

Title: Port Security Regulations 2009 (amended 2013) and Port Security Designation Orders (33)

PIR No: DfTPIR0049

Original IA/RPC No: DfT00176

Lead department or agency: DfT

**Other departments or agencies:
None**

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Post Implementation Review

Date: 22/12/2021

Type of regulation: EU

Type of review: Statutory

**Date measures came into force:
19/03/2010**

Recommendation: Keep

RPC Opinion: N/A

1. What were the policy objectives of the measure?

Port Security Designation Orders (DOs) have been issued for 33 ports around the UK and work in conjunction with the Port Security Regulations 2009 (PSRs), as amended by the Port Security (Amendment) Regulations 2013.

The DOs came into force between 19 March 2010 and 15 August 2015. Due to their nature and objectives, it makes sense to synchronise review dates of the 33 DOs and the PSRs 2009, and to review the legislation together. Such an approach was previously accepted for a PIR in 2017. The full list of DOs being reviewed can be found in Annex A.

An impact assessment was carried out for the PSRs and multiple impact assessments for the relevant ports to examine the impact of the legislation, listed below.

Impact Assessment number	Date
DfT00176 (PSRs)	10/07/09
DfT00093	14/12/11
DfT00137	13/07/12
DfT00168	12/03/13
DfT00245	13/09/13
DfT00250	02/10/13
DfT00254	02/10/13
DfT00272	28/02/14

The policy objectives of the PSRs and DOs were to “enhance security... to complement measures to help prevent maritime terrorist incidents”¹ and to “ensure that security measures taken pursuant to Regulation (EC) No 725/2004 on enhancing Ship and Port Facility Security [derived from the International Ship and Port Facility Security Code] apply to the wider port area.”²

The PSRs and DOs provided measures to ports such as tools for risk management and for improved coordination between port facilities, as well as an obligation to carry out exercises. Annex B is a logic map that explains framework for the PSRs and DOs and their impact on port security

The UK had previously used a similar tool to coordinate security between port facilities in a given area though DOs were issued in order to transpose Directive 2005/65 to meet obligations under European Union membership.

¹ [DfT00137](#) p.1

² [DfT00176](#) p.7

An original objective of the PSRs was to implement Directive 2005/65, which was achieved. When first establishing the scope of the PSRs, DfT Maritime Security Compliance assessed every port in the UK and found that 33 fell within scope. The DOs were issued for these ports and implemented the essential requirements of the PSRs which were:

- The delineation of the boundary of the 'port' for the purposes of the PSRs.
- The designation of a Port Security Authority (PSA) at each 'port' considered in scope of the Directive (a PSA may be designated for more than one port).
- The performance of a Port Security Risk Assessment (PSRA), from which a Port Security Plan (PSP) is developed, maintained and updated.
- The appointment of a Port Security Officer (PSO).

Of the approximately 360 port facilities in the UK, almost 240 port facilities are encompassed in the 33 PSAs.

2. What evidence has informed the PIR?

The level of resource used to collect the evidence used in this report was based on the initial impact assessment and the PIR in 2017³. These estimated and found the cost to business as relatively low. Annual costs of PSO duties were estimated in the impact assessment at £12,540 (2014 prices) per port and evidence in the PIR 2017 gave a median value of £4,992. A further indication that ports have difficulty in calculating the cost of the PSRs separately from other security activity may be evidenced by the low response rate to the PIR 2017 survey.

Furthermore, the PSAs introduced by the DOs were not thought to be risky or contentious, as there was already a level of coordination in security arrangements in place at the in-scope ports via the Port Security Committees. Overall, the PIR 2017 found that "the Directive and implementing regulations along with the DOs are for the most part working adequately in the UK and the objectives have largely been met."

As such, for the PIR 2022, DfT has sought to repeat the PIR 2017, gathering a proportionate level of evidence that is sufficient to answer the research questions set out in the PIR template. Evidence was sought primarily through stakeholder engagement but also from the DfT's maritime security compliance inspectors.

Stakeholder engagement was conducted through an online survey, carried out in September-October 2021, which was sent to all 237 Port Facility Security Officers (PFSOs) who are members of a PSA. This included specific questions for PSOs (a position created by DOs). The survey questions are at Annex C, and data used for graphs throughout this PIR, at Annex D. Where appropriate, this has been compared to estimates for costs from impact assessments, at Annex E.

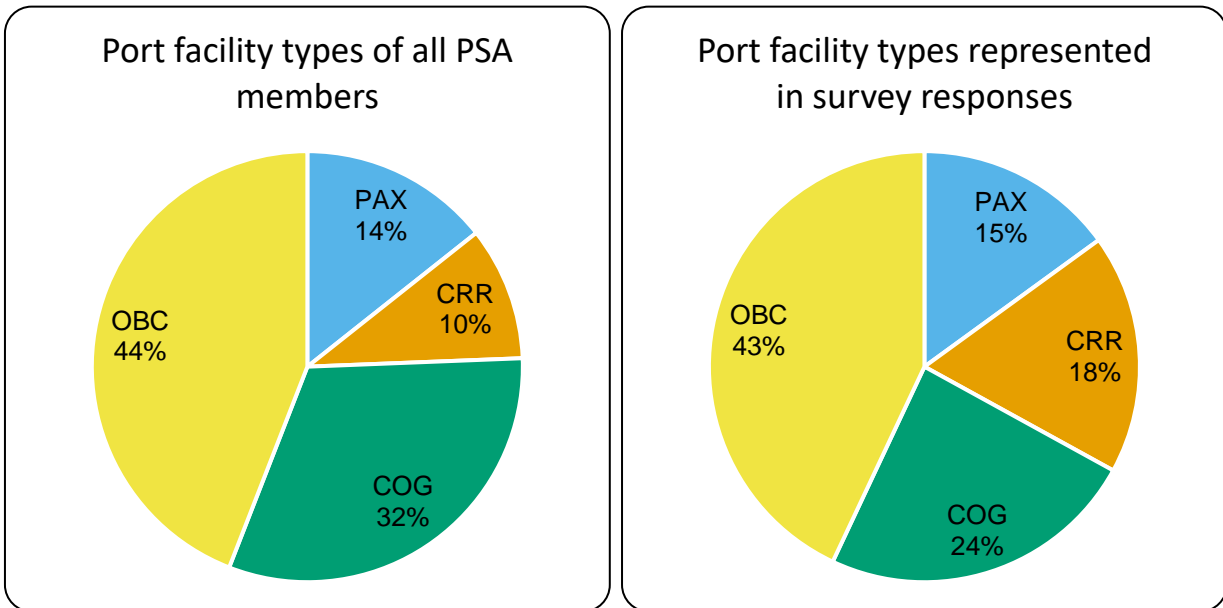
DfT's maritime security compliance inspectors regularly interact the PSAs and inspect individual facilities; they have been consulted with during the review process. The DfT also sends representatives to PSA meetings on an ad hoc basis.

Seventy-nine responses were received to the online survey, a response rate of 32.91%. Together the responses covered 23 out of 33 PSAs (69.7%). Not all the respondents answered all the questions.

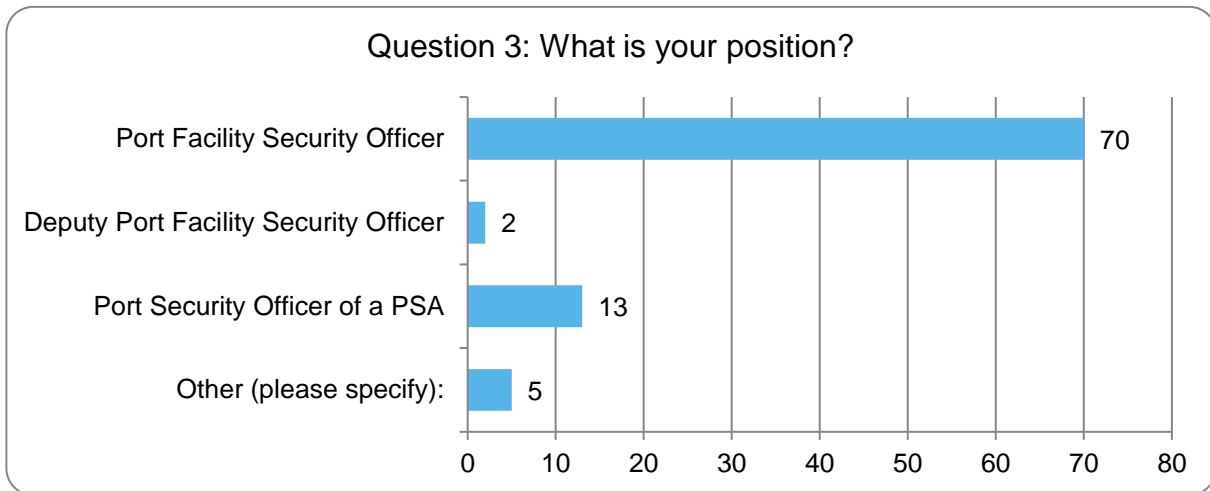
Analysis of responses indicates that they are a representative sample of all port facilities that are members of a port security authority. Port facilities are categorised as handling passengers (PAX); containers, roll on and roll off cargo (CRR); chemicals, oil or gas (COG); and other bulk cargo (OBC). The four categories of cargo entail different security procedures and adequate representation of the categories among the survey answers will provide assurance that they are

³ [Post implementation review 2017 of Port Security Regulations 2009, as amended, and 33 associated Port Security Designation Orders](#)

representative. While there are differences between facilities based on their size, i.e. throughput, The PSRs do not differentiate between different sized port facilities or PSAs. The graphs below show the number of port facilities per category for all 237 port facilities that are members of PSAs, and distribution of the categories among the port facilities represented by respondents to the survey.



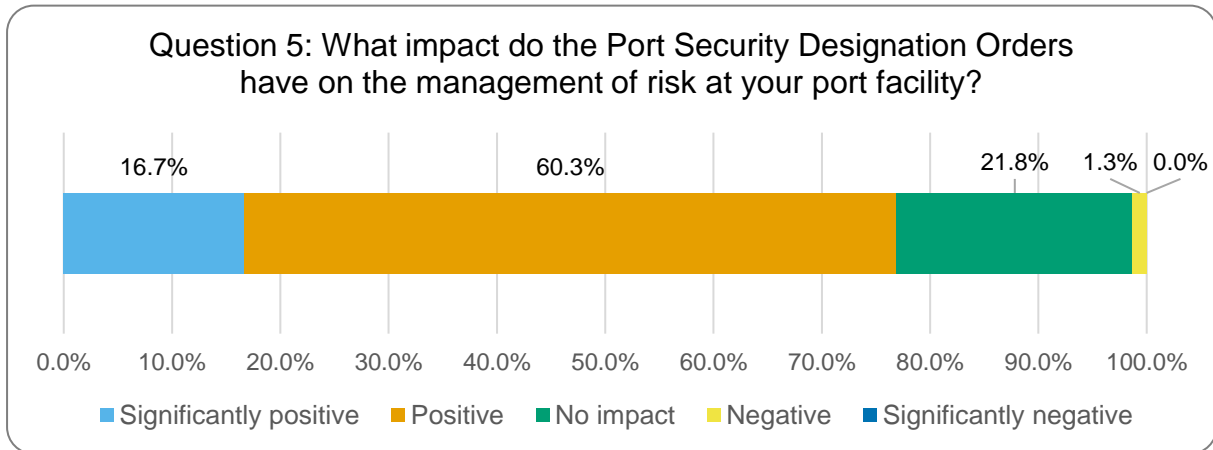
All respondents held suitable positions to answer the survey and could indicate more than one position. The majority of respondents were Port Facility Security Officers, who are responsible for security at individual port facilities. Thirteen respondents were Port Security Officers of a PSA, who have additional responsibilities under the DOs. Four of the 'Other' respondents also indicated that they are PFSOs, the remaining respondent was a director of their port.



