

HARBOURS BILL

Written evidence to the Committee for Infrastructure

Respondent: Warrenpoint Harbour Authority (WHA)

Submission deadline: 2 September 2026

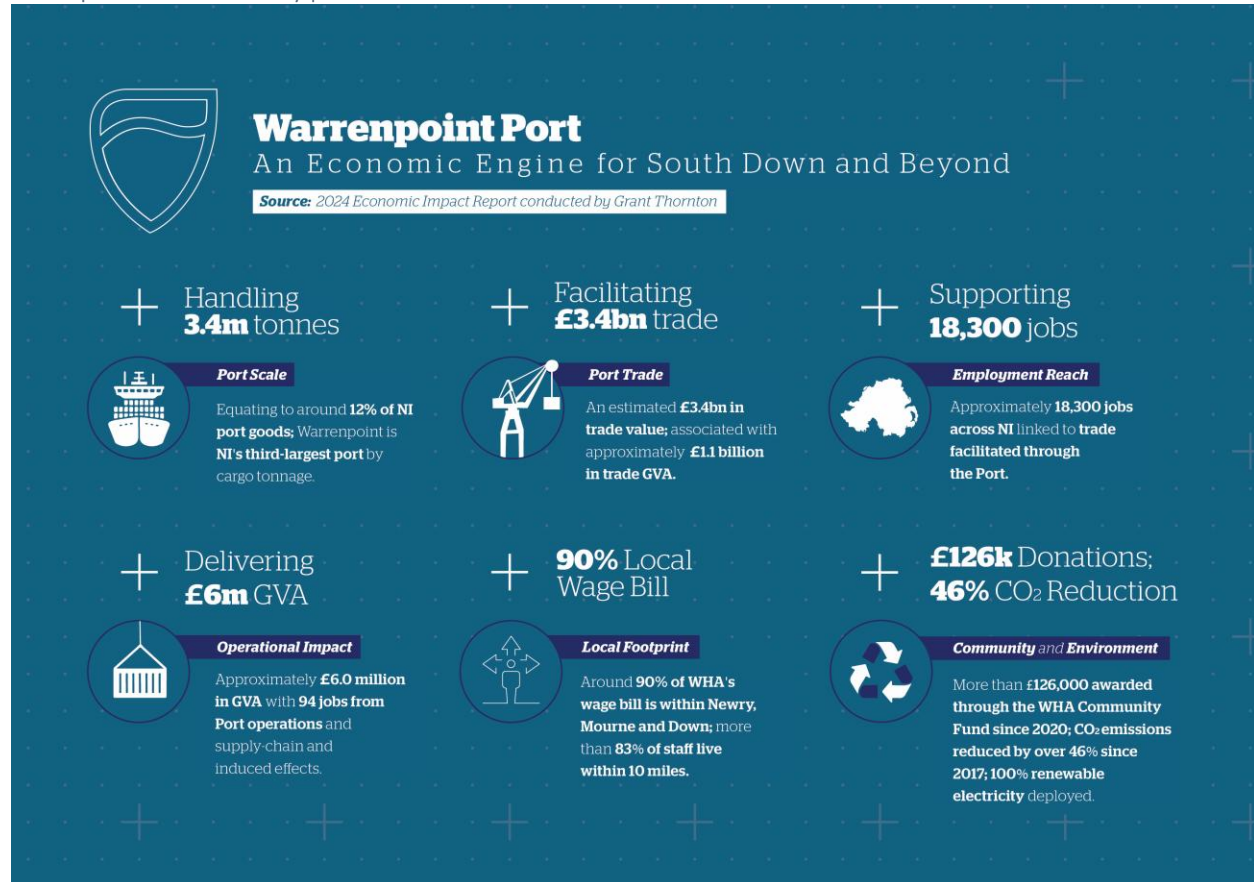
1. WHA's position and key evidence

Warrenpoint Harbour Authority supports the Harbours Bill as introduced and proposes no amendments. It is a proportionate modernisation which preserves the Trust Port model and enables the Office for National Statistics (ONS) to review the classification of Northern Ireland's Trust Ports.

WHA's Chair Dr Gerard O'Hare CBE, DL; WHA's CEO David Holmes BA, MSC, and WHA's FD Kieran Grant FCMA will collectively present to the Committee at the evidence session.

