCPSO be advised of an incident, they may issue internal and/or external SITREPs. For oil and gas incidents OPRED may issue internal notifications. For more significant incidents where DESNZ ERCO become involved, ERCO may issue internal and/or external SITREPs.

If the SOSREP is involved in the incident, irrespective of whether a Salvage Control Unit or an Operation Control Unit is mobilised, they may issue SITREPs, which will be issued to all interested parties in the incident. This will include, but is not limited to,



Ministers, government departments, non-government organisations, the Operator and those affected by the incident.

Ship owners and operators, salvor and oil and gas operator(s) are also encouraged to issue regular SITREPs, keeping external stakeholders apprised of the situation.

In the event a heads of cells meeting is called, a SITREP may be produced by the Chair of this meeting.

9.14 Ministerial Briefings

It is imperative that timely briefings, by the respective government departments to their respective ministers and teams are issued, containing information highlighting issues of potential media and public interest.

Incidents may involve several government departments but for maritime related incidents DfT or DESNZ are most likely to be the lead department.

The lead government department is responsible for briefing ministers and providing policy advice and consulting across other government departments and Devolved Administrations.

For incidents involving ships / at sea response operations, the MCA's Duty Operations Director is responsible for briefing DfT.

The lead government department is responsible for briefing ministers and providing policy advice and consulting across other government departments and devolved administrations.

For incidents involving offshore oil and gas activities, OPRED is responsible for briefing DESNZ until such time as DESNZ ERCO take on that responsibility.

10 Media

Good public communication is vital to the successful handling of any incident and should be incorporated in all contingency planning.

When an incident occurs, the key communications objective is to deliver accurate, clear, timely and up-to date information and advice to the public.

To ensure that a consistent line is maintained, close co-operation is vital between all press representatives of interested parties. Such parties may include Lead Government Department; the operator (in the case of an offshore oil and gas incident), ship owner/salvor (for a shipping incident) and Devolved Administrations (depending on the location of the incident).

A major maritime incident is of immediate interest to the traditional and social media. An accurate, timely and consistent flow of information to the public and other key stakeholders is essential to maintain confidence in the responses to an emergency of any kind.

Failure to consider this could have serious implications for the management of the whole incident and the public's trust in the Government's ability to manage it.



The news media remain the primary means of communication with the public in these circumstances although websites and social media are increasingly used to provide commentary and a further source of more detailed information and advice.

Advances in technology mean that live interviews and reports can be sent directly from the scene of an incident via a mobile telephone as the event unfolds.

There are two cardinal rules:

- information and advice should NOT be released by one organisation if it covers the area of responsibility of another or if the information has not been agreed by the responsible organisation; and
- do NOT speculate about causes or future developments, or how significant an incident is i.e. large / small. Only information should be provided to avoid confusion.

10.1 MCA Crisis Media Team

From the outset of a significant incident where media interest is likely to be high, the MCA will establish a Crisis Media Team. One of the team's roles is to liaise on behalf of MCA and the SOSREP with the press and other Government press offices (for example, the DfT and DESNZ press offices).

It is essential that this team:

- identifies the agencies which are responsible for handling various aspects of the situation e.g., DfT, DESNZ (if an offshore oil and gas incident), ship owner and/or Operator, local authority, police, port authority and any other relevant organisations;
- establishes a Communications Working Group made up of press officers representing the ship owner and/or Operator, DfT/MCA, DESNZ (if an offshore oil and gas incident), devolved administration. This group will establish a working protocol and be the main conduit for information sharing between press officers and is likely to be met remotely by conference call;
- compiles a list of standard Questions and Answers and fast facts which grows as the incident develops. This list should be shared with all press offices of the organisations involved;
- advises senior staff at the MCA, DESNZ (if an offshore oil and gas incident) and the SOSREP on media issues, arranges press conferences, issues regular news bulletins, posts on social media and agrees how social media is monitored and posts answered;
- ensures that media activity does not interfere with the operational activity of the emergency services; and
- ensures that the media does not trouble human casualties.



At an early stage a mechanism needs to be established for clearing statements, responding to media enquiries and social media postings, the logistics of arranging the press conferences, individual briefings, and media monitoring.