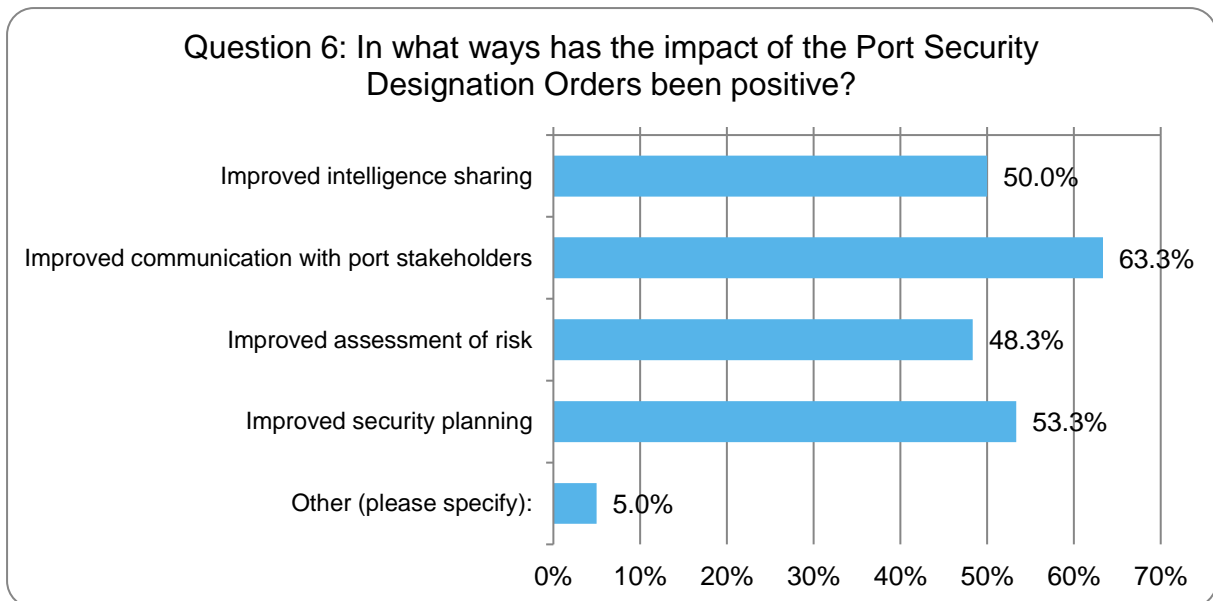
3. To what extent have the policy objectives been achieved?

Evidence from both the online survey and from maritime security compliance inspectors indicates that the policy objectives have been achieved.

All respondents indicated what impact DOs have on the management of risk at their port facility. Sixty respondents (77%) said there was a 'positive' or 'significantly positive' impact. Seventeen respondents said that there was no impact. One respondent said that they had a negative impact.



All 60 respondents who said the DOs had had a positive impact indicated the ways the impact had been positive.



Where respondents selected 'Other', they noted several other positive impacts:

- Use of enforcement powers contained in the PSRs
- Improved training
- Improved exercising of security plans
- Improved quality of security plans
- Improved quality of PFSO
- Improved readiness for increase of security level
- Positive attitude to overall port security across all member facilities

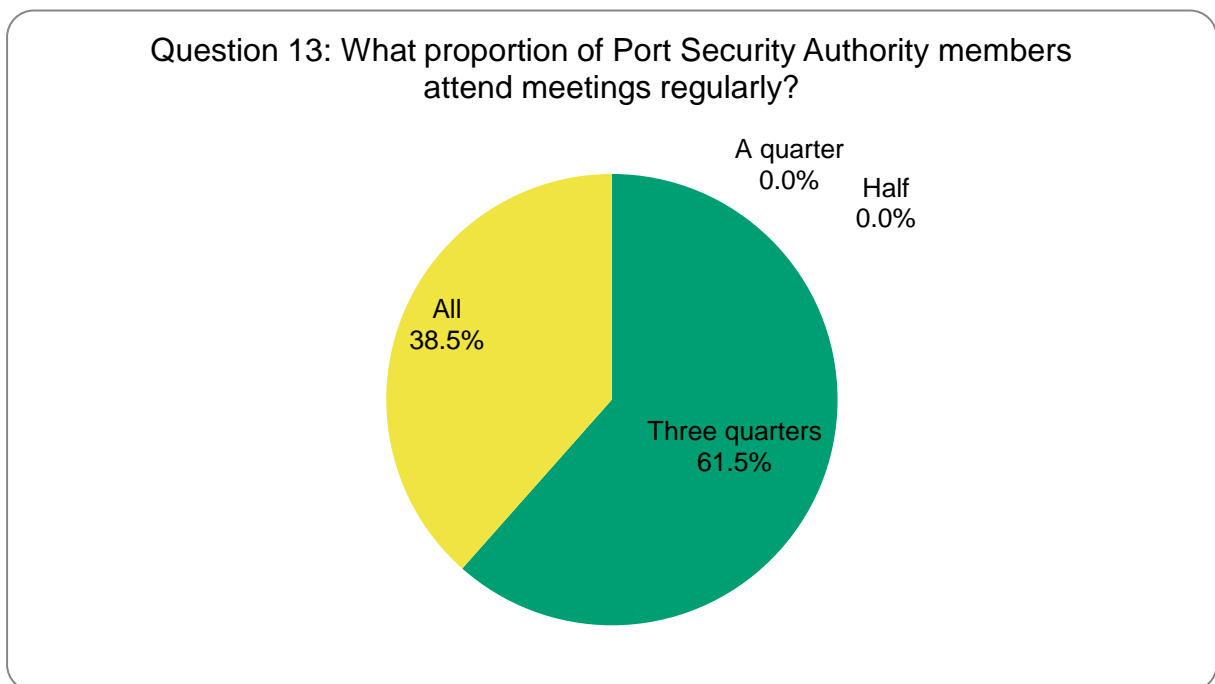
One 'other' answer also noted that the Port Security Committee that existed prior to the PSA was effective.

The respondent that answered that the DOs had had a negative impact cited, the 'creation of equal and several liability between PSA members that did not exist before the PSRs 2009'. Although it is true that PSAs have created liability between PSA members, DfT does not have any records of incidents where liability has proved a challenge.

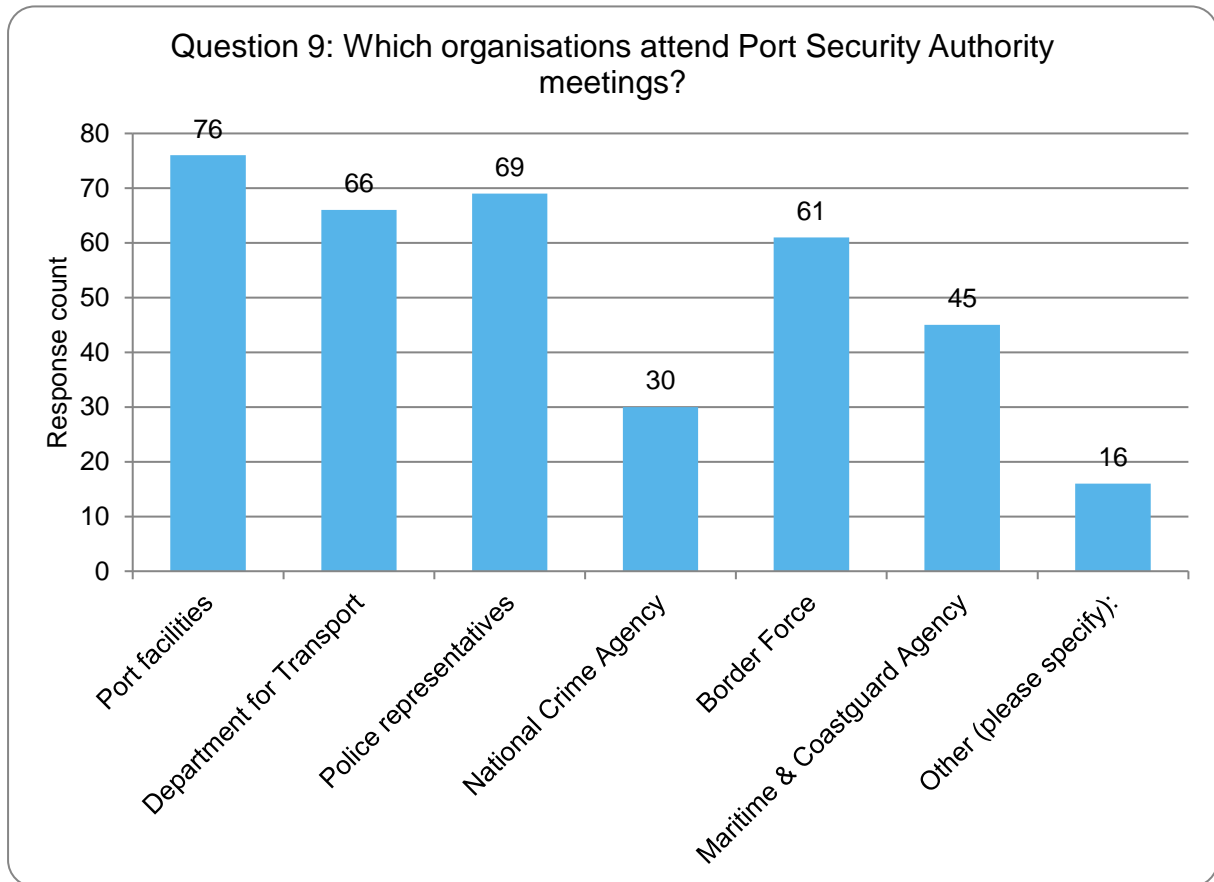
The evidence also indicated that most PSA meetings are taking place correctly. When asked how many times their PSA had met in the previous three years, most respondents answered six times, which is the recommended number of times the PSA should have met (twice per year).



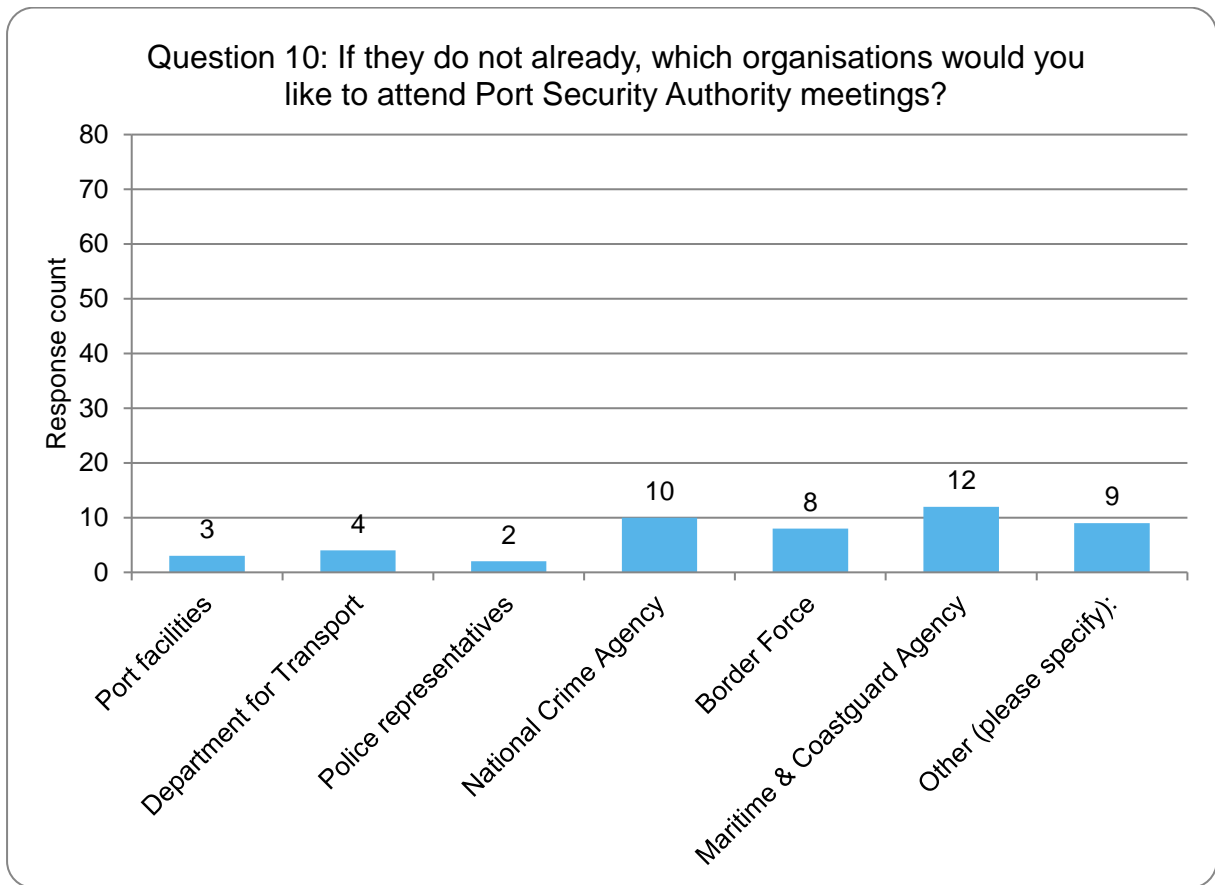
The 13 Port Security Officers who answered the survey reported that three-quarters to all of their members regularly attend meetings, which indicates that meetings are appropriately attended.



