

Warrenpoint Burren Rostrevor Chamber of Commerce

Harbours Bill: Questions for Committee Scrutiny

Bill: Harbours Bill (Northern Ireland), Bill 37/22–27, as introduced on 15 June 2026

Purpose: Committee for Infrastructure call for evidence

Submission deadline: 2 September 2026

Submission format: Word document, submitted electronically to committee.infrastructure@niassembly.gov.uk

Purpose and scope

The Warrenpoint Burren Rostrevor Chamber of Commerce welcomes the opportunity to provide questions for the Committee for Infrastructure's scrutiny of the Harbours Bill.

The Chamber engages with businesses with varied interests, *including retail, hospitality, tourism, professional services, logistics, supply-chain firms, marine-related businesses, freight users, local suppliers* and businesses operating in or near Warrenpoint.

The Chamber is not expressing support for or opposition to the Bill through this submission. Its purpose is to seek clarification on:

- The practical changes the Bill would make.
- The evidence for those changes.
- The implications for businesses that use, supply, work alongside or are economically connected to Warrenpoint Harbour.
- The arrangements for accountability, information-sharing and stakeholder engagement after the proposed changes take effect.

The questions below are provided to assist the Committee's scrutiny. They are not assertions of fact about individual businesses, operators, regulators or the Harbour Authority.

Warrenpoint is also distinctive in that a major commercial Trust Port operates in very close proximity to the town and to businesses dependent upon retail, hospitality, tourism, recreation and the wider visitor economy. The Chamber therefore has a particular interest in ensuring that the proposed framework achieves an appropriate balance between the Harbour Authority's

ability to operate and invest commercially and effective accountability for decisions capable of producing material effects beyond the harbour estate.

Current position and evidence base

1. What specific governance, operational, investment, borrowing or classification difficulties has the Department for Infrastructure (DfI) identified under the existing legal framework?
2. What evidence demonstrates that each clause in the Bill is necessary and proportionate?
3. What non-legislative alternatives did DfI consider, such as governance guidance, voluntary reporting arrangements, revised Departmental oversight arrangements or individual harbour orders?
4. What consultation took place before introduction of the Bill with Warrenpoint Harbour Authority, harbour users, local businesses, employees, local government, communities and relevant regulators?
5. Will DfI publish a summary of consultation responses and explain how those responses informed the Bill as introduced?
6. What implementation, monitoring and review arrangements does DfI envisage after the Bill comes into operation?

ONS classification, borrowing and investment

The Committee's call for evidence refers to Office for National Statistics (ONS) classification of Trust Ports and the interaction between Trust Port borrowing and Departmental capital budgets.

1. What precise ONS classification issue is the Bill intended to address?
2. What classification outcome does DfI seek, and what is the expected timetable for any ONS decision?
3. Which provisions of the Bill are expected to be relevant to an ONS classification decision?
4. How might a change in classification affect Warrenpoint Harbour Authority's borrowing, capital investment, financial reporting or financial risk?
5. What additional borrowing or investment capacity, if any, does DfI expect the Bill to enable at Warrenpoint?
6. What types of investment or operational change could that capacity support?
7. What financial exposure, if any, could remain with DfI or the public purse following the proposed changes?
8. What information will be published to enable businesses and stakeholders to understand the practical implications for Warrenpoint?

Clause 1: transfer schemes

Clause 1 prevents the Department for Infrastructure from exercising its Article 12 powers to initiate a transfer scheme in relation to Warrenpoint Harbour Authority.

1. What is the practical policy purpose of removing this power in relation to Warrenpoint Harbour Authority?
2. What change, if any, would Clause 1 make to the Authority's ownership, governance, financing, investment decisions or statutory obligations?
3. What protections or accountability arrangements continue to apply to Warrenpoint Harbour Authority as a Trust Port?
4. How will DfI and the Authority demonstrate the public and local-economic contribution of the Trust Port model?
5. What reporting will enable businesses and other stakeholders to understand the Authority's strategic priorities and performance?

Clause 2: DfI directions

Clause 2 removes DfI's power under Article 4 of the Harbours (Northern Ireland) Order 2002 to issue directions to Warrenpoint Harbour Authority.

