



Autumn Briefing (#7)

Brexit - Challenges & Opportunities

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With some notable exceptions, it's probably fair to say that most of UK ports are relatively calm about Brexit, although the wider impact on the British economy remains unclear. The challenge will be to find a solution outside the Customs Union which does not interrupt and delay the UK's roll-on roll-off ferry traffic, which currently facilitates thousands of lorry journeys between Britain and Europe each day. We are not there yet and ahead of this week's EU Council summit the British Ports Association has urged the UK Government and the EU to find a creative and sensible solution.

By value this traffic represents a high proportion of the UK's international trade and delays will lead to higher costs for certain businesses and products which ultimately will be felt by traders and even consumers.

We very much welcomed some of the intentions in the Government's customs negotiating papers published in August, however quite how the EU will view these is not yet known. The Government has certainly been listening to industry and UK Ministers must now decide if they want to give future trade arrangements with the EU the highest priority in the negotiations.

There has been much attention on agreeing a free trade deal with the EU but it is important not to overlook potentially more costly disruption created from non-tariff barriers at the border. So far the issues of trade facilitation at the border have been well publicised but we are concerned that the recent UK-EU stalemate means that bureaucratic customs checks and potentially disruptive port health controls is a distinct possibility for all types of port traffic with Europe.

As well as these challenges there are a number of potential post Brexit opportunities and

generally UK ports are looking at opportunities such as new trade and initiatives like free trade zones after the UK leaves the EU. We are also discussing with Government how the planning framework might be made to work better for ports and developers.

There is a long way to go but Brexit does provide the opportunity to make the consenting process more amenable to support growth and development at all types and sizes of port. We have particularly welcomed recent pledges by UK Ports Minister John Hayes MP that the UK intended to overturn the recently passed EU Port Services Regulation post Brexit.

Finally, fish landings remain a common activity at all types of port across the UK and our members see Brexit as an opportunity for the UK Government to exert more control over our own waters. However tariff-free access to EU markets is essential and of the utmost importance. Norway and Iceland both manage their own fisheries, have healthy fish stocks and trade with the EU. We would like to see a similar arrangement for the UK.

The European Maritime and Fisheries Fund and its precursors have also been critical to supporting the maintenance and modernisation of infrastructure. UK allocations have been a relatively modest sum for Government and is vital to the UK's fishing ports and the wider sector.

Transport spending and planning

The BPA have been encouraging the various tiers of Government around the UK to do more to follow through on transport spending and planning reform. We are calling on the Government to ensure that initiatives such as the DfT's "English Port Connectivity Study" are backed up with commitments on spending and that similar assessments are undertaken around the UK.

Alongside this there is a growing concern in the ports industry that the planning and associated marine consenting regimes now include too many restrictive and costly conditions. Furthermore, there is a genuine lack of understanding by Government of the negative consequences that environmental designations such as MPAs, MCZs, and SPAs have on port activity and future development. Complicated assessment and monitoring requirements can act as a real barrier to development.

Ports of all sizes provide hubs for regional clusters of employment and economic activity, often in areas of deprivation. This means that ensuring ports can operate and grow is important to the national and regional economic health of the country.

Policy makers regularly concede that ports are overlooked in Government strategies, so in the run up to Brexit now is the chance to help provide the sector with the tools its needs to grow and invest. It's well known that ports handle 95% of UK's trade but surprisingly initiatives such as the "Government's Industrial Strategy" only includes minimal coverage of issues such as port connectivity and nothing on port planning and development.

Marine safety

Safety is of the utmost importance to ports and with Government oversight the industry has developed the Port Marine Safety Code which advises on best practice. Ports do however need powers to enforce safety issues properly and the industry has raised some concerns particularly in relation to manging marine leisure craft.

Following a historical legal precedent certain recreation craft such as jet skis are outside the definition of a ship, which currently prevents ports and harbours enforcing their powers against such craft for breaking safety and speeding rules.

Recreational mariners are also not covered by drink drive rules as under shipping law, as alcohol limits only apply to professional mariners. This is something the ports industry would like to see changed and we are talking to the Government about a possible legislative way forward.