The online survey also asked which organisations attend PSA meetings and which organisations attendees would like to attend, if they do not already. The answers to these questions indicated, respectively, that PSA meetings are well attended by appropriate attendees and that the majority of attendees did not think that any particular organisation was missing from PSA meetings.



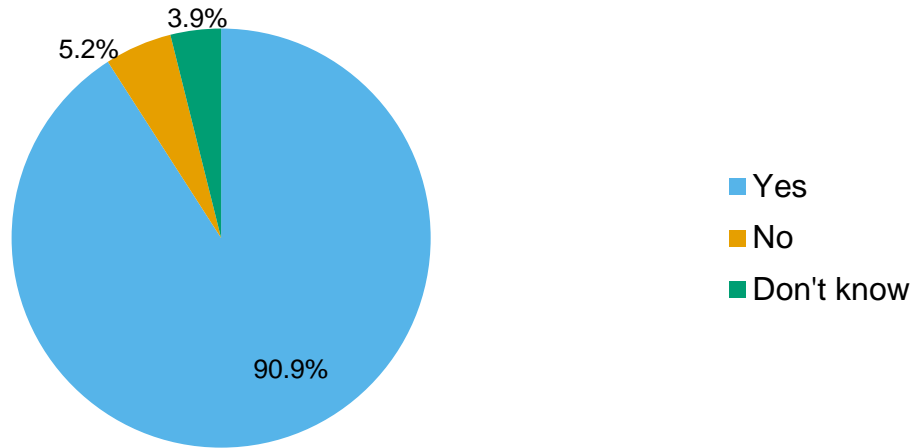
Answers to question 9 under 'Other' indicate that a range of other port stakeholders attend meetings, such as the local resilience forum, Counter Terrorism Police and the port health authority.



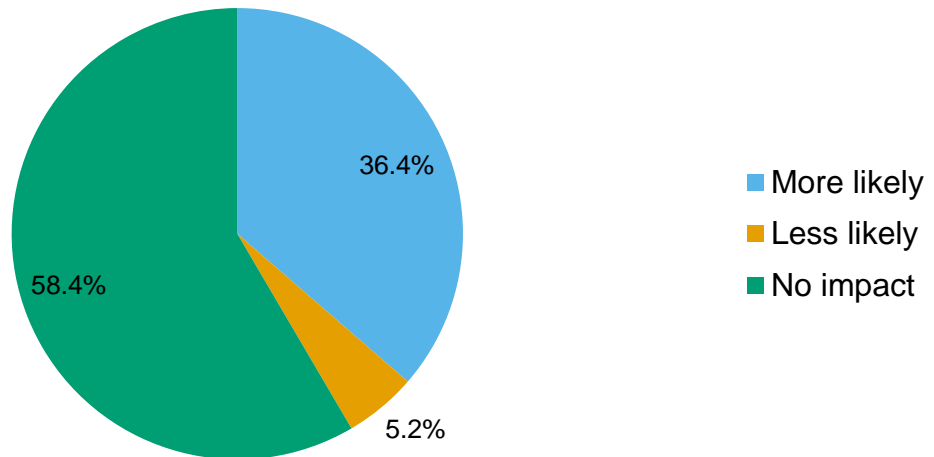
The low response rate to question 10 further indicates that PSA meetings are appropriately attended. Only two answers to 'Other' under question 10 suggested further attendees to PSA meetings (port tenants and shipping agents), which will be considered by DfT.

The online survey included a question on use of video call software to hold PSA meetings during the COVID-19 pandemic and on whether continued use of such software would encourage attendance at future meetings. These found that 90.9% of respondents had attended meetings via video call since the start of the COVID-19 pandemic and that it would encourage 36.4% of respondents to attend PSA meetings; 58.4% of respondents said that it would make no impact on their attendance.

Question 11: Has your Port Security Authority held meetings virtually during the Covid-19 pandemic? (e.g. using video call software)

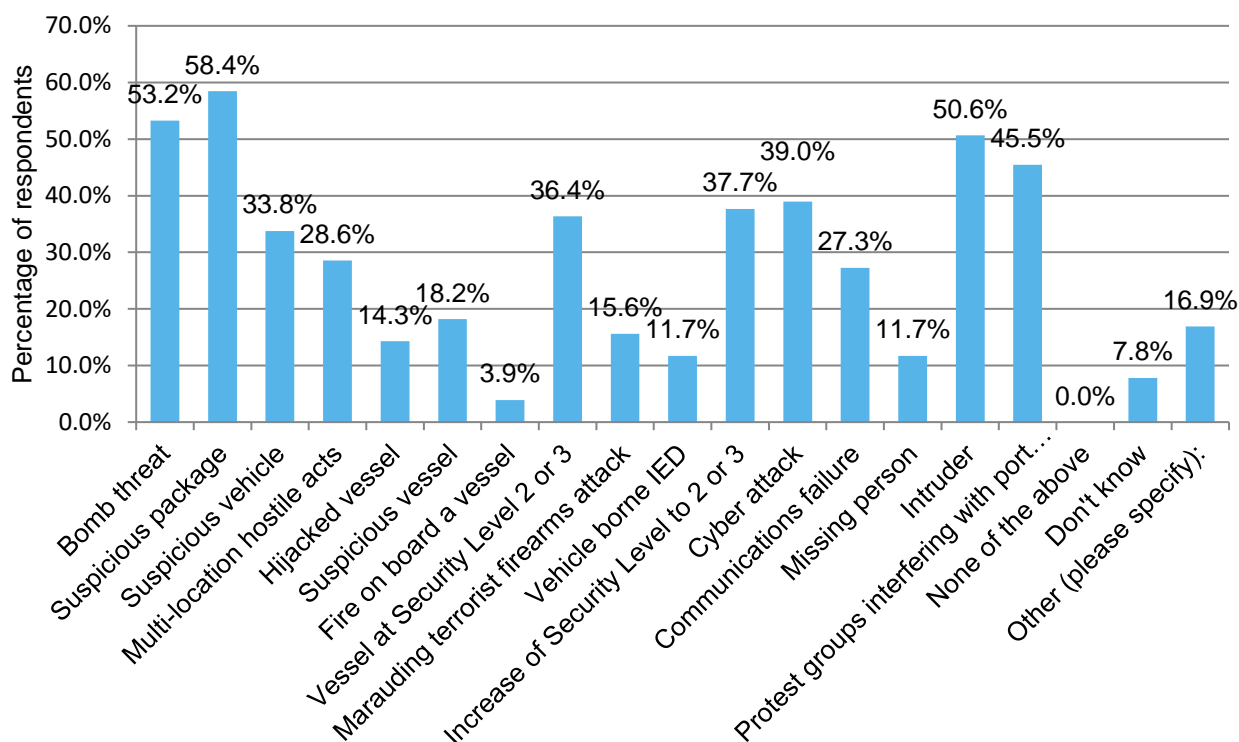


Question 12: Would holding meetings virtually make you more likely to attend Port Security Authority meetings?



The online survey asked respondents to identify which exercises had been carried out by PSAs in the last five years. One respondent didn't answer this question. The answers show that PSAs had carried out a variety of exercises.

Question 28: What scenarios have been exercised as part of the Port Security Authority since 2017?



Responses to 'other' listed further scenarios that had been exercised, which included:

- Power failure
- Medical incident in temporary restricted area
- Hostile reconnaissance
- Stowaways

The response rate, and range of responses, indicates that the exercising is contributing to meeting the policy objective of enhancing security.

In conclusion, the evidence gathered from the online survey indicates that the legislation has a clear positive impact on security at ports, resulting in improved intelligence sharing, communication, risk assessment and security planning. PSAs are functioning correctly in how often they meet, who attends and what scenarios are exercised. As such, the legislation continues to meet the policy objective of enhancing port security in the wider port area and DfT will not look to amend or repeal the legislation.

Sign-off for Post Implementation Review: Chief economist/Head of Analysis and Minister

I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.

Signed: 

Date: 25/05/2022

Further information sheet

Please provide additional evidence in subsequent sheets, as required.

4. What were the original assumptions?

The original assumptions for the legislation covered the costs associated with the enhanced security and the expected benefits.

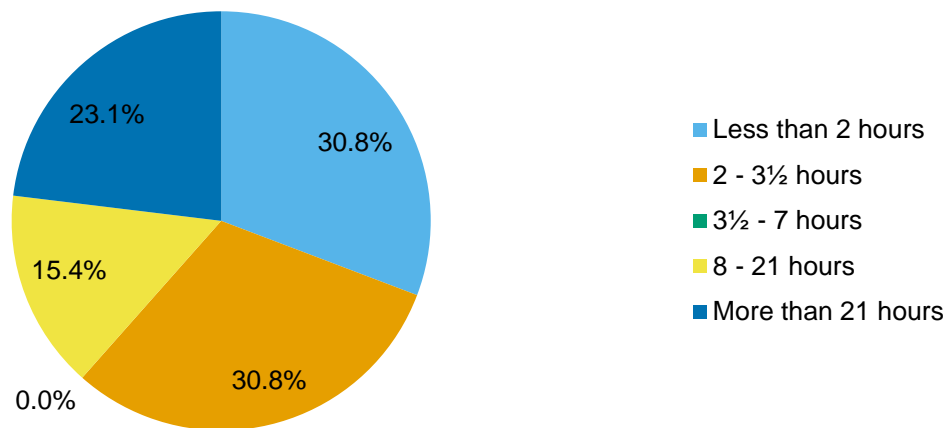
Costs

Assessment of costs has previously been identified as posing challenges as port facility operators typically do not collect data for PSA-related duties separately from a PSO's or PSA members' everyday roles. Questions about the costs in the online survey were designed to encourage replies by providing banded answers, though many respondents still could not provide an answer. Where respondents were asked to estimate the monetary value of the time given over to duties, 23.1% of PSOs and 39.1% of all other respondents answered that they did not know. When asked about the total yearly cost of running a PSA, 60.5% of all respondents answered that they did not know.

The original impact assessments looked at start-up and on-going costs. The former were addressed in the PIR 2017; no further port designation orders have been issued and so start-up costs have not been considered in this PIR.

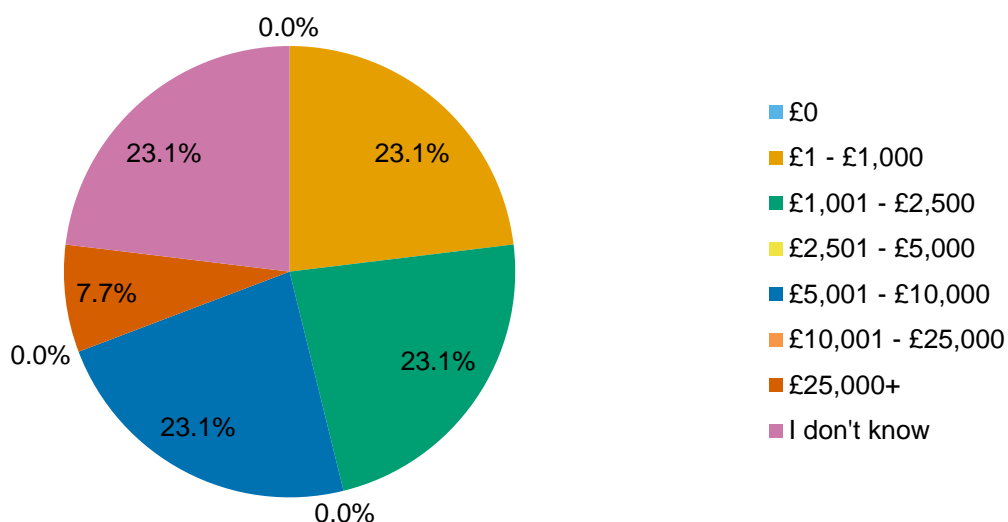
PSO costs were considered in the original impact assessments and derived from hours spent per week. Questions on both were included in the survey for this PIR. Questions 14 and 15 indicated that the hours spent per week on PSO duties were mostly low and that this did not have significant cost.

Question 14: (PSOs only) As a Port Security Officer, how many hours a week do you estimate you have spent on Port Security Officer duties in the past year?