Warrenpoint Harbour Authority (WHA) welcomes the opportunity to respond to the Committee for Infrastructure's Call for Evidence on the Harbours Bill. WHA supports the objectives of the Bill which represents an important opportunity to strengthen the contribution that Trust Ports make to Northern Ireland's economy, communities and long-term prosperity. Independent economic analysis carried out by Grant Thornton confirmed that Warrenpoint Port facilitated approximately £3.4 billion of trade in 2024, supporting more than 18,000 jobs across Northern Ireland and acting as a critical gateway for businesses and supply chains both local and island wide.

These findings demonstrate that Warrenpoint Port combines regional economic footprint with a strong local impact, facilitating supply chains across sectors including agri-food, manufacturing, construction, energy and logistics.



Source: Grant Thornton, *The Economic Impact of Warrenpoint Port*. Figures relate to 2024 unless stated.

The reform of legislation is not privatisation, nor will it have any effect on the statutory obligations, core functions, or ownership of Trust Ports in Northern Ireland. Warrenpoint Port is an autonomous statutory Trust Port with no shareholders and no dividend distribution. All profits are retained and reinvested in Port operations, maintenance and development for the benefit of Warrenpoint Port's sustainability and future efficacy, impacting as that does on customers and port users, employees, the local community and the wider regional economy. Clause 1 reinforces the Trust Port model, by limiting the Department's power to initiate a transfer scheme. The economic analysis above demonstrates why the model, along with appropriate commercial and financial flexibility, will enable the Port to significantly contribute to the south Down region and Northern Ireland more broadly.

WHA's independent economic assessment demonstrates why maintaining that model, while also providing appropriate commercial and financial flexibility, matters to the Newry, Mourne and Down area, and all of Northern Ireland

The Bill aims to lead to a further degree of Financial Flexibility by reducing certain perceived levers of government control that aim to allow ONS to reclassify the Trust Ports and therefore ultimately remove the current restrictive Capital Departmental Expenditure Limit (CDEL) link to Trust Ports

2. Why the reform matters to WHA

The Bill does not reclassify Trust Ports. Its purpose is to remove or limit statutory powers which the Government considers to be indicators of control, allowing ONS to review the current classification. The associated Warrenpoint Harbour Order will form another important part of that wider reform package. WHA recommends completion of the secondary legislation [Harbour Orders] within the current mandate subject to its suitability.

Under the current Public Corporation classification, any borrowing by a Trust Port counts against the Department for Infrastructure's Capital Departmental Expenditure Limit (CDEL), irrespective of the source of the finance. This means that otherwise affordable borrowing by WHA can require departmental capital budget cover and, in practical terms, needlessly competes with the Department's own capital programme.

A successful ONS reclassification would sever that accounting link. With a sound business case, this would give WHA greater flexibility to raise and service finance against its own balance sheet and income. This is not a request for additional public expenditure, nor is it a commitment by WHA to borrow. It is about ensuring that prudent future investment decisions are not prevented solely because the borrowing would either consume DfI's available capital budget cover, or because no DfI cover exists due to existing Departmental budgetary constraints.

For WHA, that flexibility could be relevant to the acquisition or replacement of long-life operational assets. Depending on future customer needs and approved business cases, examples could include [decarbonising] harbour cranes and cargo-handling equipment, plant and machinery, land, marine or navigational assets, berth and quay works, safety and resilience projects, and equipment required for electrification or decarbonisation. Every investment decision would remain subject to WHA Board approval, affordability, procurement regulations, statutory powers and duties, and appropriate risk assessment.

3. Alignment with the Port Masterplan 2018-2043

WHA's Port Masterplan 2018-2043 was prepared to guide medium- and long-term development and to inform stakeholders and planning authorities. Although individual projects and timings continue to be reviewed against current market conditions, the Masterplan provides useful evidence of the long-term and asset-intensive nature of port investment.

The Masterplan identified five core objectives: improving transportation and circulation; improving port capacity, operations and facilities; maintaining a diverse customer base; developing and improving links with Warrenpoint town; and providing a long-term strategy for expansion. Relevant funding priorities included:

- ☐ enhancing marine access and making efficient use of constrained operational land and storage capacity;
- ☐ maintaining and renewing port equipment;
- ☐ planning sequentially for longer-term expansion.

