

Case Study



Portsmouth Levy for Animal Exports

Compassion in World Farming
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Portsmouth City Council, the owner of Portsmouth Port, has recently succeeded in ending the export of animals from their port following an ongoing battle over a number of years.

Initially Portsmouth City Council tried to introduce a ban on live exports but this was challenged.

Instead they proposed charging a levy of £10,000 on every transporter that was carrying live exports, in addition to the berthing fees that are already in place. This was challenged by Celtic Lines (the last ferry company to be involved in live exports from Portsmouth), who tried to sue Portsmouth City Council for £8m – ultimately unsuccessfully.

Legal advice received by Portsmouth City Council suggested that the £10,000 fee could be deemed unreasonable if the matter went to court and the Council subsequently reduced it to £5,000. This fee took into account, amongst other things, the cost of security at the port, the cost of providing police presence and of policing demonstrations, as well as providing a separate section of the port to receive live exports in order to avoid causing offence to any passengers who may see the exports occurring, extra staff required to provide all of the organization for this, etc.. Although the cost of policing is covered by a different Council, they took the view that the public purse was still paying for this.

Other passenger ferry operators using the port included P&O, LD Lines and Brittany Ferry's. None of these companies wanted to bring live exports onto their boats and were tired of people trying to get onto the car deck, where the animals were during a crossing, to protest. By this point there was only one company who were prepared to export animals (Celtic Lines) from Portsmouth and the Council increased the levy to cover their costs (as mentioned above), which had a secondary effect of making the trade economically unviable.

Celtic Lines took the Council to court over the levy, which they had declined to pay but later dropped this action. They also failed to pay it. When Celtic Lines refused to pay the levy, Portsmouth City Council took action and had the boat impounded in Cherbourg, France.

Celtic Lines eventually dropped their claim against Portsmouth City Council and there have not been any live exports from Portsmouth since they took the decision to increase the levy.

Further details on the Celtic Lines / Portsmouth City Council legal wrangle can be found here: <http://www.bbc.co.uk/news/uk-england-hampshire-14150688>

Supplementary Information:

Portsmouth Port is Council owned and therefore it is the Council's responsibility to set the berthing fees as the costs associated with this process come from the public purse. Provided that the Council can prove that the costs are reasonable – based on police time, additional staff, increased workload to handle the transporters, etc. - the Council can charge what they wish.

At no point did Portsmouth City Council receive any objections from their residents to the plan of action that they were taking.

Once the lorries enter into the port to board the boat they become the responsibility of the Council and therefore were a potential drain on public funds.

Whilst the Council initially received a lot of resistance from the ferry port and the ferry companies, it was the Council who were responsible for taking the decision and, ultimately, there have not been any live exports from Portsmouth since they took the decision to increase the levy.