Where three respondents answered >21 hours per week, the corresponding answers given for the cost estimate were "1,001-£2,500" (2) and "I don't know" (1), which indicates the challenging nature of quantifying the impact of the legislation.

Question 15: (PSOs only) Can you estimate how much this costs per year?



Answers to question 15 are mostly low value or indicate that the cost cannot be quantified.

In the context of the impact assessments and previous post-implementation review, the results do not offer a significant departure from previous findings.

Table 1. Hours per week of PSO duties

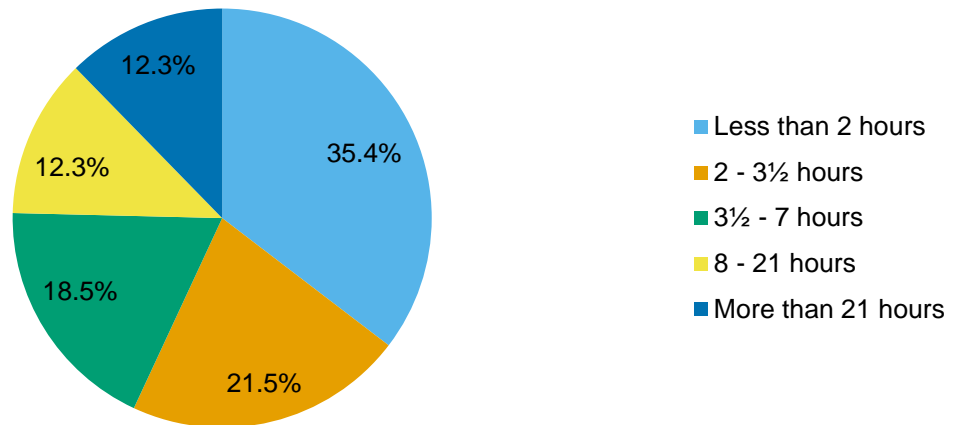
	<i>Impact Assessment</i>	<i>PIR 2017</i>	<i>PIR 2022</i>
<i>Sample size</i>	-	19	13
<i>Estimate (hours)</i>	7	-	-
<i>Range (hours)</i>	-	0 - 20	<2 - >21
<i>Median (hours)</i>	-	4	2 - 3½

Table 2. Annual cost (£) of PSO duties

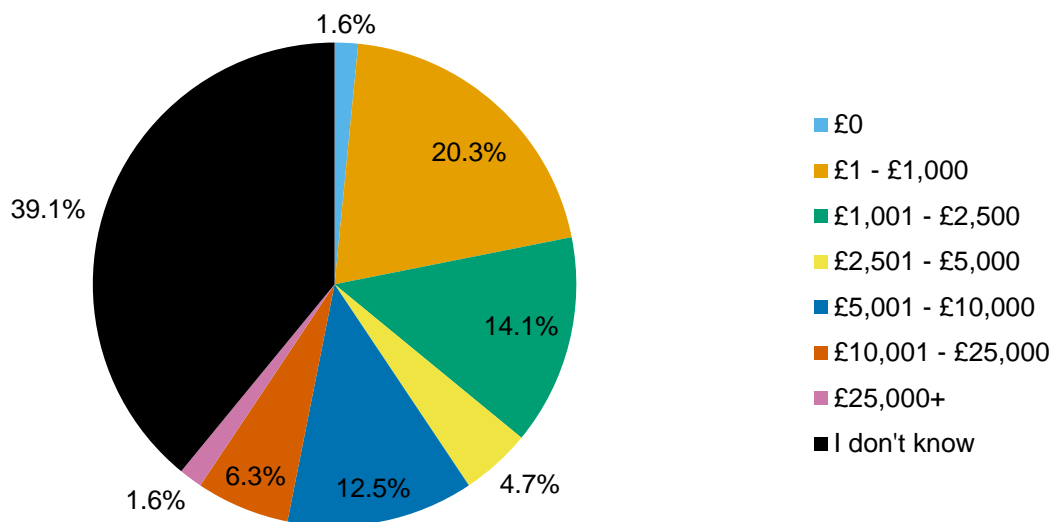
	<i>Impact Assessment</i>	<i>PIR 2017</i>	<i>PIR 2022</i>
<i>Sample size</i>	-	14	10
<i>Estimate (£)</i>	12,540	-	-
<i>Range (£)</i>	-	2,000 - 24,000	1 - 25,000+
<i>Median (£)</i>	-	4,992	1,001 - 2,500

This PIR also considered the weekly hourly impact and yearly cost of the legislation on PSA members.

Question 16: In the past year, how many hours a week do you estimate you have you spent on Port Security Authority-related work?

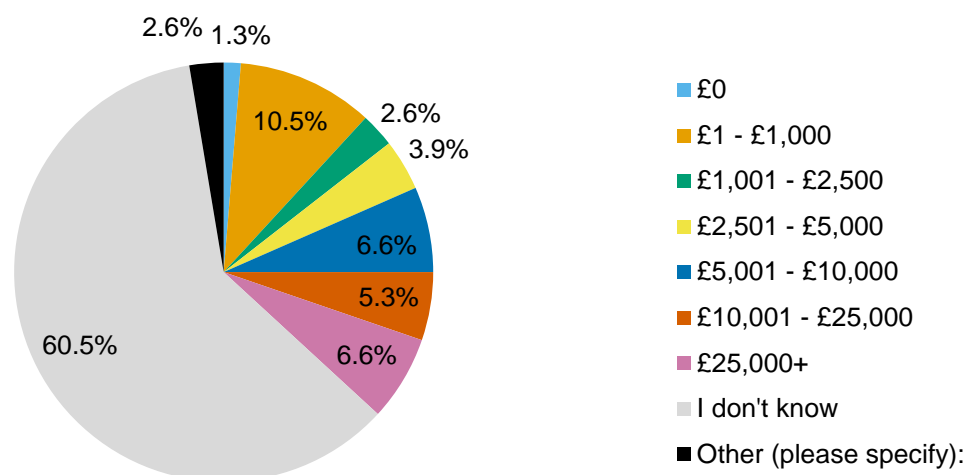


Question 17: Can you estimate how much this costs per year?



A question about the total yearly cost of running a PSA, excluding costs of Port Security Officers, was asked in the survey. In original impact assessments this including the Port Security Risk Assessment and the Port Security Plan; costs of the PSA itself were zeroed in the impact assessments as they were replacing Port Security Committees and therefore running costs were not new expenses introduced by the legislation. Answers produced a range of £0 - £25,000+ and a median value of £2,501 - £5,000. The impact assessments' estimates for the same costs at each port had a range of £2,895 – £31,351 and a median value of £5,307, this data can be found in Annex E.

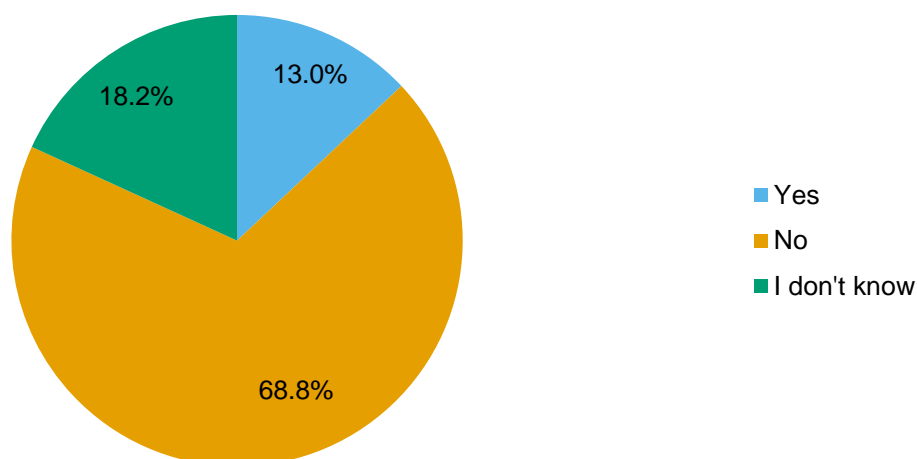
Question 22: What is the approximate total yearly cost of running your Port Security Authority? (excluding the cost of Port Security Officer duties)



Comments under 'Other' related to the nature of the costs.

The Port Security Regulations allow PSAs to charge fees to their members. The online survey asked respondents if fees were charged, how much they were charged, and if there was any more information to note.

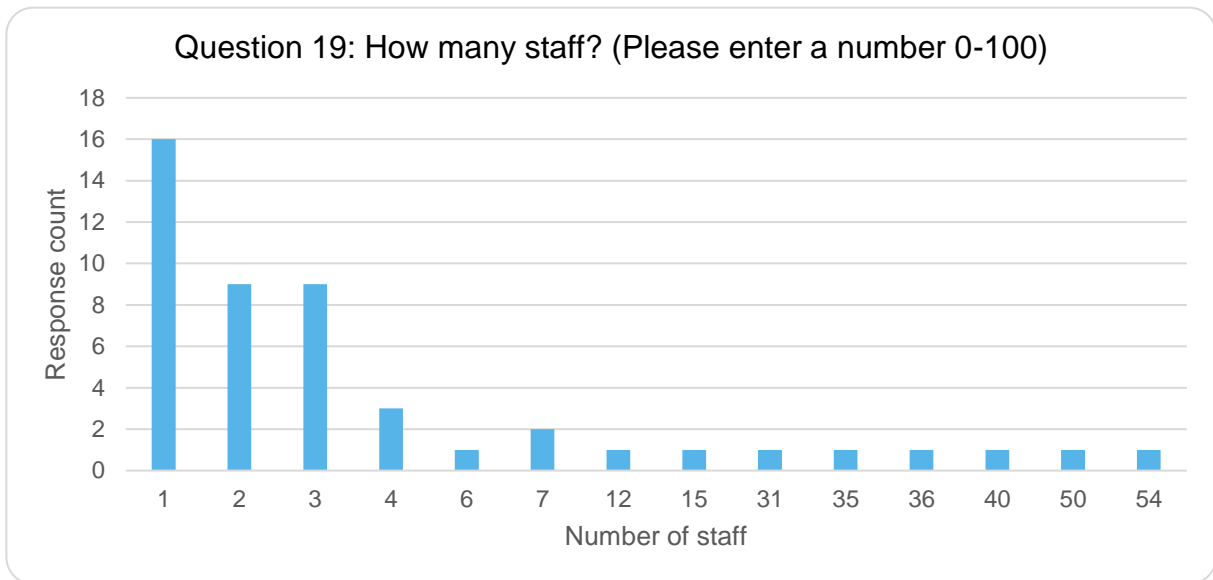
Question 23: Does your Port Security Authority charge a fee to its members?



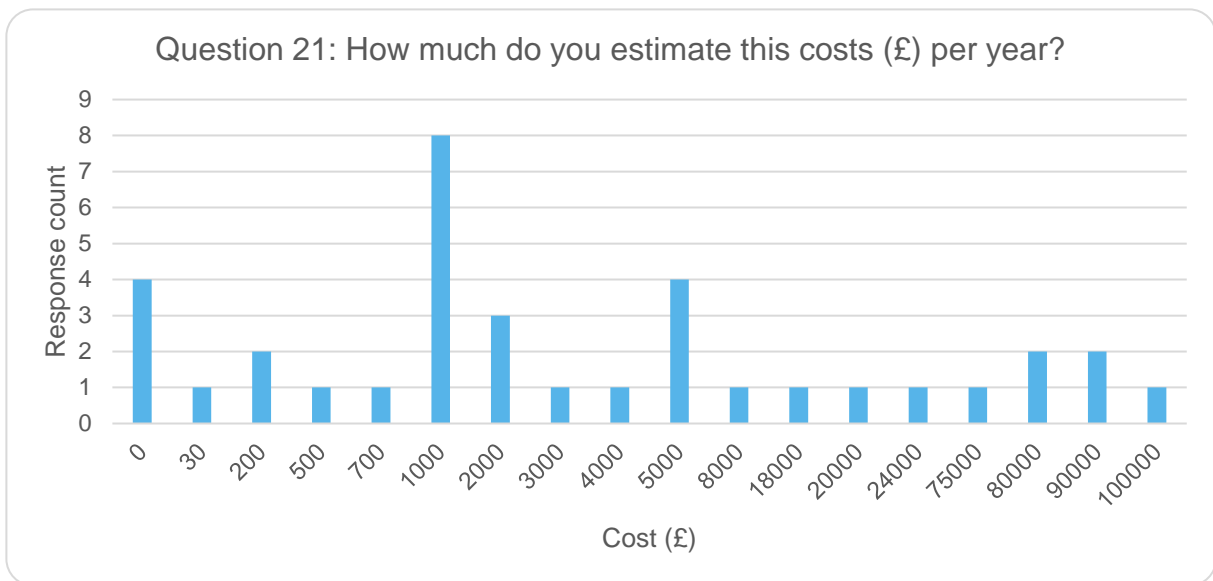
Analysis of answers to question 23 show that 10 'Yes' answers come from two PSAs, which indicates that a very low number of PSAs charge fees to their members. When asked how much they are charged per year, nine answers indicated answers that are not reproduced here as they are commercially sensitive but are not considered disproportionate. One answer did not know how much they were charged. Further comments on this subject (question 25) indicated that respondents felt that memberships fees were value for money. The impact assessments did not examine fees so no comparisons can be drawn.

