

## POLICY STATEMENT ON ENFORCEMENT

As the Statutory Harbour Authority for the port of Tees and Hartlepool, PD Teesport Limited ("PDT") is vested with powers to regulate, enforce its powers which are derived under the **Tees and Hartlepoons Port Authority Act 1966** (The Teesport Acts and Orders 1966 to 2008) and associated legislation.

PDT recognises under the Port Marine Safety Code it is responsible for the effective enforcement of regulations made and directions given to assist in managing marine operations and ensuring safety of navigation within the port.

PDT must ensure that all policies and procedures are properly and effectively enforced and that adequate resources are available for this purpose.

PDT recognises the objective of enforcement is to ensure that preventive or remedial steps are taken to protect the environment and the safety of all customers, users and people within the area.

PDT where necessary, and where empowered will prosecute offenders for committing criminal offences.

PDT shall:-

1. Maintain through regular reviews, a relevant and effective regulatory framework, consistent with national legislation, ancillary regulations and byelaws
2. Not ignore any knowingly criminal or negligent act by any person or company which damages or threatens the environment or which flouts the law.
3. Ensure the PDT regulations and associated guidance are widely published.
4. Ensure a consistent approach to enforcement is adopted throughout.
5. Ensure consistent treatment of offenders.
6. Develop and maintain effective investigation procedures, for use in the event of a navigational accident, which support enforcement procedures.
7. Identify, promulgate and make good use of any 'lessons learned' from the investigation process.
8. Investigate all navigational incidents and breaches of legislation and regulations, utilising the knowledge and skills of the Harbour Police when a criminal investigation may be required prior to prosecution, taking proper account of the requirements of the Police and Criminal Evidence Act 1984.
9. Respond to breaches of regulations, by imposing a tiered sanctions appropriate to the circumstance of the offence (i.e. Enforcement action can include Harbour Master's verbal warning, Harbour Master's written warning), or initiating a prosecution where the facts warrant, it is in the public interest to do so or when other enforcement measures have failed.

10. Formally record and manage all enforcement activities. Records of meetings will be kept. Actions will be recorded. Warning letters will be clear, simple, unambiguous and signed by the appropriate person.

11. When bringing prosecutions observe the Code of Crown Prosecutors and evidential Codes

This policy will be reviewed again within the next 3 years.

Signed 

Date 12/2/2024

**Duty Holder, Port of Tees and Hartlepool**

Signed 

Date: 12<sup>th</sup> February 2024

**Designated Person, Port of Tees and Hartlepool**

Signed 

Date: 30<sup>th</sup> January 2024

**Harbour Master, Port of Tees and Hartlepool**