

The Clerk to the Committee for Infrastructure
Room 410 Parliament Buildings
Stormont
Belfast BT4 3XX
By email: committee.infrastructure@niassembly.gov.uk
FAO Clerk to the Committee

Harbours Bill (NIA Bill 37/22-27) — Call for Evidence: Submission on behalf of Newry, Mourne and Down District Council.

Newry, Mourne and Down District Council welcomes the opportunity to respond to the Committee for Infrastructure's call for evidence on the Harbours Bill. Warrenpoint Harbour is a significant economic asset and stakeholder within the Newry, Mourne and Down District.

Its future performance may contribute to:

- regional trade and connectivity;
- business competitiveness;
- employment;
- inward investment;
- supply-chain development;
- infrastructure investment; and
- the overall economic profile of the district.

Council understands that the Bill is intended to modernise the legislative and governance framework for Northern Ireland's Trust Ports and to enable them to operate with greater independence.

The Bill does not appear to transfer any harbour functions, operational responsibilities or financial liabilities to Council.

Council therefore considers that the direct impact on Council is limited. The principal local interest arises from Warrenpoint Harbour's significance to the district's economy and its role as a major stakeholder within the area.

Clause 1: Limitation of power to initiate transfer of harbour authorities

Clause 1 would prevent the Department from using its existing power to initiate a privatisation scheme in relation to the four named Trust Ports, including Warrenpoint Harbour Authority.

Council notes that this provision would maintain Warrenpoint Harbour's status as a Trust Port unless any future change was pursued through separate legislation.

Clause 2: Limitation of power to issue directions to harbour authorities

Clause 2 would remove the Department for Infrastructure's power to give directions to the named Trust Ports in relation to the exercise of their functions.

Council notes that this is intended to reduce the level of government control over the Trust Ports and support reconsideration of their classification by the Office for National Statistics.

Clause 3: Power of harbour authorities to acquire businesses etc.

Clause 3 would replace references to "harbour operations" with the broader expression "activities relating to harbours". It would also remove the requirement for Ministerial consent before a harbour authority acquires a harbour business or shares in such a business.

Council notes that the provision may give Trust Ports greater flexibility to pursue commercial opportunities.

Clause 4: Power of harbour authorities to give harbour directions

Clause 4 would allow the appropriate Department, by order, to authorise a harbour authority to issue directions concerning ships within, entering or leaving its harbour.

Council notes that these powers relate primarily to the safe and efficient operation of the harbour and that consultation and publication requirements are included.

Clause 5: Purposes for which harbour orders may be made

Clause 5 would allow harbour orders to authorise the delegation of certain harbour-authority functions, subject to specified exceptions. It would also allow a harbour order to pursue an additional object where the Department considers that its achievement would be conducive to the efficient functioning of a harbour.

Council considers it appropriate that the Committee satisfies itself that the proposed changes provide a proportionate balance between operational independence, effective governance, financial sustainability and public accountability.