



Coleraine Harbour

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Response to the Committee for Infrastructure

Call for Evidence on the Harbours Bill

1. Introduction

Coleraine Harbour Commissioners welcomes the opportunity to respond to the Committee for Infrastructure's Call for Evidence on the Harbours Bill.

The Commissioners welcome the progress made by the Minister, the Department for Infrastructure and the Northern Ireland Assembly in bringing forward legislation to modernise the legislative and governance framework applying to Northern Ireland's Trust Ports.

Coleraine Harbour is one of Northern Ireland's four Trust Ports and has served the town of Coleraine and the wider North Coast for centuries. While significantly different in scale and operation from the larger Trust Ports, Coleraine Harbour performs an important economic, maritime and community function and has considerable potential to contribute further to tourism, leisure marine activity, regeneration, skills development and economic growth.

The Commissioners therefore strongly support the principle that Northern Ireland's Trust Ports should operate within a modern legislative framework which recognises the diversity of the sector and provides individual ports with the flexibility required to develop sustainably for the benefit of their stakeholders and communities.

The Commissioners also believe that the Trust Port model is one that best fits Coleraine, as it ensures that any future development is carried out with the best interests of the harbour and its stakeholders as the primary concern.

2. General Support for the Bill

Coleraine Harbour Commissioners supports the general principles and objectives of the Harbours Bill.

We recognise the importance of the legislative changes required to enable the Office for National Statistics to reconsider the accounting classification of Northern Ireland's Trust Ports.

Reclassification should provide Trust Ports with greater financial flexibility, including the ability to borrow prudently from commercial lenders against their own balance sheets without such borrowing adversely affecting the public sector balance sheet.

This represents an important opportunity for Northern Ireland's Trust Ports to finance investment in their infrastructure and estates without creating an additional demand upon already constrained public finances.

The Commissioners consider it important to emphasise that reclassification would be an accounting change. It would not constitute privatisation and would not alter the fundamental Trust Port model.

Trust Ports would continue to operate independently for the benefit of their stakeholders rather than private shareholders, with surpluses reinvested in their ports, infrastructure and communities.

3. Importance of Reform for Smaller Trust Ports

While much of the public discussion surrounding the Bill understandably relates to Northern Ireland's larger ports, the Commissioners believe the proposed reforms are equally important for smaller Trust Ports such as Coleraine.

The strength of the Trust Port model lies partly in its diversity. Northern Ireland's ports differ substantially in scale, geography, markets and strategic purpose.

A modern legislative framework should therefore provide sufficient flexibility for each Trust Port to pursue opportunities appropriate to its circumstances while maintaining appropriate standards of governance, accountability and financial responsibility.

For Coleraine, this includes the opportunity to continue developing the Harbour's role as a working port while substantially expanding its contribution to the leisure marine economy, tourism, watersports, maritime education and training, regeneration and wider economic development of the North Coast.

Greater financial and commercial flexibility would provide the Commissioners with additional tools to pursue investment and partnerships capable of unlocking the potential of the Harbour and Lower Bann.

The Commissioners therefore view the Bill not simply as a technical governance measure but as an important enabling component of the future development of Northern Ireland's Trust Ports.

4. Harbour Directions

Coleraine Harbour Commissioners particularly welcomes the proposed introduction of Harbour Directions.

Modern harbour authorities require effective and proportionate mechanisms to manage navigation and marine activity safely and efficiently. Harbour Directions are widely used elsewhere in the United Kingdom and provide a more responsive mechanism for dealing with operational and navigational matters than relying solely upon traditional harbour byelaws.

For Coleraine Harbour, this is particularly relevant because the Harbour and Lower Bann accommodate a diverse range of users, including commercial vessels, fishing vessels, recreational motor craft, sailing vessels and other leisure and watersports activity.

The Commissioners therefore support the inclusion of Harbour Directions within the Bill.

Following discussions with the British Ports Association (BPA) and Lara Moore of Ashfords LLP, the Commissioners would, however, recommend two minor technical amendments which we believe would improve the effectiveness and future-proofing of these provisions.

Amendment 1 — Replace "ship" with "vessel"

The Commissioners recommend that references to "**ship**" within the Harbour Directions provisions should, where appropriate, be replaced with "**vessel**".

The term "vessel" provides a broader and more appropriate description of the range of craft which a modern harbour authority may be required to regulate.

This is particularly relevant to Coleraine, where navigational management encompasses not only conventional commercial shipping but fishing vessels, recreational motor craft, sailing vessels and a wide range of other leisure and watersports craft.

The amendment would better align the legislation with modern terminology used elsewhere in UK harbour legislation and help ensure that Harbour Directions can be applied effectively to the full range of craft operating within a harbour authority's jurisdiction.