The online survey asked whether further members of staff worked on activity related to the port designation orders, what their titles were and how much this activity cost. Responses to these questions appear yield lower quality data that indicate that these questions may not have been accurately phrased.

While 47 respondents (61%) answered that other staff do work on activity related to the PSAs (question 18), the responses indicating how many produced some unexpected answers. This is likely related to the definition of 'activity', though it is worth noting that the answers have a median value of 2.

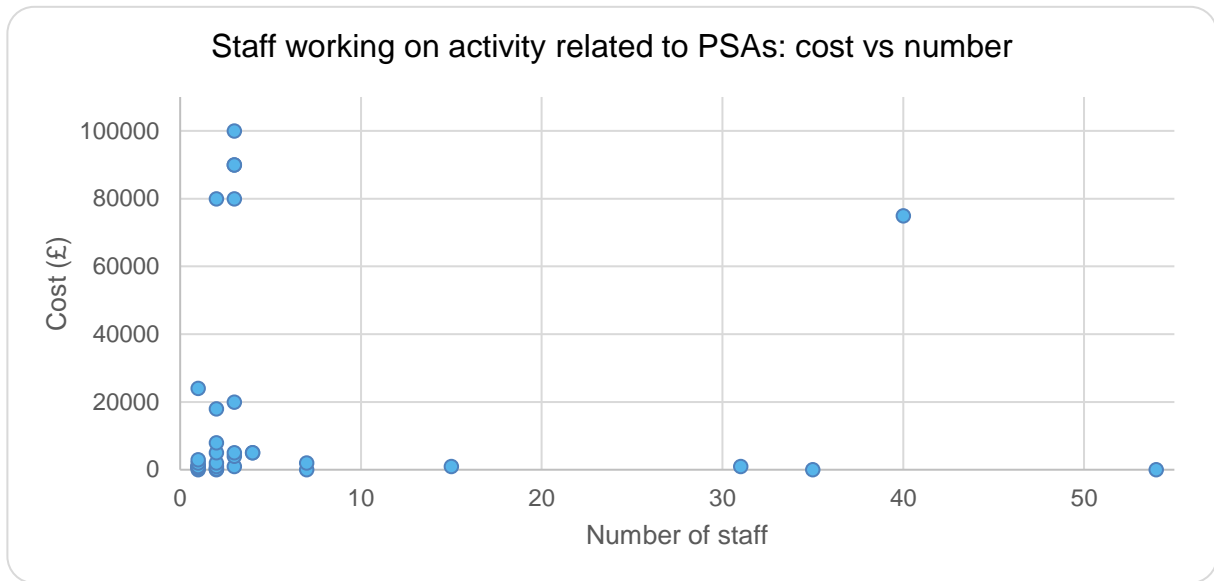


Respondents were invited to indicate what job titles said staff had (question 20) and how much their activity cost (question 21). The former produced a variety of answers related to maritime security, though does not yield any particular trend. The latter produced a similarly wide spread of results with unexpectedly high numbers, with a median value of £2,000. The lower values recorded are likely due to PSA-related activity forming an element of duties related to port security.



Analysis of answers to questions 19-21 provides some insight into the cost of other staff. Firstly, there does not appear to be a correlation between either the number or cost of other staff to specific PSA. Secondly, when plotting cost of other staff against numbers of other staff,

there does not appear to be any correlation, which supports the idea that PSA-related activity forms an element of duties rather than an entire role, which was foreseen in the original assumptions.



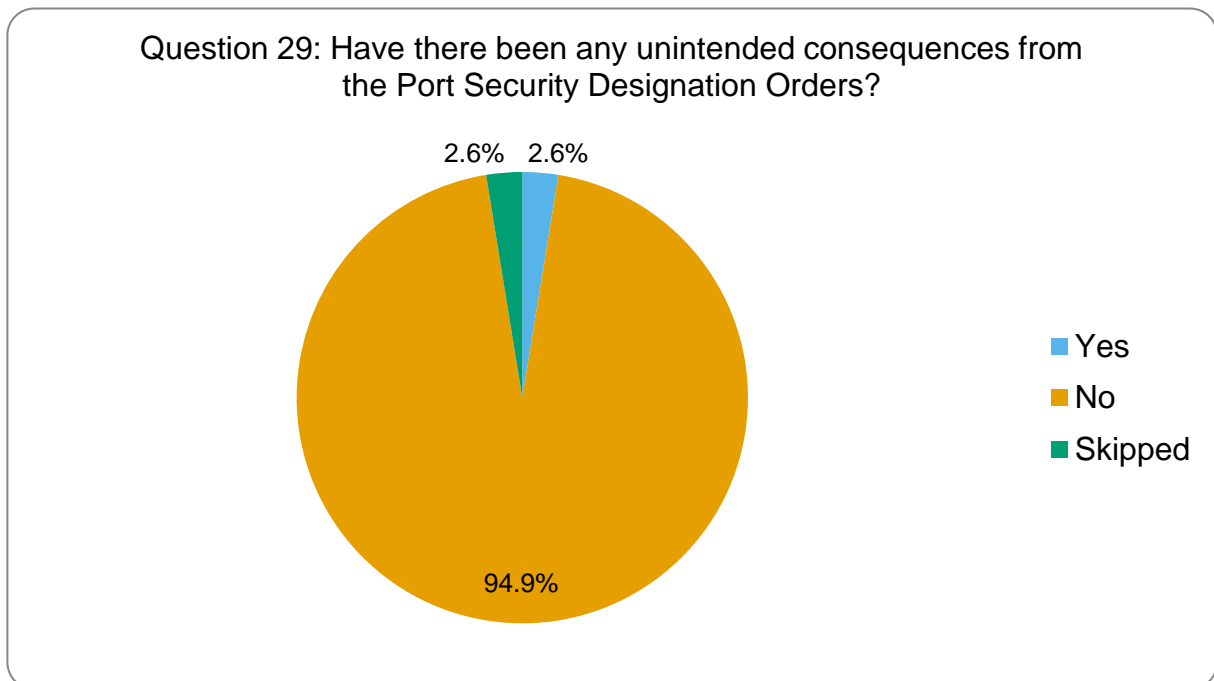
It should be noted that not all respondents who indicated other staff working on PSA-related activity indicated the cost.

Benefits

The impact assessments identified benefits, though it was not possible to monetise them. Improved security measures would act as a mitigation towards maritime terrorist incidents due to planning and coordination.

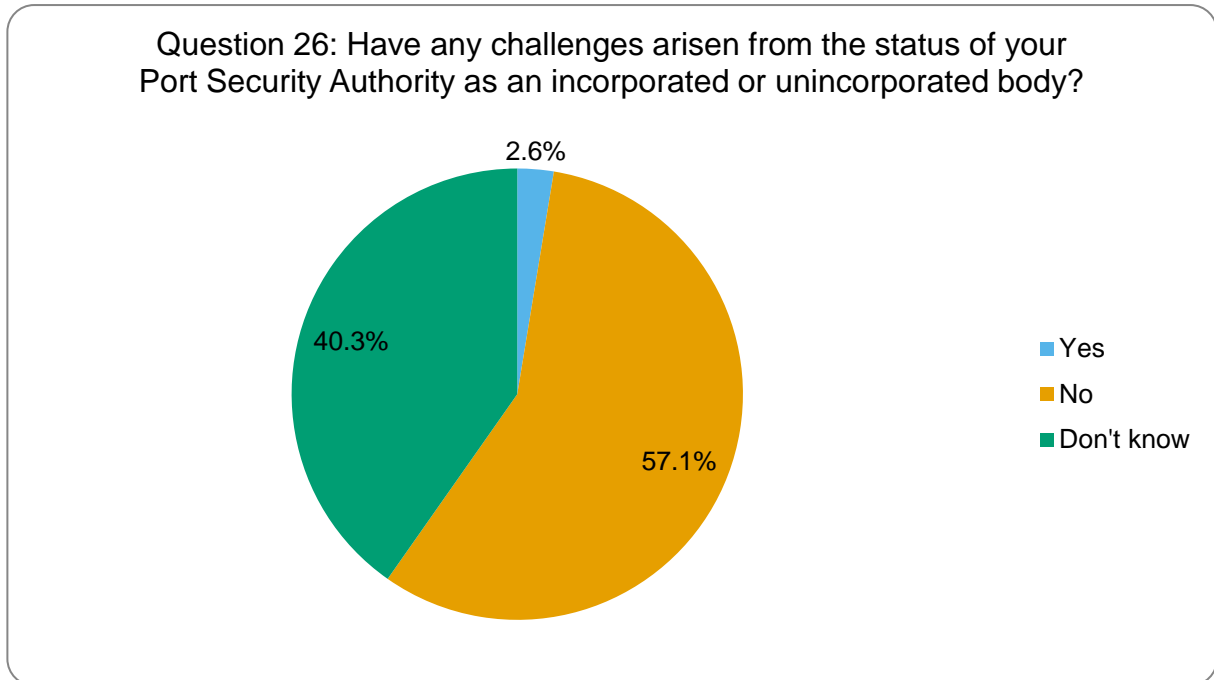
5. Were there any unintended consequences?

When asked directly whether there had been unintended consequences, 94.9% of respondents said there had not. The two positive responses cited an incorrect boundary to the port designation order.



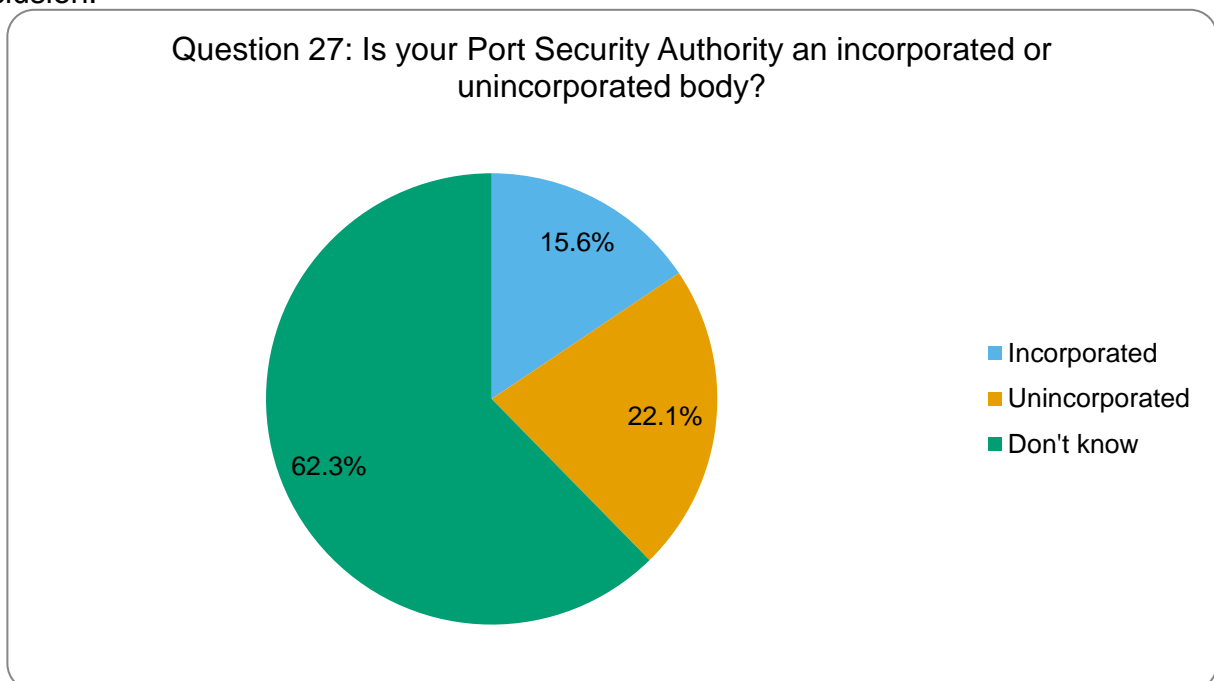
Both positive answers to question 29 state that a PSA boundary is incorrect. DfT have examined the issue and will clarify with the PSA how the PSA boundary should be interpreted.