1. In what circumstances has the Article 4 direction power been used, considered or regarded as necessary in relation to Trust Ports?
2. Why does DfI consider removal of the direction power necessary to meet the Bill's objectives?
3. What Departmental powers, statutory duties, governance arrangements and regulatory controls will remain after Clause 2 takes effect?
4. What role will DfI retain in monitoring Warrenpoint Harbour Authority?
5. If a material operational, governance, commercial or public-interest concern arises, what route will be available for that concern to be raised, considered and resolved?
6. What information will the Authority routinely publish to enable businesses and stakeholders to understand material decisions and performance?
7. Are any changes proposed to the Authority's governance, board arrangements, stakeholder engagement or reporting requirements alongside the removal of the direction power?

Local impacts, commercial activity and accountability

The following questions arise from the potential local implications of the governance and commercial-flexibility changes proposed by Clauses 2, 3 and 5.

The Chamber recognises that Warrenpoint Harbour is an important economic asset and that the Harbour Authority operates within a commercial environment in which investment, trading activity and operational efficiency may be relevant considerations.

The Harbour operates immediately alongside Warrenpoint town and within an area where retail, hospitality, tourism, recreation, residential amenity and other economic activities are also significant. The Chamber is aware of concerns that activity within a working commercial port can, in some circumstances, have effects beyond the harbour estate and become matters of concern for local businesses and the surrounding community.

The Chamber makes no finding through this submission on any individual activity, operator, regulator or complaint. It asks the Committee, DfI and Warrenpoint Harbour Authority to clarify the following matters.

1. In removing DfI's power to issue directions to Warrenpoint Harbour Authority, what mechanism will ensure effective accountability where commercial or operational harbour activity has significant effects beyond the harbour estate?
2. Has DfI assessed whether removing the Article 4 direction power could affect its ability to intervene where serious or persistent concerns are raised about wider economic, environmental, amenity or community consequences associated with harbour activity?
3. Where an activity is lawful and separately regulated, but is alleged to cause significant or persistent effects for surrounding businesses, residents or the visitor economy, which body has responsibility for coordinating consideration of those wider effects?
4. What escalation mechanism will be available where a concern involves several bodies or regulatory regimes and no single organisation has responsibility for the overall impact?
5. Does DfI consider that the legislation, associated harbour orders or other governance arrangements should require Warrenpoint Harbour Authority to have regard to the economic and amenity interests of businesses and communities immediately surrounding the harbour when exercising expanded commercial powers?
6. Does DfI consider that structured stakeholder engagement should be required where a proposed new activity, significant expansion of an existing activity or major commercial arrangement could materially affect businesses or communities outside the harbour estate?
7. What criteria should determine when such engagement is appropriate, and should it take place before the Harbour Authority enters into significant long-term commercial commitments?
8. What information should be provided to affected stakeholders about the nature, scale and anticipated external implications of significant new harbour activities, subject to legitimate commercial confidentiality?
9. What complaints, escalation and independent-review arrangements exist, or are proposed, where businesses or communities consider that a harbour activity is producing significant or persistent effects outside the harbour estate?
10. Should Warrenpoint Harbour Authority publish information on complaints, significant external effects, mitigation measures and the reported effectiveness of those measures?
11. How will DfI ensure that increased commercial independence, investment and diversification remain consistent with the Harbour Authority's wider responsibilities as a Trust Port operating for the benefit of its stakeholders?

12. Will DfI consider an explicit statutory or published non-statutory review of the effects of the new governance arrangements on businesses and communities surrounding Trust Ports, with findings reported to the Assembly?

Clause 3: acquisitions and harbour-related businesses

Clause 3 substitutes “activities relating to harbours” for “harbour operations” and removes the existing subsection 24(3) restriction.

1. How does DfI define “activities relating to harbours” for the purposes of Clause 3?
2. How does this phrase differ in practical terms from the existing phrase “harbour operations”?
3. Can DfI provide examples of acquisitions, shareholdings, investments, subsidiaries, leases, partnerships or joint ventures that the amended provision may facilitate?
4. What legal, financial, governance and commercial safeguards will continue to apply when the Authority acquires a business or shares in a business?
5. What criteria will guide the Authority in determining whether a commercial opportunity is consistent with its statutory role and responsibilities?
6. Will the Authority publish information about commercially significant acquisitions, investments or partnerships where publication is compatible with commercial confidentiality?
7. How will expected effects on local business opportunity, investment, employment, procurement, supply chains and town-centre or visitor-economy activity be considered?
8. Does DfI expect the amended power to affect the Harbour Authority’s approach to commercial diversification? If so, how?