We therefore respectfully recommend that the Committee considers amending the relevant provisions accordingly.

Amendment 2 — Publication of Harbour Directions

The Commissioners also recommend that the requirement to advertise Harbour Directions in a **"shipping publication"** should be amended to refer instead to a **"suitable publication"**.

The present terminology is unnecessarily restrictive and does not fully reflect modern methods of communicating with harbour users.

A requirement for publication in a "suitable publication" would provide harbour authorities with sufficient flexibility to determine the most appropriate and effective means of bringing a Harbour Direction to the attention of affected users.

The important principle should be that Harbour Directions are communicated effectively and transparently to those affected by them rather than prescribing a particular form of publication which may become outdated as communication methods evolve.

The Commissioners therefore respectfully recommend that the Bill be amended accordingly.

5. Coleraine Harbour Order and the Wider Reform Programme

Coleraine Harbour Commissioners recognises that the Harbours Bill represents only one component of the wider programme for reform of Northern Ireland's Trust Ports.

Individual Harbour Orders will also be required to modernise the constitutions, governance arrangements and statutory powers of the respective Trust Ports.

This is particularly important for Coleraine Harbour. Much of the Harbour's existing statutory framework has its origins in legislation created for a very different economic and maritime environment. A new Harbour Order represents an important opportunity to provide Coleraine Harbour with a modern statutory framework appropriate to its present responsibilities and future ambitions.

The Commissioners understand from discussions with the Department for Infrastructure that Coleraine Harbour's new Harbour Order is now expected to progress after the end of the current Assembly mandate.

We recognise the practical and legislative constraints which mean that the Order cannot now be completed within the present mandate. However, given its importance to the future operation and development of the Harbour, the Commissioners would strongly encourage the Department and the incoming Minister to ensure that the Coleraine Harbour Order is progressed as early as practicable following the commencement of the next Assembly mandate.

We would welcome early engagement with the Department following the beginning of the new mandate, with a clear timetable established for consultation, scrutiny and progression of the Order.

The new Order is important not simply in the context of governance and ONS reclassification. It also provides an opportunity to ensure that Coleraine Harbour has modern operational, navigational and commercial powers appropriate to the needs of a 21st-century harbour authority.

For Coleraine, this is particularly significant as the Commissioners seek to maintain the Harbour's existing commercial and statutory functions while developing its role in leisure boating, marine tourism, watersports, maritime skills and training, regeneration and wider economic development.

The Commissioners therefore consider the new Coleraine Harbour Order to be an important second stage of the current legislative reform programme and would welcome a commitment that its progression will be treated as an early priority in the next Assembly mandate.

8. Conclusion

Coleraine Harbour Commissioners supports the general principles of the Harbours Bill and believes that the legislation represents an important and overdue modernisation of the framework governing Northern Ireland's Trust Ports.

The Bill has the potential to facilitate ONS reclassification, provide Trust Ports with greater financial flexibility, support investment and bring Northern Ireland's Trust Ports more closely into line with comparable ports elsewhere in the United Kingdom.

The Commissioners particularly welcome the introduction of Harbour Directions as a modern mechanism for supporting safe and effective harbour management.

Following discussions with the British Ports Association and Lara Moore of Ashfords LLP, we respectfully recommend two minor technical amendments:

1. **Replace "ship" with "vessel" within the Harbour Directions provisions where appropriate**, ensuring that the legislation clearly encompasses the full range of craft which harbour authorities may need to manage; and
2. **Replace the requirement for publication in a "shipping publication" with "suitable publication"**, providing a modern and flexible mechanism for communicating Harbour Directions effectively.

Neither amendment alters the policy intention of the Bill. Rather, the Commissioners believe that these limited changes would improve the clarity, practical application and future-proofing of the Harbour Directions provisions.

The Commissioners also emphasise the importance of the next stage of legislative reform for Coleraine Harbour.

We understand that the Department intends that the new Coleraine Harbour Order will progress following the end of the current Assembly mandate. We would strongly encourage the Department and incoming Minister to commence that process at the earliest practicable opportunity in the new mandate and to establish an early and clear timetable for its progression.

The new Harbour Order represents an important opportunity to provide Coleraine Harbour with the modern governance, operational, navigational and commercial framework necessary to support its long-term development.

Subject to these observations, Coleraine Harbour Commissioners supports the Harbours Bill and encourages its timely progression through the Northern Ireland Assembly.

We look forward to continuing to work constructively with the Committee for Infrastructure, the Department for Infrastructure, the British Ports Association and our fellow Northern Ireland Trust Ports as this important programme of legislative reform progresses.

Robert Skelly

Chair

Coleraine Harbour Commissioners