

The Trust's Approach to Marine Enforcement

Introduction

The Canal & River Trust (the 'Trust') has statutory powers and duties in relation to each of its harbour areas for which it is Statutory Harbour Authority. The Trust is also responsible under the Ports & Marine Facilities Safety Code for the effective enforcement of its regulations, which are designed to assist in managing the safety of navigation within the harbour area.

The Trust exercises a range of techniques to engage, educate and encourage in the first instance to ensure compliance with regulation and good practice for marine safety. However, if deemed appropriate, for repeat offenders or for offences bringing significant risk of injury or loss of life, the Trust approach may escalate to warnings or prosecution.

The Trust's Approach to Enforcement

The Trust seeks to act proportionately and consistently in its approach to enforcement, by:

- Maintaining through regular reviews, a regulatory framework, which is integrated with relevant national legislation;
- Maintaining effective investigation procedures for use in the event of a navigational incident, which supports the Trust enforcement procedures, but also meets the requirements of the Marine Safety Management System in respect of identifying and promulgating any 'lessons learned';
- Ensuring that any staff required to conduct incident investigation receive effective and relevant training;
- Responding to breaches of regulation, where justified by the evidence and other circumstances, using formal warnings and legal prosecution.

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