Clause 4: harbour directions

Clause 4 would permit DfI, by order, to authorise a harbour authority to issue written harbour directions concerning ships.

1. Does DfI expect Warrenpoint Harbour Authority to seek an authorising order under proposed new section 27A? If so, what is the anticipated timetable?
2. What existing local statutory powers, byelaws or arrangements could be amended or repealed through an authorising order under new section 27A(6)?
3. What types of harbour direction might Warrenpoint Harbour Authority expect to issue?
4. What practical implications could harbour directions have for shipping operators, freight customers, hauliers, agents, logistics businesses, marine contractors and other harbour users?
5. Which representatives of harbour users does the Authority expect to consult under proposed new section 27B(2)?
6. Will that include freight customers, logistics firms, hauliers, marine businesses, shipping agents and relevant business organisations where they may be materially affected?

7. Beyond the statutory minimum, how will the Authority communicate proposed directions and their operational implications to affected businesses?
8. Will the Authority publish a summary of representations received and its reasons for adopting, amending or not proceeding with a proposed direction?

Clause 5: future harbour orders

Clause 5 broadens the purposes for which DfI may make a future harbour order. Proposed Schedule 1 paragraph 16 refers to an object that appears to DfI to be conducive to the efficient functioning of a harbour.

1. What types of future harbour order does DfI expect the new paragraph 16 may be used to make?
2. Why are the existing purposes in Schedule 1 considered insufficient?
3. How does DfI interpret “conducive to the efficient functioning of a harbour”?
4. What statutory consultation, publication, Assembly scrutiny and challenge mechanisms apply before a harbour order is made?
5. In what circumstances would DfI undertake or publish assessments of possible economic, business, traffic, environmental or amenity implications?
6. How will DfI identify and engage businesses, harbour users, Newry, Mourne and Down District Council, representative organisations and communities that may be materially affected?
7. What functions could be delegated under proposed paragraph 13A?
8. What controls, oversight, liability and reporting arrangements would apply where functions are delegated?
9. Does DfI expect any future harbour order for Warrenpoint to be proposed following the Bill’s enactment? If so, what subjects might it cover and when could consultation occur?

Clause 6: commencement

Clause 6 gives DfI the power to bring Clauses 1–5 into force on dates it appoints.

1. What is the anticipated commencement timetable for each substantive clause?
2. Will DfI publish an implementation plan before the provisions come into operation?
3. Will businesses and harbour users be notified of changes that could affect their operations, contracts, access, costs or engagement arrangements?
4. What monitoring will take place following commencement, and when will its findings be published?

Business opportunity and local economy

1. What investment, borrowing, operational or commercial outcomes does DfI expect the Bill to enable at Warrenpoint?

2. How will the anticipated benefits be measured locally as well as regionally?
3. What opportunities may arise for local suppliers, SMEs, professional services, construction, engineering, marine services, logistics, hospitality and tourism businesses?
4. Will Warrenpoint Harbour Authority publish forward information on potential procurement opportunities, planned capital works and supplier-registration routes?
5. What existing arrangements are in place for engagement with businesses, harbour users, the Chamber, local government and communities?
6. Does DfI consider those arrangements sufficient after the changes proposed by Clause 2 and Clause 3?
7. How can businesses raise questions or concerns about access, freight disruption, operational effects or wider local commercial implications?
8. What issues are governed by the Bill, and what issues remain governed by planning, environmental regulation, roads authorities, environmental health or other statutory processes?

Risk, safeguards and review

1. What legal, financial, governance, commercial, operational and reputational risks has DfI identified in relation to the Bill?
2. How will those risks be managed or mitigated?
3. What safeguards will protect the financial resilience, assets, public-interest role and statutory responsibilities of Warrenpoint Harbour Authority after the proposed changes?
4. Does DfI intend to review the operation and effects of the legislation after implementation? If so, what period will apply and will the findings be published?
5. What indicators will be used to assess changes in investment capacity, operational performance, stakeholder confidence, local economic opportunity and governance?

Equality, rural proofing and accessibility

1. What equality screening, rural proofing, regulatory impact assessments or other assessments has DfI completed in relation to the Bill?
2. Will those assessments, along with the underlying evidence, be published?
3. Has DfI considered possible implications for small and micro-businesses, rural businesses, workers, freight users, consumers, visitors and businesses that depend on accessible transport or access arrangements?
4. How will DfI ensure that geographically concentrated implications in Warrenpoint and the surrounding area are identified when future harbour orders or related decisions are considered?