11 Environmental Monitoring and Impact Assessment

A post incident monitoring team/cell may be established both during and / or after an incident to conduct and co-ordinate post spill environmental monitoring and impact assessment; these differ across the UK.

For more information on the respective post monitoring teams/cells that may be established please refer to <https://www.cefas.co.uk/premium> and [Maritime Pollution Response in the UK: The Environment Group](#)

12 Fishing Restrictions

Under Part I of the Food and Environment Protection Act 1985, Departments or Agencies with food safety responsibilities can prohibit the taking of fish (including shellfish) and wild plants from a designated area.

They may do this when the consumption of contaminated food from that area could present a health risk to consumers and they may therefore restrict fishing (including for shellfish), on a precautionary basis, if resources are, or are likely to become, contaminated.

Food and Environment Protection Act orders can last until such time as it can be shown that there are no food safety issues.

Once it is felt that restrictions can be lifted this is achieved through a revocation order.

The revocation order might lift all restrictions or lift only some restrictions depending upon the circumstances.

13 Liability, compensation and, cost recovery

Dealing with marine pollution incidents can be protracted and expensive, with initial costs falling on those undertaking them.

Under current legislation, those incurring expenses as part of the response operation may later seek to recover them from those responsible i.e., vessel owner, oil and gas licensee.

For outline guidance on a liability and compensation regimes, procedures that may be followed when claiming compensation and the level and type of records that should be retained [click here](#).

It is essential that each response cell/organisation has in place sufficient personnel and procedures to ensure accurate record keeping of all response activities by the parent cell. These records are needed to support claims for cost recovery and to show that the actions taken were proportionate and reasonable for the threat from pollution and the risks to safety.



From the outset someone should be assigned the responsibility for cost control for all organisations, but it is the responsibility of everyone involved to ensure they keep records of actions taken and decisions made including the rationale behind those decisions and/or actions.

The route by which compensation is available for a pollution incident inside the UK Territorial Waters, UK Exclusive Economic Zone and / or UK Continental Shelf, is dependent upon the source and the type of the pollutant involved.

The guidance notes [Bellwin scheme: guidance notes for claims - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/bellwin-scheme-guidance-notes-for-claims) set out the terms under which the Department for Levelling Up, Housing and Communities is prepared to make emergency financial assistance available to local authorities above a qualifying threshold.

13.1 Joint Claims

For smaller incidents, the MCA is prepared to lead on cost recovery action across the public sector. The decision for the MCA to lead is taken on a case-by-case basis and subject to agreement by all parties at the time.



14 Abbreviations and Acronyms

COBR	Cabinet Office Briefing Room
DAERA	Department of Agriculture, Environment and Rural Affairs
DCPSO	Duty Counter Pollution and Salvage Officer, MCA
DESNZ	Department for Energy Security and Net Zero
DfT	Department for Transport
EG	Environment Group
EPR	Environmental Permitting (England and Wales) Regulations 2016 (EPR 2016)
ERCO	Emergency Response Capabilities and Operation team
HMCG	His Majesty's Coastguard
IMO	International Maritime Organisation
JRCC	Joint Rescue Co-ordination Centre
KHM	Kings Harbour Master
MAIB	Marine Accident Investigation Branch
MCA	Maritime and Coastguard Agency
MRC	Marine Response Centre
MRCC	Maritime Rescue Co-ordination Centre
NCP	National Contingency Plan for Maritime Pollution
NICCMA	Northern Ireland Central Crisis Management Arrangements
NIEA	Northern Ireland Environment Agency
OCU	Operations Control Unit
OPRED	Offshore Petroleum Regulator for Environment and Decommissioning
OPEP	Oil Pollution Emergency Plan



OSCP	Oil Spill Contingency Plan
ResCG	Response Co-ordinating Group
RCG	Recovery Co-ordinating Group
SCG	Strategic Co-ordinating Group
SCU	Salvage Control Unit
SITREP	Situation Report
SOSREP	Secretary of State's Representative for Maritime Salvage and Intervention
STAC	Scientific and Technical Advice Cell
STOp Notes	Scientific, Technical and Operational Guidance Notes
TCG	Tactical Co-ordinating Group
UK	United Kingdom