The PIR 2017, as well as industry engagement, indicated that the status of PSAs as either an incorporated or unincorporated body had previously posed challenges. Respondents were invited to say whether corporate status had posed challenges and whether their PSA was incorporated or unincorporated.



In total, 97.4% did not state that challenges had arisen, which indicates that this is no longer a significant issue. Where respondents indicated that challenges had arisen, they cited that legal advice was required to set up the incorporated body, and that port security was only part of their role. Neither response indicates that corporate status is a challenge for PSAs.

The large number of respondents answering 'Don't know' provide further support to this conclusion.

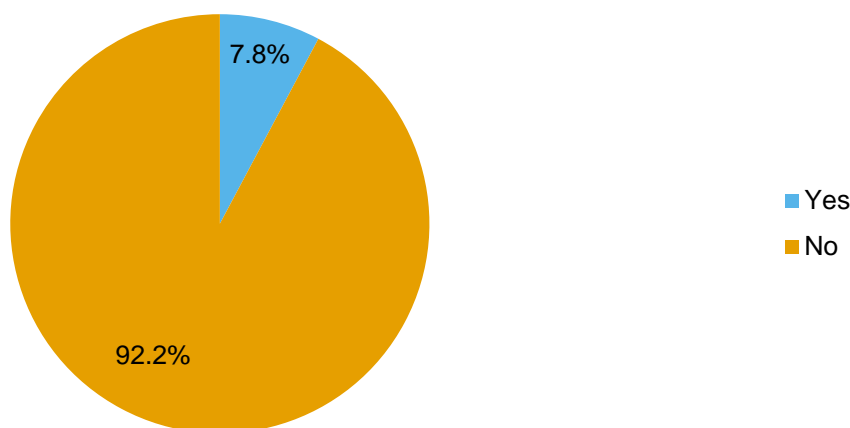


As such, these findings do not indicate any unintended consequences seen across industry.

6. Has the evidence identified any opportunities for reducing the burden on business?

When asked about ways to reduce the burden on business, 92.2% of respondents stated that they would not like to identify any opportunities.

Question 30: Would you like to propose any ways to improve the application of the Port Security Designation Orders to achieve greater value for money?



Of the six respondents wishing to propose ways to achieve greater value for money, one answer related to the redrawing of the PSA boundary; one related to stipulating training for PSOs; the remaining four answers suggested returning to the system of Port Security Committees that existed prior the establishment of PSAs.

DfT responds to these three suggestions as such. Firstly, the proposed change to the PSA boundary was addressed in an earlier section of this review. Secondly, DfT notes while PSO training is not currently mandated, many PSOs are also PFSOs and the training for the latter role includes all necessary skills for the former. Furthermore, a forthcoming review of training guidelines, due Q4 2022, should provide clarity on this suggestion. Thirdly, although Port Security Committees are an effective means of coordinating security in a port area, the review has not identified sufficient evidence that legislation for PSAs should be repealed and replaced with committees.

Respondents were also invited to give any other comments (question 31), which yielded three responses. These stated that:

- the costs and time involved in running and maintaining PSA's to ensure compliance are increasing year on year

- the creation of their PSA had been a success in improving the standards of security, noting that their PSA was used as a model for implementation across Europe, and stating that they wanted the legislation to remain in place
- PSAs did not enhance security or information sharing beyond what was achieved by Port Security Committees that were previously in place

The small number of additional comments indicates that the online survey gave respondents adequate opportunity to provide input to this review. The three comments themselves demonstrate the range of opinions on port designation orders and PSA. DfT notes that although some costs, financial and time, may appear to be increasing, the evidence from this survey does not indicate that costs are rising and that costs are not disproportionate from the advantages gained by the legislation. There is a strong case for the retention of the port designation orders, which many respondents believe provides a useful tool for port security. While Port Security Committees may provide similar benefits to PSAs, the evidence found in this consultation supports the retention of the legislation.

As such, the evidence gathered for this review has not identified opportunities to reduce the burden on PSAs or their constituent members.

7. How does the UK approach compare with the implementation of similar measures internationally, including how EU member states implemented EU requirements that are comparable or now form part of retained EU law, or how other countries have implemented international agreements?

Since the UK's exit from the European Union, DfT no longer attends the European Commission's Maritime Security Committee (MARSEC). This forum was used in the PIR 2017 to gather evidence of the implementation of similar measures internationally by sumitting a questionnaire to members. As the UK no longer attends, and given the low level of evidence that was agreed should inform this PIR, it was decided not to repeat the exercise of PIR 2017 to gather evidence from MARSEC members, which would have required a disproportionate level of resource to undertake.

Under Article 19 of the Directive, the European Commission is required to evaluate compliance with the Directive by Member States, the effectiveness of the measures taken, and, if necessary present proposals for addition measures. The latest evaluation, which must be undertaken every five years, was submitted to the European Parliament and the Council of the European Union in 2019.

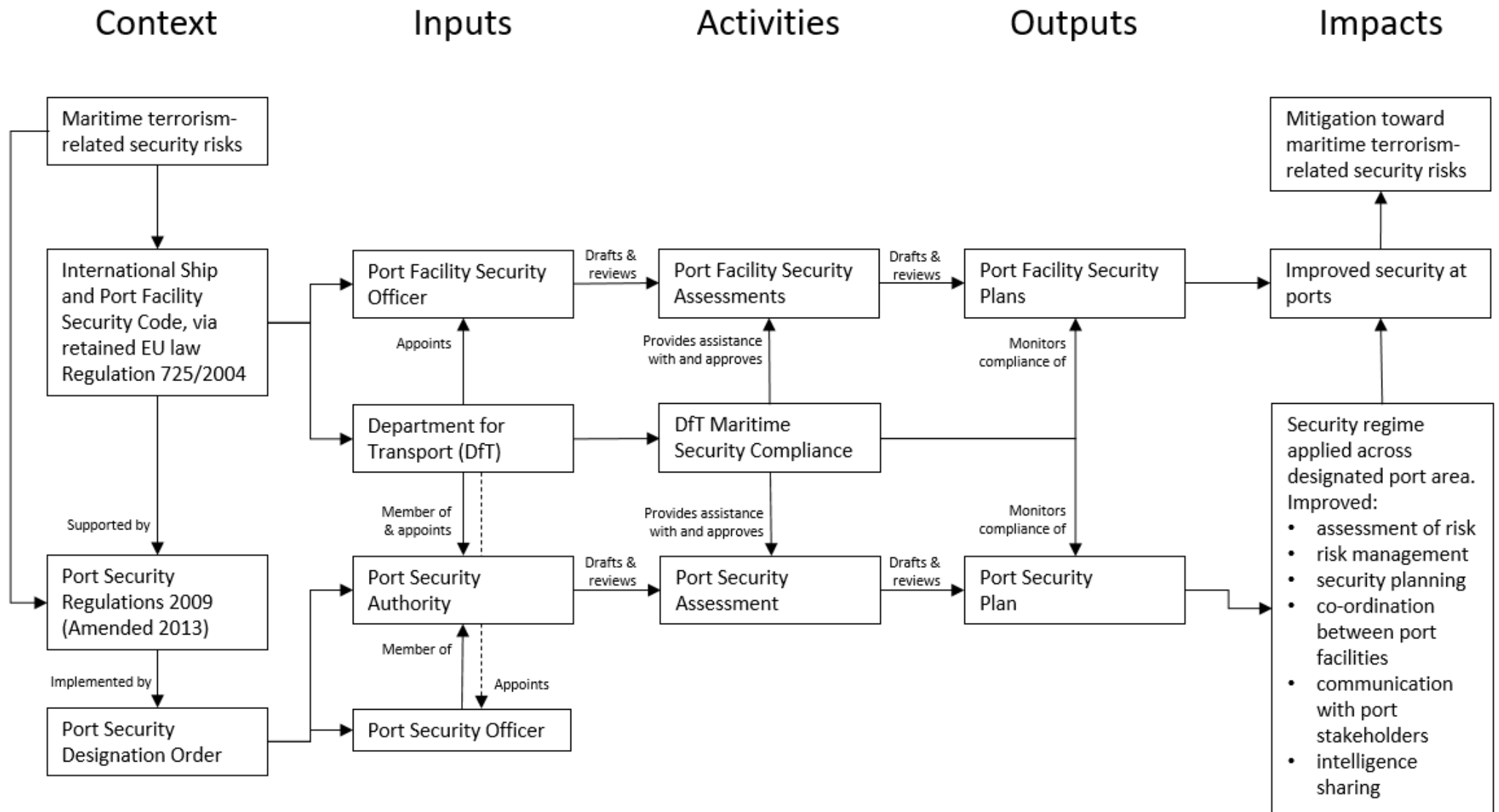
The report '*Third report assessing the implementation of the Directive on enhancing port security*' (COM(2019) 191) found that "significant progress has been made" in terms of implementation though further work is required in some Member States to correctly implement the measures. Regarding the effectiveness of the Directive, the report noted that security had improved among local authorities, port operators and public law enforcement bodies at European ports and that the Directive is "is a good example upon how heterogenous complex infrastructure can be secured through individual assessments and corresponding plans". The report concludes that the Directive is "currently meeting the expectations" and that it "does not need to be amended at this point in time."

Since leaving the European Union, the UK has not made any changes to its port security regime and it would be reasonable to assume that the findings of the report would likely apply to ports in the UK. Additionally, the findings of COM(2019) 191 also complement the evidence gathered in this PIR, that measures implemented by the port designation orders are effective at increasing the level of security in ports.

Annex A: List of legislation being reviewed

Legislation name	SI number
Port Security Regulations 2009 (as amended 2013)	SI 2009/2048
The Port Security (Avonmouth Dock and Royal Portbury Dock and Port of Bristol Security Authority) Designation Order 2010	SI 2010/319
The Port Security (Port of Dover) Designation Order 2011	SI 2011/3045
The Port Security (Port of Aberdeen) Designation Order 2012	SI 2012/2607
The Port Security (Port of Grangemouth) Designation Order 2012	SI 2012/2608
The Port Security (Port of Portland) Designation Order 2012	SI 2012/2609
The Port Security (Port of Tees & Hartlepool) Designation Order 2012	SI 2012/2610
The Port Security (Port of Workington) Designation Order 2012	SI 2012/2611
The Port Security (Ports of Swansea and Port Talbot) Designation Order 2013	SI 2013/1652
The Port Security (Port of Newhaven) Designation Order 2013	SI 2013/1655
The Port Security (Port of Falmouth) Designation Order 2013	SI 2013/1656
The Port Security (Port of Sullom Voe) Designation Order 2013	SI 2013/2013
The Port Security (Port of Hull, New Holland, Immingham and Grimsby) Designation Order 2013	SI 2013/2014
The Port Security (Port of Liverpool and the Manchester Ship Canal) Designation Order 2013	SI 2013/2181
The Port Security (Port of Southampton) Designation Order 2013	SI 2013/2272
The Port Security (Port of Milford Haven) Designation Order 2013	SI 2013/516
The Port Security (Port of Barrow) Designation Order 2013	SI 2013/3074
The Port Security (Port of Cromarty Firth) Designation Order 2013	SI 2013/3075
The Port Security (Port of Fowey) Designation Order 2013	SI 2013/3076
The Port Security (Port of Glasgow) Designation Order 2013	SI 2013/3077
The Port Security (Port of Great Yarmouth) Designation Order 2013	SI 2013/3078
The Port Security (Port of Peterhead) Designation Order 2013	SI 2013/3079
The Port Security (Port of Troon) Designation Order 2013	SI 2013/3080
The Port Security (Port of Tyne) Designation Order 2013	SI 2013/3081
The Port Security (Ports of Cardiff, Barry and Newport) Designation Order 2013	SI 2013/3180
The Port Security (Port of Belfast) Designation Order 2013	SI 2013/3184
The Port Security (Port of Shoreham) Designation Order 2013	SI 2013/3185
The Port Security (Port of Plymouth) Designation Order 2014	SI 2014/8
The Port Security (Port of Medway) Designation Order 2014	SI 2014/82
The Port Security (Port of London) Designation Order 2014	SI 2013/577
The Port Security (Port of Bramble Island Dock, Felixstowe, Harwich, Harwich International, Ipswich and Mistley Quay) Designation Order 2014	SI 2014/604
The Port Security (Port of Londonderry) Designation Order 2014	SI 2014/1811
The Port Security (Port of Rosyth) Designation Order 2014	SI 2014/2007
The Port Security (Port of Oban) Designation Order 2015	SI 2015/1504

