

MARINE ENFORCEMENT POLICY STATEMENT

The Eyemouth Harbour Trust, as a statutory harbour authority, acts as a regulator and enforcer regarding a range of legal duties and powers contained in Acts of Parliament and the Eyemouth Harbour general byelaws whilst conforming to regulatory and statutory standards and requirements.

The purpose of enforcement is to regulate the safe and efficient use of the harbour and harbour estate; thereby safeguarding harbour users, operating businesses, and the public, alongside protecting the environment.

To comply with marine regulatory standards and legislation Eyemouth Harbour Trust will undertake the following course of action as required:

1. Prosecute only where it is in the public interest or the interests of Eyemouth Harbour Trust or when other enforcement measures have failed.
2. Prosecution will only be considered when there is sufficient admissible and reliable evidence to provide a realistic prospect of conviction and it is in the public interest to do so.
3. When dealing with any enforcement situation, the harbour authority's actions will be proportionate to the scale, seriousness, and intention of any non-compliance. Any response to abusive or violent behaviour will be proportionate to the seriousness of the incident, while prioritising the safety and wellbeing of personnel and harbour users.
4. Taking into consideration the guidance issued by the Government and other national agencies or where there is known to be an involvement by any other enforcement agency, the harbour authority will consult and co-operate with that other agency prior to taking any formal enforcement action.
5. Will not initiate formal enforcement procedures without a clear need to do so, any formal enforcement procedure will aim to change the behaviour of the offender, aim to deter future non-compliance and be proportionate to the nature of the offence caused.
6. Ensure that any enforcement action will be dealt with promptly, consistently, and fairly in a transparent manner. The Trust will ensure that any enforcement action arising from abusive or violent behaviour is managed promptly, consistently, fairly and transparently.

The above guidance is not exhaustive and the decision whether to take enforcement action will be taken having regard to legal and statutory compliance and the individual circumstances of each case.

Signed



Euan Scott - Chair Eyemouth Harbour Trust

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