

11 January 2024

WRITTEN SUBMISSION TO EUROPEAN SCRUTINY COMMITTEE INQUIRY ON EU ENTRY EXIT SYSTEM (EES)

1. Introductory context to Port of Dover and supporting organisations

- 1.1 This written evidence is submitted on behalf of the Port of Dover, together with the three ferry companies operating on the route between Dover, Calais, and Dunkirk - these being DFDS, P&O Ferries and Irish Ferries.
- 1.2 The Dover-Calais/Dunkirk route carries £144bn of trade and 33% of the UK's trade in goods with the EU and has remained the ferry route of choice for hauliers and passengers since the UK's decision to leave the EU. This is due to its irreplaceable location on the shortest sea crossing to mainland Europe and the resultant capacity, speed, and service frequency it provides.
- 1.3 On its tightly defined footprint of just 0.68 square miles of land between the famous White Cliffs, the town of Dover and the English Channel, the Port of Dover can swiftly process up to 110 miles of freight per day (equivalent to a line of HGVs stretching from Dover in Kent to beyond Stansted Airport in Essex). Over the 2023 six-week summer holiday period, Dover processed **over 2 million passengers, 483,000 cars, 9,000 coaches and 237,000 freight vehicles. This equates to 2,390 miles of outbound traffic, a distance that stretches from Dover to beyond Cairo in Egypt.** In 2023 as a whole, Dover processed enough freight, car, and coach vehicles to form a line of traffic that stretched beyond the circumference of the globe.
- 1.4 **The average border processing time in summer 2023 was 41 minutes during peak hours across the full school holiday period and 2.5 hours during just one hour on the very busiest getaway Saturday. However, the average border processing time for normal non-holiday periods is only around 5 minutes.**
- 1.5 **Handling this much freight and tourist traffic is only possible when border processing is efficient, and already involves extensive multi-agency planning and, during peak holiday periods, the prioritisation of tourist traffic and the management of freight on the public highway.**

2. Why we are submitting evidence to the inquiry

- 2.1 As the facilitators of the UK's most important trading route (via France) with its single biggest trading bloc, the EU, we aim to alert the committee to the existential risk facing critical supply chains, businesses, communities, and the tourism economy of nations on both sides of the Channel from the current lack of appropriate regime for the introduction of the EU Entry Exit System (EES).
- 2.2 We have been engaging with governments in the UK, France, and the EU for over four years seeking a solution that is appropriate for the operations in Dover. Whilst we have made greater progress in the past year, once the government department ownership of the issues was anchored in the Home Office, an approved acceptable solution eludes us today.
- 2.3 As a result of the 2003 Treaty of Le Touquet, to which the UK and French governments are the signatories, we wish to highlight the severe implications for the UK of EES implementation regarding the unique situation of juxtaposed border controls and the

interrelationship with the Port of Dover's role in handling significant vehicular-based movements of people and goods.

- 2.4 **EES will be an additional and permanent border system**, and therefore the impacts of its introduction will be lasting.

3. Juxtaposed UK/France (Schengen) border controls are in operation at London St Pancras International, Folkestone and Dover.

Introduced in its current form, what challenges will EES present UK sites facilitating juxtaposed border controls?

Wide-ranging challenges

- 3.1 Introduced in its current form, EES will present huge challenges for French border operations within the Port of Dover and consequentially there will be serious and lasting negative impacts on communities, businesses, and authorities within the UK and in France and wider Europe.

Impact on Port of Dover's tourist ferry business

- 3.2 The impact on Dover's tourist ferry business would be severe as the system would not be capable of processing current car and coaches volumes, which are still lower than before (and recovering from) the pandemic.
- 3.3 The UK's coach industry, for example, is extremely reliant on the Port of Dover for international travel, such as facilitating educational trips for schoolchildren and coach holidays for older British citizens.

Impact on freight flows and critical supply chains

- 3.4 As has been demonstrated by previous disruptions caused by any significant choke at the border, and even more so when involving peak volumes of tourist traffic, EU-bound freight traffic from across the UK (as well as Ireland) is queued on the M20 motorway in Operation Brock. This is a major resource-intensive multi-agency operation that disrupts Kent residents and businesses as well as holding time-critical freight flows to the continent that would rather wait in Brock because the hauliers know that there is not adequate capacity or service frequency elsewhere.
- 3.5 Due to the more acute welfare issues associated with tourist traffic, freight vehicles remain held on the M20 until this is cleared. Many of these HGVs contain just-in-time goods, some examples being fresh meat and shellfish from the North with finite shelf lives, as well as automotive parts fabricated in the Midlands that must reach assembly lines in Europe within a given time window (in some instances before returning to the Midlands for further manufacture). Around half are heading back empty to Europe where they collect new loads for return to the UK that keep supermarkets shelves full across the nation.
- 3.6 With continual tourist queues, the freight would not be able to reach the port and critical supply chains serving the whole of the UK would come to a standstill. It would cost £2.5bn to try and divert just 10-20% of Dover's traffic (source: Oxera Consulting LLP) and **alternative ferry capacity does not even exist.**

Tourist business impact on Calais, Dunkirk, and France

- 3.7 The three ports and three ferry operators are part of a system. Therefore, if the ferry operators' tourist business is badly affected at Dover, so too will it be at Calais and Dunkirk.