Annex B: Logic map



Annex C: Survey questions

#	Question	Answer
1	What is your name?	<i>Free text</i>
2	What is your email address?	<i>Free text</i>
3	What is your position?	Port Facility Security Officer Deputy Port Facility Security Officer Port Security Officer of a PSA Other (please specify)
4	Which Port Security Authority are you a member of?	<i>[Drop down list 33 PSAs]</i>
5	What impact do the Port Security Regulations 2009 have on the management of risk at your port facility?	Significantly positive Positive No impact Negative Significantly negative
6	In what ways has the impact of the Port Security Regulations 2009 been positive?	Improved intelligence sharing Improved communication with port stakeholders Improved assessment of risk Improved security planning Other (please specify)
7	In what ways has the impact of the Port Security Regulations 2009 been negative?	<i>Free text</i>
8	In the last 3 years, how many times has your PSA met?	0-10
9	Which organisations attend Port Security Authority meetings?	Port facilities Department for Transport Police representatives National Crime Agency Border Force Maritime & Coastguard Agency Other (please specify)
10	If they do not already, which organisations would you like to attend Port Security Authority meetings?	Port facilities Department for Transport Police representatives National Crime Agency Border Force Maritime & Coastguard Agency Other (please specify)
11	Has your PSA held meetings virtually during the Covid-19 pandemic? (e.g. using video call software)	Yes No I don't know
12	Would holding meetings virtually make you more likely to attend PSA meetings?	More likely No impact Less likely

13	What proportion of Port Security Authority members attend meetings regularly?	A quarter Half Three quarters All
14	As a Port Security Officer, in the past year, how many hours a week do you estimate you have you spent on Port Security Officer duties?	Less than 2 hours 2-3½ hours 3½-7 hours 8-21 hours 21+ hours
15	Can you estimate how much this costs per year?	£0 £1-1000 £1001-2500 £2501-5000 £5001-10000 £10001-25000 £25000+ I don't know
16	In the past year, how many hours a week do you estimate you have you spent on PSA-related work?	Less than 2 hours 2-3½ hours 3½-7 hours 8-21 hours 21+ hours
17	Can you estimate how much this costs per year?	£0 £1-1000 £1001-2500 £2501-5000 £5001-10000 £10001-25000 £25000+ I don't know
18	Do any other staff work on activity related to the Port Security Regulations 2009?	Yes No I don't know
19	If so, how many staff?	Number (people)
20	What is/are their title/s?	<i>Free text</i>
21	How much do you estimate this costs per year?	Number (£)
22	What is the approximate total yearly cost of running your PSA? (excluding the cost of PSO duties)	£0 £1-1000 £1001-2500 £2501-5000 £5001-10000 £10001-25000 £25000+ I don't know Other (please specify)

23	Does your PSA charge a fee to its members?	Yes No I don't know
24	How much are the Port Security Authority fees per year?	Number (£) I don't know
25	Is there any other information to note about Port Security Authority fees?	Yes (Please specify) No
26	Have any challenges arisen from the status of the Port Security Authority as an incorporated or unincorporated body?	Yes (Please specify) No
27	Is your Port Security Authority an incorporated or unincorporated body?	Unincorporated Incorporated I don't know
28	What scenarios have been exercised as part of the Port Security Authority since 2017?	Bomb Threat Suspicious package Suspicious vehicle Multi-location hostile acts Hijacked vessel Suspicious vessel Fire on board a vessel Vessel at Security Level 2 or 3 Marauding Terrorist Firearms attack Vehicle borne IED Increase of Security Level to 2 or 3 Cyber attack Communications failure Missing person Intruder Protest groups interfering with port activity Other (Please specify) None of the above I don't know
29	Have there been any unintended consequences from the Port Security Regulations 2009?	Yes (Please specify) No I don't know
30	Would you like to propose any ways to improve the application of the Port Security Regulations 2009 to achieve greater value for money?	Yes (Please specify) No
31	Do you have any other comments or suggestions on the Port Security Regulations 2009?	Yes (Please specify) No

Annex D: Survey data

Answers to questions 1 and 2 are excluded for data protection. Square brackets indicate redactions for data protection.

Question 3: What is your position?		
Answer Choice	Response Percent	Response Total
Port Facility Security Officer	89.7%	70
Deputy Port Facility Security Officer	2.6%	2
Port Security Officer of a PSA	16.7%	13
Other (please specify):	6.4%	5
	<i>answered</i>	78
	<i>skipped</i>	0

Question 4: Which Port Security Authority are you a member of?		
Answer Choice	Percent Response	Response Total
Aberdeen	0.0%	0
Avonmouth Dock and Royal Portbury Dock and Port of Bristol Security Authority	2.6%	2
Barrow	0.0%	0
Belfast	1.3%	1
Cardiff/Newport/Barry	1.3%	1
Cromarty Firth	1.3%	1
Dover	1.3%	1
Falmouth	1.3%	1
Fowey	0.0%	0
Glasgow	0.0%	0
Grangemouth	0.0%	0
Great Yarmouth	2.6%	2
Humber	7.7%	6
Liverpool/Manchester	20.5%	16
Londonderry	0.0%	0
Medway	3.8%	3
Milford Haven	1.3%	1
Newhaven	1.3%	1
Oban	0.0%	0
Peterhead	0.0%	0
Plymouth	6.4%	5
Portland	2.6%	2

Rosyth	1.3%	1
Shoreham	3.8%	3
Southampton	5.1%	4
Stour & Orwell	3.8%	3
Sullom Voe	2.6%	2
Swansea/Port Talbot	2.6%	2
Tees & Hartlepool	9.0%	7
Thames	11.5%	9
Troon	0.0%	0
Tyne	5.1%	4
Workington	0.0%	0
answered		78
skipped		0

Question 5: What impact do the Port Security Designation Orders have on the management of risk at your port facility?

Answer Choice	Response Percent	Response Total
Significantly positive	16.7%	13
Positive	60.3%	47
No impact	21.8%	17
Negative	1.3%	1
Significantly negative	0.0%	0
answered		78
skipped		0

Question 6: In what ways has the impact of the Port Security Designation Orders been positive?

Answer Choice	Response Percent	Response Total
Improved intelligence sharing	50.0%	30
Improved communication with port stakeholders	63.3%	38
Improved assessment of risk	48.3%	29
Improved security planning	53.3%	32
Other (please specify):	5.0%	3
answered		60
skipped		18

Question 7: In what ways has the impact of the Port Security Designation Orders been negative?

Answer Choice	Response Percent	Response Total
Creation of equal and several liability between PSA members that did not exist before the PSRs 2009	100.0%	1
<i>answered</i>		1
<i>skipped</i>		77

Question 8: In the last 3 years, how many times has your PSA met? (Please enter a number 0-10)

Answer Choice	Response Percent	Response Total
0	4%	3
1	4%	3
2	10%	8
3	9%	7
4	5%	4
5	13%	10
6	36%	28
7	6%	5
8	4%	3
9	4%	3
10	5%	4
<i>answered</i>		75
<i>skipped</i>		3

Question 9: Which organisations attend Port Security Authority meetings?

Answer Choice	Response Percent	Response Total
Port facilities	98.7%	76
Department for Transport	85.7%	66
Police representatives	89.6%	69
National Crime Agency	39.0%	30
Border Force	79.2%	61
Maritime & Coastguard Agency	58.4%	45
Other (please specify)	20.8%	16
<i>answered</i>		77
<i>skipped</i>		1

Question 9: Other (please specify)**Response**

Ferry company representative

CTSA and CTP

CTSA

Port Tenants

Counter Terrorism North West Police, Port Health & Seafarers mission (local charity)

Port Health Authority

CSO's from ferry operators,

PFSO's from other companies

ERSOU

Local Resilience Forum

local council. MOD.

ABP, Local authority, counter terrorism

CTSA

Royal Navy representatives

Local Resilience Forum members (during exercises only)

PLA, Port Health, London River Users Society, Passenger Boat Association

Question 10: If they do not already, which organisations would you like to attend Port Security Authority meetings?

Answer Choice	Response Percent	Response Total
Port facilities	9.4%	3
Department for Transport	12.5%	4
Police representatives	6.3%	2
National Crime Agency	31.3%	10
Border Force	25.0%	8
Maritime & Coastguard Agency	37.5%	12
Other (please specify):	28.1%	9
	answered	32
	skipped	46

Question 10: Other (please specify)**Response**

PSC meetings are still held at the major ports due to the geographical area (counties) of the PSA. These are attended by UKBF, Police and NCA as required.

all attend and take an active role with enthusiasm and support for the PSA work

N/A Fully attended

Customers

no others

Shipping Agents

N/A Fully attended

[Answer blank]

All Stakeholders attend the meetings and any other agencies or groups are informed if the information directly affects them

Question 11: Has your Port Security Authority held meetings virtually during the Covid-19 pandemic? (e.g. using video call software)

Answer Choice	Response Percent	Response Total
Yes	90.9%	70
No	5.2%	4
Don't know	3.9%	3
answered		77
skipped		1

Question 12: Would holding meetings virtually make you more likely to attend Port Security Authority meetings?

Answer Choice	Response Percent	Response Total
More likely	36.4%	28
Less likely	5.2%	4
No impact	58.4%	45
answered		77
skipped		1

Question 13: What proportion of Port Security Authority members attend meetings regularly? (Port Security Officers only)

Answer Choice	Response Percent	Response Total
A quarter	0.0%	0
Half	0.0%	0
Three quarters	61.5%	8
All	38.5%	5
answered		13
skipped		65

Question 14: As a Port Security Officer, how many hours a week do you estimate you have spent on Port Security Officer duties in the past year? (Port Security Officers only)

Answer Choice	Response Percent	Response Total
Less than 2 hours	30.8%	4
2 - 3½ hours	30.8%	4
3½ - 7 hours	0.0%	0
8 - 21 hours	15.4%	2
More than 21 hours	23.1%	3

answered 13
skipped 65

Question 15: Can you estimate how much this costs per year? (Port Security Officers only)

Answer Choice	Response Percent	Response Total
£0	0.0%	0
£1 - £1,000	23.1%	3
£1,001 - £2,500	23.1%	3
£2,501 - £5,000	0.0%	0
£5,001 - £10,000	23.1%	3
£10,001 - £25,000	0.0%	0
£25,000+	7.7%	1
I don't know	23.1%	3
<i>answered</i>		13
<i>skipped</i>		65

Question 16: In the past year, how many hours a week do you estimate you have you spent on Port Security Authority-related work?

Answer Choice	Response Percent	Response Total
Less than 2 hours	35.4%	23
2 - 3½ hours	21.5%	14
3½ - 7 hours	18.5%	12
8 - 21 hours	12.3%	8
More than 21 hours	12.3%	8
<i>answered</i>		65
<i>skipped</i>		13

Question 17: Can you estimate how much this costs per year?

Answer Choice	Response Percent	Response Total
£0	1.6%	1
£1 - £1,000	20.3%	13
£1,001 - £2,500	14.1%	9
£2,501 - £5,000	4.7%	3
£5,001 - £10,000	12.5%	8
£10,001 - £25,000	6.3%	4
£25,000+	1.6%	1
I don't know	39.1%	25
<i>answered</i>		64

skipped 14

Question 18: Do any other staff work on activity related to the Port Security Authority?

Answer Choice	Response Percent	Response Total
Yes	61.0%	47
No	33.8%	26
I don't know	5.2%	4
answered		77
skipped		1

Question 19: How many staff? (Please enter a number 0-100)

Answer Choice	Response Percent	Response Total
1	33%	16
2	19%	9
3	19%	9
4	6%	3
6	2%	1
7	4%	2
12	2%	1
15	2%	1
31	2%	1
35	2%	1
36	2%	1
40	2%	1
50	2%	1
54	2%	1
answered		48
skipped		30

Question 20: What is/are their title/s?