Conclusion

The Chamber makes no submission in support of or opposition to the Harbours Bill at this stage.

It requests clear answers to the questions above so that its members and the wider local business community can understand the proposed changes, the evidence supporting them, their possible practical consequences and the continuing arrangements for accountability, engagement and economic opportunity.

The Chamber would welcome an opportunity to provide further evidence or participate in an oral evidence session after DfI and Warrenpoint Harbour Authority have responded to these matters.

Submission details

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Warrenpoint Burren Rostrevor Chamber of Commerce

Harbours Bill: Amendment Options for Committee Consideration

Bill: Harbours Bill (Northern Ireland), Bill 37/22–27, as introduced on 15 June 2026

Purpose: Committee for Infrastructure call for evidence

Status: Illustrative amendment options for scrutiny; not final Parliamentary Counsel drafting

Purpose of this section

The Chamber makes no recommendation for or against the Harbours Bill at this stage.

In response to the Committee's request for suggested amendments, the Chamber invites the Committee to consider the following procedural amendment options. They are intended to

support transparency, evidence-based scrutiny and appropriate engagement with businesses that use, supply, work alongside or are economically connected to Warrenpoint Harbour.

The options are linked to Clauses 3, 4, 5 and 6 of the Bill. They do not seek to create a local veto over harbour activity, alter planning or environmental law, prevent commercially necessary decisions, or require the disclosure of commercially confidential, safety-sensitive or security-sensitive information.

The drafting below is illustrative. If the Committee or an MLA considers any option appropriate, the final wording should be reviewed and settled by the Assembly's Bill Office and legislative counsel.

Amendment option 1: Clause 4

Transparency following consultation on harbour directions

Issue

Clause 4 would insert new section 27B into the Harbours Act (Northern Ireland) 1970. New section 27B requires a harbour authority to consult representatives of harbour users it considers appropriate and publicise a proposed harbour direction for at least 28 days.

The Bill does not expressly require publication of the organisations consulted, representations received or the Harbour Authority's response before the direction is given.

Possible amendment

In Clause 4, page 3, after line 20, insert—

“(2A) Before giving a harbour direction, a harbour authority must publish—

- (a) the proposed harbour direction;
- (b) an explanatory statement of its purpose and likely operational effect;
- (c) the persons or bodies consulted under subsection (2)(a);
- (d) a summary of representations received; and
- (e) the authority's response to those representations.

(2B) A harbour authority is not required under subsection (2A) to publish information where it reasonably considers that publication would prejudice commercial confidentiality, safety or security.”

Questions for the Committee

1. Would publication of this information improve transparency without impeding safe and effective harbour operations?
2. Should the Bill expressly recognise representatives of freight, logistics, haulage, shipping and marine interests as potential consultees where materially affected?
3. Are the commercial-confidentiality, safety and security exemptions sufficiently broad and clear?

Relevance to SME

This could assist freight customers, hauliers, logistics firms, shipping agents, marine contractors and other harbour users to understand proposed operational changes and how relevant business interests were considered.

Amendment option 2: Clause 5

Consultation and publication before use of the broad future harbour-order power

Issue

Clause 5(b) would add paragraph 16 to Schedule 1 of the Harbours Act (Northern Ireland) 1970. It would allow the Department for Infrastructure to make a harbour order for any object that appears to it to be conducive to the efficient functioning of a harbour.

This is a broad, future-facing power. The Bill does not itself set out a specific consultation and publication process for use of the new paragraph 16 power.

Possible amendment

In Clause 5, page 4, line 35, at end insert—

“16A Consultation and publication in relation to paragraph 16

(1) Before making a harbour order for an object within paragraph 16, the Department must—

- (a) publish a draft of the proposed order and a statement explaining its purpose;
 - (b) explain why the Department considers the order to be conducive to the efficient functioning of the harbour and why existing statutory powers are not sufficient;
 - (c) consult the relevant harbour authority and representatives of harbour users;
 - (d) consult the district council for the area in which the harbour is situated and such representative organisations of businesses and communities as the Department considers appropriate where they are likely to be materially affected; and
 - (e) publish a summary of representations received and the Department’s response to those representations before making the order.
- (2) Sub-paragraph (1) does not require the publication of information where the Department reasonably considers that publication would prejudice commercial confidentiality, safety or security.”

