

Responsibilities

| Organisational Roles and Responsibilities | Relevant legislation or policy | Existing Management |
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| Maintaining and conserving the harbour facilities at Berwick upon Tweed | The Berwick upon Tweed Harbour Act 1862 The Berwick upon Tweed Harbour Revision (Constitution) Order 2009 The Docks and Harbour Act 1972 Port Marine Safety Code (2016) | Harbour works are subject to various consents – planning permission, marine licence. An assessment of impact on nature conservation designations is carried out by the consenting body with advice from Natural England |
| Ensuring safe and efficient marine operations | Port Marine Safety Code (2016) The Harbours Act 1964 The Merchant Shipping Act 1995, as amended The Pilotage Act 1987 | Capital and maintenance dredging is subject to subject to a marine licence from the MMO. An assessment of impact on nature conservation designations would be carried out by the MMO with advice from Natural England. |
| Maintenance of lights and navigational markers | The Merchant Shipping Act 1995, as amended Marine Navigation Act 2013 Port Marine Safety Code (2016) | Berwick Harbour Commission is a Local Lighthouse Authority with responsibility for maintenance of aids to navigation (including buoys, beacons and electronic aids) Aids to navigation maintained by Local Lighthouse Authorities must be maintained in accordance with criteria laid down by Trinity House and are subject to periodic review. |
| Development of a Harbour Oil Spill Contingency Plan | Merchant Shipping (oil pollution preparedness, response and co-operation convention) Regulations 1998 | A Pollution Incident Contingency Plan is in place for the Harbour. The Maritime and Coastguard Agency (MCA) ensures that plans are developed and kept up to date in line with the national contingencies plan produced by |

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| | | the MCA. |
| Production of Harbour Waste Management Plan and provision of waste disposal facilities | The Merchant Shipping (Port Waste Reception Facilities) Regulations 1997 | The Maritime and Coastguard Agency (MCA) ensures that plans are developed and kept up to date. The Harbour has facilities for dry waste and EU generated food waste |
| Competent Authority with a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive | The Conservation of Habitats and Species Regulation 2017 | Potentially any activity. Any competent authority authorising a plan or project that may (either alone or in combination with other plans or projects), have a significant effect on the protected site, must undertake an appropriate assessment of the implications for that site in view of that site's conservation objectives |
| Statutory duty as a public authority to take reasonable steps to conserve and enhance the special features of sites of special scientific interest (SSSIs) | Wildlife and Countryside Act 1981, as amended | Section 28G of the Wildlife and Countryside Act 1981(as amended) imposes a duty on public bodies in exercising their functions to take reasonable steps, consistent with the proper exercise of those functions, to further conservation and enhancement of the special features on a SSSI. This applies where the public body is exercising its statutory functions on a SSSI or on land outside the SSSI where those functions affect a SSSI. |
| Statutory duty as a public authority to have regard to conserving biodiversity as part of decision making | Natural Environment and Rural Communities Act 2006 | Under Section 40 of the Natural Environment and Rural Communities Act 2006, there is a duty on all public authorities have regard, in exercising its functions, to the purpose of conserving biodiversity. The Act states that 'conserving |

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| | | biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.' |
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