Response
Security Officers
Security, Port Operatives
Port Police Administrator
ISPS Manager
Police Officers
Assistant Harbour Masters & Marine Operations Manager
Deputy PSO
Lead Compliance Officer / Compliance Officer x2

Lead Compliance Officer / Security Compliance Officer
General Manager, Ships Agent
DPFSO
Emergency team leaders
Deputy Security Officer / Customer Services
Office Staff
PFSO and Administrator
DPFSO
Supervisor
Security Team/ Maintenance
DPSO, Security Officers, Managers
Deputy PFSO and Police Officers
Security Officers
Terminal operator, Shift Supervisor, Security Guards, DPFSOs
DPFSO
Security Manager/officers
Shift Supervisor, Operations Manager
DPFSO / Assistant manager
Operations manager /admin
jetty operators
PFSO / Shift Supervisors / Operators
Compliance officer, lead compliance officer, Training co-ordinator
Ops Manager / dPFSO
DPFSO
Marine Assistants
Security officers
Ship's agent / DPFSO
Compliance Manager & Security Officer
Security Coordinators
DPFSO
Emergency team leaders
DPFSO
Harbour Master, Operations Manager Cruise and Ferries, Marine Co Ordinator
Deputy PFSO
Deputy HM/Port Safety Officers/Port Supervisor
ops supervisor and ops team
DPFSO's
EHSS Manager (DPFSO)
Deputy PFSO
Operations Director, Hazardous Waste Manager, Facility Co-ordinator

Question 21: How much do you estimate this costs (£) per year? (Please enter the number)

Answer Choice	Response Percent	Response Total
0	11%	4
30	3%	1

200	6%	2
500	3%	1
700	3%	1
1000	22%	8
2000	8%	3
3000	3%	1
4000	3%	1
5000	11%	4
8000	3%	1
18000	3%	1
20000	3%	1
24000	3%	1
75000	3%	1
80000	6%	2
90000	6%	2
100000	3%	1
answered		36
skipped		42

Question 22: What is the approximate total yearly cost of running your Port Security Authority? (excluding the cost of Port Security Officer duties)

Answer Choice	Response Percent	Response Total
£0	1.3%	1
£1 - £1,000	10.5%	8
£1,001 - £2,500	2.6%	2
£2,501 - £5,000	3.9%	3
£5,001 - £10,000	6.6%	5
£10,001 - £25,000	5.3%	4
£25,000+	6.6%	5
I don't know	60.5%	46
Other (please specify)	2.6%	2
answered		76
skipped		2

Question 22: Yes (please specify)

Response

The only cost incurred is if we lay on a buffet for an exercise or meeting which doesn't happen everytime.

As a company, our PSA charge our members but remain non-for profit. All members have paid since inception without issue as see value for money

Question 23: Does your Port Security Authority charge a fee to its members?

Answer Choice	Response Percent	Response Total
Yes	13.0%	10
No	68.8%	53
I don't know	18.2%	14
answered		77
skipped		1

Question 24: How much are the Port Security Authority fees per year? (Shown if respondent answered Yes to question 23)**Response**

[Nine answers redacted for commercial sensitivity]

I am not aware of this cost.

Question 25: Is there any other information to note about Port Security Authority fees?**Response**

It was agreed that there would not be a fee for being a member of the PSA and the cost would be shared between [port operator 1] and [port operator 2]

Costs relating to training, exercises and drills

All [number] members pay each year without issue as see value for money. The fees include planned exercises, audits of PFSP, training. As a DfT accredited training provider our PSA offers all training courses free to our membership. This includes the three day PFSO course, PFSO refresher training and Security Awareness training which has been provided to in excess of 400 port personnel

The fees include training, exercises and ISPS audits to ensure compliance

Question 26: Have any challenges arisen from the status of your Port Security Authority as an incorporated or unincorporated body?

Answer Choice	Response Percent	Response Total
Yes	2.6%	2
No	57.1%	44
Don't know	40.3%	31
answered		77
skipped		1

Question 26: Yes (please specify)**Response**

PSA established as a body corporate with limited liabilities to members. Legal undertaking was required

Port security is a very marginal part of my job where as other psa members this is solely what they do so it is hard to keep up with others.

Question 27: Is your Port Security Authority an incorporated or unincorporated body?

Answer Choice	Response Percent	Response Total
Incorporated	15.6%	12
Unincorporated	22.1%	17
Don't know	62.3%	48
	answered	77
	skipped	1

Question 28: What scenarios have been exercised as part of the Port Security Authority since 2017?

Answer Choice	Response Percent	Response Total
Bomb threat	53.2%	41
Suspicious package	58.4%	45
Suspicious vehicle	33.8%	26
Multi-location hostile acts	28.6%	22
Hijacked vessel	14.3%	11
Suspicious vessel	18.2%	14
Fire on board a vessel	3.9%	3
Vessel at Security Level 2 or 3	36.4%	28
Marauding terrorist firearms attack	15.6%	12
Vehicle borne IED	11.7%	9
Increase of Security Level to 2 or 3	37.7%	29
Cyber attack	39.0%	30
Communications failure	27.3%	21
Missing person	11.7%	9
Intruder	50.6%	39
Protest groups interfering with port activity	45.5%	35
None of the above	0.0%	0
Don't know	7.8%	6
Other (please specify):	16.9%	13
	answered	77
	skipped	1

Question 28: Other (please specify)

Response
Power failure
Action counters terrorism and Disruptive environment in maritime ports
Medical Incident within TRA
Each exercise covers several topics, quite a few of which are not covered in the above list.

Urban explorers
Stowaways / Illegal arms / ??
Hostile Reconnaissance
Weighbridge security
[blank]
Breach of security fencing
Stowaway
Munition
Stowaway with CT links

Question 29: Have there been any unintended consequences from the Port Security Designation Orders?

Answer Choice	Response Percent	Response Total
Yes (please specify)	2.6%	2
No	94.9%	74
answered		76
skipped		2

Question 29: Yes (please specify)

Response

Western boundry of the [location] PSA incorrect

Inclusion of the south bound carriageway of the [bridge] within the jurisdiction of the PSA - it should be excluded.

Question 30: Would you like to propose any ways to improve the application of the Port Security Designation Orders to achieve greater value for money?

Answer Choice	Response Percent	Response Total
Yes (please specify)	7.8%	6
No	92.2%	71
answered		77
skipped		1

Question 30: Yes (please specify)

Response

Specific training package to security officers as there is for PFSOs. We certainly enhance our staffs training but I feel there should be a UK standard.

[Port operator] still has reservations regarding the value of PSA's to the security of its Port Facilities. There is no additional value than from the [port security meeting] that was in place prior to PSA's. The requirement for PSA's should be reviewed post EU exit as they were an EU requirement.

The PSA adds little value to the security of the port. PFSC is more relevant to the improvement of port security as it is Port specific.

Re-draw western boundry

Discontinue PSAs and return to the former arrangements for an area Security Committee
 Review the Ship and Port Facility (Security) Regulations 2004 and the Port Security Regulations 2009 given the UK's exit from the EU and consolidate the two into a clear requirement, retention of powers to stop and search, offences for unauthorised access and interference with security measures and remove the need for a Port Security Authority which is only derived from the EC Directive and does nothing to enhance security above the previously as successful Port Security Committees.

Question 31: Do you have any other comments or suggestions on the Port Security Designation Orders?

Answer Choice	Response Percent	Response Total
Yes (please specify)	4.1%	3
No	95.9%	71
	answered	74
	skipped	4

Question 31: Yes (please specify)

Response

Costs and time involved in running and maintaining PSA's to ensure compliance are increasing year on year

We are a very pro-active PSA, with the full support from our membership who engage regularly and support unconditionally all our training, audits and exercises. Since the inception of the PSA regulations there has been a dramatic improvement of overall port security, relationships and communication between all facilities and the standards in both PFSO and PFSP. The high standard we set out to achieve across our designated area have been met and have been commented positively not only by our own DfT inspectors but also a European inspection team who officially stated that they saw our 'model' as the way the Regulations would be best implemented across Europe. In fact, they have since been in touch and taken some of our work to demonstrate to other European nations the model we operate to. Overall, we consider our PSA to have been a success in improving the standards of security and hope there are no decisions that will in effect cause a step backwards in terms of port security.

The Port Security Designation Orders and subsequent PSAs do not enhance security or information sharing and thus the previous Port Security Committees (without their equal and several liability) worked just as effectively. Can the review include whether the retention of the designation orders remains necessary?

Annex E: Impact Assessment cost estimates

The following estimates for costs were predicted in impact assessments for the legislation.

Port	Impact Assessment	Port Security Officer (£)	Port Security Authority (£)	Port Security Risk Assessment (£)	Port Security Plan (£)	Sub-total (PSRA & PSP) (£)	Total (£)
Aberdeen	DfT00137	12540.00	0.00	6272.00	482.00	6754.00	19294.00
Barrow	DfT00245	12540.00	0.00	3378.00	482.00	3860.00	16400.00
Barrow	DfT00168	12540.00	0.00	4825.00	482.00	5307.00	17847.00
Belfast	DfT00254	12540.00	0.00	6271.00	482.00	6753.00	19293.00
Cardiff	DfT00168	12540.00	0.00	7236.00	482.00	7718.00	20258.00
Cardiff	DfT00245	12540.00	0.00	7236.00	482.00	7718.00	20258.00
Clyde	DfT00168	12540.00	0.00	7236.00	482.00	7718.00	20258.00
Cromarty Firth	DfT00245	12540.00	0.00	5789.00	482.00	6271.00	18811.00
Dover	DfT00093	21669.94	0.00	5789.36	1183.60	6972.96	28642.90
Falmouth	DfT00168	12540.00	0.00	3860.00	482.00	4342.00	16882.00
Felixstowe/ Harwich	DfT00254	12540.00	0.00	5307.00	482.00	5789.00	18329.00
Fowey	DfT00245	12540.00	0.00	3378.00	482.00	3860.00	16400.00
Glasgow	DfT00250	12540.00	0.00	7236.00	482.00	7718.00	20258.00
Grangemouth	DfT00137	12540.00	0.00	3378.00	482.00	3860.00	16400.00
Great Yarmouth	DfT00250	12540.00	0.00	8683.00	482.00	9165.00	21705.00
Hull and Goole	DfT00168	12540.00	0.00	10130.00	482.00	10612.00	23152.00
Immingham and Grimsby	DfT00168	12540.00	0.00	7719.00	482.00	8201.00	20741.00
Ipswich	DfT00254	12540.00	0.00	3860.00	482.00	4342.00	16882.00
Liverpool	DfT00168	12540.00	0.00	8201.00	482.00	8683.00	21223.00
Liverpool	DfT00137	12540.00	0.00	8201.00	482.00	8683.00	21223.00
Londonderry	DfT00272	12540.00	0.00	3860.00	482.00	4342.00	16882.00
Manchester	DfT00168	12540.00	0.00	4825.00	482.00	5307.00	17847.00
Medway	DfT00254	12540.00	0.00	14471.00	482.00	14953.00	27493.00
Milford Haven	DfT00137	12540.00	0.00	4825.00	482.00	5307.00	17847.00

Newhaven	DfT00168	12540.00	0.00	2896.00	482.00	3378.00	15918.00
Oban	DfT00245	12540.00	0.00	3860.00	482.00	4342.00	16882.00
Peterhead	DfT00245	12540.00	0.00	4825.00	482.00	5307.00	17847.00
Plymouth	DfT00245	12540.00	0.00	4342.00	482.00	4824.00	17364.00
Portland	DfT00137	12540.00	0.00	3378.00	482.00	3860.00	16400.00
Rosyth	DfT00250	12540.00	0.00	4825.00	482.00	5307.00	17847.00
Shoreham	DfT00245	12540.00	0.00	4342.00	482.00	4824.00	17364.00
Southampton	DfT00168	12540.00	0.00	3860.00	482.00	4342.00	16882.00
Sullom Voe	DfT00168	12540.00	0.00	2413.00	482.00	2895.00	15435.00
Swansea	DfT00168	12540.00	0.00	4825.00	482.00	5307.00	17847.00
Tees and Hartlepool	DfT00137	12540.00	0.00	12059.00	482.00	12541.00	25081.00
Thames	DfT00254	12540.00	0.00	30869.00	482.00	31351.00	43891.00
Troon	DfT00245	12540.00	0.00	2896.00	482.00	3378.00	15918.00
Tyne	DfT00250	12540.00	0.00	7717.00	482.00	8199.00	20739.00
Workington	DfT00137	12540.00	0.00	5789.00	482.00	6271.00	18811.00