Questions for the Committee

1. Should a statutory consultation requirement apply specifically to a future order made using proposed paragraph 16?
2. Is “likely to be materially affected” an appropriate threshold for consulting representative business and community organisations?
3. Should the Department be required to publish its reasons for concluding that an order is conducive to efficient harbour functioning and that existing powers are insufficient?
4. Are the proposed confidentiality, safety and security protections appropriate?

Relevance to SME

This could provide a clear route for port users, suppliers, local representative business organisations and town-centre businesses to receive information and contribute where a future order may have material implications for harbour operations or the wider local economy.

Amendment option 3: Clause 6

Review of the Act after implementation

Issue

Clause 6 provides for commencement of the Bill but does not require a review of whether the governance and operational changes achieve their intended results.

Possible amendment

In Clause 6, page 4, after line 40, insert—

“(4) The Department must, not later than three years after the coming into operation of this Act, review the operation and effects of this Act.

(5) The review must consider—

(a) the effect of the Act on the governance and financial position of the harbour authorities referred to in sections 1 and 2;

(b) the use made of the powers amended or conferred by this Act;

(c) the effect of the Act on harbour users, businesses in the locality of the relevant harbours and communities surrounding those harbours; and

(d) the adequacy of arrangements for transparency, accountability and stakeholder engagement.

(6) The Department must publish a report of the review and lay a copy before the Assembly.”

Questions for the Committee

1. Would a three-year period provide adequate time to assess the effect of the legislation after implementation?
2. Should the review include evidence from harbour authorities, harbour users, local business organisations, district councils and communities surrounding the relevant ports?
3. Should the report include information on investment, financial resilience, operational performance, stakeholder engagement and local economic opportunity?

Relevance to SME

A review would create a formal opportunity to assess whether the new arrangements have had practical effects on investment, access, procurement opportunity, transparency, engagement and local business conditions.

Amendment option 4: Clause 3

Post-transaction information on significant commercial arrangements

Issue

Clause 3 changes the language of the existing acquisition power from “harbour operations” to “activities relating to harbours” and removes the existing section 24(3) restriction.

A limited requirement to publish information after completion of a material commercial transaction could help stakeholders understand major changes while avoiding interference with active negotiations.

Possible amendment

In Clause 3, page 2, after line 18, insert—

“(5) After completing a material acquisition, investment, partnership or joint venture under section 24, a harbour authority must publish a statement setting out—

- (a) the harbour-related purpose of the transaction;
- (b) the nature of the transaction; and
- (c) the anticipated effect on the authority’s functions.

(6) Subsection (5) does not require the publication of information where the authority reasonably considers that publication would prejudice commercial confidentiality, safety or security.

(7) The Department may by regulations define ‘material’ for the purposes of subsection (5).”

Questions for the Committee

1. Would post-transaction publication provide appropriate transparency while avoiding disruption to commercial negotiation?
2. Should “material” be defined by Departmental regulations, and should those regulations be subject to Assembly procedure?
3. Would the proposed provision duplicate existing annual-reporting, accounting or governance requirements?
4. What information should be excluded for commercial confidentiality, safety or security reasons?

Relevance to SME

This could help local suppliers, potential partners and port-connected firms understand significant changes in commercial direction and identify potential business opportunities after a transaction has been completed.

Summary of amendment options

1. **Clause 4:** Require publication of consultation information and a reasoned response before a harbour direction is made.
2. **Clause 5:** Require DfI to publish reasons and undertake proportionate consultation before using the new broad “efficient functioning of a harbour” power for a future harbour order.
3. **Clause 6:** Require DfI to review the legislation within three years, publish findings and lay a report before the Assembly.
4. **Clause 3 — optional:** Require a proportionate post-transaction statement after a material acquisition, investment, partnership or joint venture, subject to confidentiality, safety and security protections.

Scope and drafting note

The first three amendment options are closely connected to the provisions inserted or changed by Clauses 4, 5 and 6. The Clause 3 option is also connected to the Bill, but would need particular care around the definition of “material” and protection of commercial negotiations.

None of these options is intended to change planning law, environmental regulation, roads legislation, procurement law or the powers of environmental regulators. None creates a right for a business, organisation or community to veto harbour activity or future harbour orders.

The Committee may wish to seek Departmental and legislative-counsel advice on technical drafting, existing statutory consultation requirements and compatibility with wider harbour legislation before pursuing any amendment.