The Bill will not itself deliver these projects or remove the need for planning, environmental assessment, commercial appraisal or partnership with government and other stakeholders. Its relevance is more specific: following reclassification, WHA would have greater flexibility to access finance when an investment is affordable, necessary and consistent with the Port's statutory purposes.

4. Trust Port governance, accountability and community benefit

Greater commercial and financial flexibility must sit alongside clear accountability. WHA supports the continued Trust Port model and the development of a proportionate Code of Practice for Northern Ireland's Trust Ports. The proposed Bill, individual harbour orders and Code of Practice will build on each other: primary legislation will address specific statutory powers, while the order and Code will provide detailed governance and reporting arrangements.

WHA is committed to good governance principles as reflected in the NI 2008 Ports Policy Review and the more recent DfT Ports Good Governance Guidance 2018.

Reclassification would be an accounting change. It would not remove WHA's statutory functions or its obligations in areas including marine safety, audit and financial reporting, planning, environmental protection, health and safety, procurement and stakeholder engagement. Nor would it change the requirement to operate commercially and maintain the financial health of the Port.

WHA's community stakeholder purpose is demonstrated in practice. Since 2020, its Community Fund has distributed more than £126,000 to over 120 organisations, including schools, charities, sports clubs, hospices and foodbanks. WHA also established a dedicated Community Forum in 2024 to build dialogue and engagement with the local community.

The Port's local employment profile and environmental progress - including a reduction of more than 46% in CO2 emissions since 2017 and the move to 100% renewable electricity - demonstrate that commercial performance and public benefit can reinforce one another.

5. Comments on the Bill's clauses

WHA's comments are concise because it has no substantive concern with the Bill and proposes no textual amendments.

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

WHA position: Support; no amendment proposed. The clause prevents the Department from initiating a privatisation scheme for WHA and the other named Trust Ports. It is consistent with WHA's position that modernisation should preserve, rather than dilute, Trust Port status and the requirement to manage the Port's assets for the benefit of South Down and, more broadly, the wider Northern Ireland region and island-wide economy.

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

WHA position: Support; no amendment proposed. The targeted limitation of the Department's power to issue directions addresses one of the perceived indicators of government control for classification

purposes. WHA understands that this does not displace its statutory, regulatory or operational responsibilities, including the Harbour Master's functions and WHA's duties in relation to marine safety.

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

WHA position: Support; no amendment proposed. The wider reference to activities relating to harbours and the removal of the requirement for ministerial consent provide a proportionate degree of commercial flexibility. Any use of the power by WHA would remain subject to its statutory purposes, governance processes, financial capacity and a robust business case.

Clause 4 - Power of harbour authorities to give harbour directions

WHA position: Support; no amendment proposed. The proposed framework for harbour directions is a useful modernisation of the powers available to harbour authorities to support safe and efficient navigation. WHA notes the requirements for consultation, a minimum 28-day publicity period and publication of final directions, and would work with the Department on any necessary authorisation order and implementation arrangements.

Clause 5 - Purposes for which harbour orders may be made

WHA position: Support; no amendment proposed. The clause provides useful flexibility for harbour orders while retaining express safeguards around core statutory duties, levying of dues and navigational-safety functions. WHA supports the additional power to include objects that ensure the efficient functioning of a harbour, subject to the normal scrutiny of the relevant harbour order.

Clause 6 - Commencement and short title

WHA position: Support; no amendment proposed. WHA supports timely commencement and coordinated progress on the Bill, the Warrenpoint Harbour Order and the Code of Practice. As the intended ONS review depends on the wider package, clarity on timing will help the Trust Ports and their stakeholders plan with confidence.

6. Conclusion

Warrenpoint Harbour Authority supports the Harbours Bill as introduced. The Bill protects Trust Port status, modernises commercial and marine powers and creates the conditions for ONS to reconsider the current classification. If reclassification follows, WHA would have greater flexibility to finance prudent investment from its own resources without that borrowing consuming DfI capital expenditure budget cover.

Reclassification would enable WHA to continue serving customers, strengthening regional and cross-border supply chains, renewing essential port and marine assets, and reinvesting the benefits of commercial success for its stakeholders, the local community and regional economy. WHA would be pleased to provide further information or give oral evidence to Committee Members to assist the Committee's scrutiny.