- 3.8 According to the ONS International Passenger Survey 2022, France remains the second most popular destination for UK residents, accounting for 10% of total overseas visits, due to the advantages of being able to take cars and pets with no luggage restrictions. Severely constrained tourist flows to France would not only be detrimental to British families but would, as a result, impact the wider French economy.
Impact on jobs and local economy
- 3.9 The Port of Dover is the major employment site in Dover. With the scale of disruption to the port, to local communities and local businesses, this could seriously impact local jobs in an area that already has five wards in the top 10% areas of multiple deprivation in England.
- 3.10 As has been witnessed during previous times of serious disruption, the activities and traffic movements of local residents in and around Dover, local public transport and local businesses are all severely impacted, further hindering local economic activity.
- 3.11 More widely, 80% of Kent and Medway businesses have reported a significant decline in revenue and income during Operation Brock, with some businesses indicating a revenue reduction ranging from 40% to 60% (source: Kent & Medway Economic Partnership).
- 3.12 EES would therefore exacerbate an existing lack of resilience for Kent's strategic road network and the local/regional movements it supports, with significant and worrying long-term impacts on Kent business.

Impact on UK tourism industry

- 3.13 Dover is home to some of the UK's most popular and iconic tourist attractions, including the White Cliffs and Dover Castle. Dover's tourism industry is still recovering from the COVID-19 pandemic. In 2019, tourism in the region was valued at £302m and supported 6,000 jobs. In 2020, the value of tourism in the area decreased to £112 million, a drop of 63%. The same period saw a 45% decrease in trips and a 44% decrease in the number of jobs (source: Economic Impact of Tourism in Dover Report, 2020). Visit Kent recently reported that 13% of businesses (who responded to Visit Kent's 'Business Barometer' survey in August 2023) said that Operation Brock had had a negative impact on their businesses due to traffic congestion, with 57% of these businesses reporting that their visitor footfall had decreased between an estimated 1% to 40%. The survey also reported that for attractions in Kent (who responded to the survey), their top concerns included loss of footfall (53%), followed by travel disruptions (38%) with 21% of these businesses specifically citing Operation Brock as a concern.

Should special dispensation for remote registration or remote pre-registration for EES be provided for at these sites?

- 3.14 The European Council set out in October 2023 a note on implementation that should provide a political vehicle by which a dispensation can be achieved.
- 3.15 In an official communication from the President of the European Council to Permanent Representatives on 9th October, the note stated: ***"In light of the need to keep our borders open and to maintain reasonable waiting times for border controls, the entry into operation of the EES should be prepared in detail and measures that prevent border crossing points becoming congested will be required."***
- 3.16 The wide-ranging and severe impacts that have been set out above should be evidence enough of the wholly unreasonable wait times anticipated and the case for preparing measures that prevent the anticipated congestion, not only at the border but also across Kent.

3.17 A special dispensation at Dover that enables the EES process to be conducted remotely is fundamental to the successful implementation of EES on the Short Straits and to avoid disruption to trade and just-in-time supply chains serving not just the UK, but indeed France and the wider EU.

4. **What steps should the UK Government be taking to mitigate potential disruption stemming from the introduction of EES for UK ports, operators, and passengers travelling to the Schengen Area?**

4.1 The traffic that travels via Dover does so due to unrivalled frequency, short transits, significant capacity, and transport efficiency – to meet just-in-time freight schedules or to meet the constraints of families having to travel at weekends and during school holidays, for example. Critically for the Dover ferry routes, an HGV at Dover would have to miss 20 ferries to make using an alternative port worth considering – but the capacity does not exist elsewhere. The UK Government must therefore focus on mitigations that solve traffic fluidity at Dover itself.

4.2 From the official communication of the President of the European Council to Permanent Representatives on 9th October, the note on EES also stated: *“The Entry/Exit System may enter into operation only after all Member States have declared their readiness. Delay by one Member State will delay the entry into operation for all. It is important that Member States confronted with difficulties during their preparation will report them immediately.”*

4.3 As an EU system, resolving EES at Dover requires the support and cooperation of France and ultimately the EU. Operating under juxtaposed controls as a consequence of the Anglo-French Treaty of Le Touquet, we would encourage the UK Government to work with the French Government in order to agree a joint approach for raising the Short Straits challenge with the EU and finding a workable solution for this critical high-volume vehicular-based international gateway.

4.4 Specifically, we would ask that the UK Government should take the following steps:

- Seek French agreement to timeline for EES implementation that matches the Short Straits readiness
- Request France to press for a regulation change or negotiate a derogation with the EU that would mean the EES registration process can either be done at an offsite location or via an app

4.5 It is worth stating that EES does not, and should not, exist in a vacuum. The UK Government is working towards its Future Borders 2025 strategy, which will deliver a new system for border security affecting inbound flows of people, vehicles, and goods. The Short Straits system also has the European Travel Information Authorisation System (ETIAS) to prepare for, which will require UK travellers visiting Schengen countries to complete further documentation ahead of travel that will then have to be checked alongside other travel documentation at Port of Dover to screen for security or migration risks. The UK is also in the process of rolling out its own Electronic Travel Authorisation for inbound visitors. ETIAS is reliant on EES implementation due to the interoperable IT architecture and will add another layer of border processing. All of this demonstrates the need for a ‘one-system’ approach to aid border fluidity and improve security. It is therefore vital that the UK Government collaborates with France and the EU in order to deliver a comprehensive border architecture that is compatible, complementary, delivers more security, but importantly is also more efficient.

END

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