

## **Warrenpoint Port AGM Q&A**

During the final section of the Warrenpoint Port AGM the Chairman addressed the questions and comments that had been submitted by members of the public, customers and stakeholders in advance of the meeting.

### **Comments:**

#### **Port Marine Safety Code Designated Person**

I very much regret that I am unable to attend your AGM this year in my role as Designated Person. Meetings such as these are an important part of Port Marine Safety Code Compliance, as good communications between harbour operators and users is essential in helping to identify and solve potential problems before they develop and maybe even lead to incidents.

The last year has been difficult for us all, but I would like to note that Warrenpoint Harbour Authority has maintained a high standard of compliance with all aspects of the Port Marine Safety Code, despite the many challenges during the Pandemic. Although I have been unable to visit the harbour, I have been kept well informed through regular reporting and conversations and have been able to support the Harbour Master and his team as required.

I welcome recent progress made with the development and implementation of new procedures, and the focus on Risk Assessment to inform those developments. Most of all I have noted how efficiently the marine team have been able to continue “business as usual”, which is manifested in a continuing low level of navigational incidents in the Harbour and Lough.

During the last year I have been especially pleased to note the closer co-operation between Warrenpoint Harbour Authority and Carlingford Lough Commissioners in respect of Harbour Authority and Navigation Safety matters – a development that will be of benefit to all harbour users.

I wish you a successful meeting.

Mr Heaps

Port Marine Safety Code Designated Person

### **Response**

Thank you, Mr Heaps, we look forward to continuing to work with the Port Marine Safety Team.

### **Comment**

#### **Scotline**

We look forward to attending further meetings with Warrenpoint Harbour Authority in person rather than Zoom. It has been a most difficult time for our Industry with Covid and all of the issues that have arisen.

At previous AGMs on a regular basis we have raised the difficulties Ship Owners,

Charterers including Scotline have experienced in shortage of labour to discharge vessels in a timely manner, some waiting days to discharge and may not be fully manned when operations do begin.

Unfortunately with Scotline they are not in a position to recoup any demurrage costs caused by delays from Shippers or Receivers as say those involved in Agri. Food imports.

Perhaps now is a good opportunity for Warrenpoint Port Board to give consideration to engaging with an outside source to come forward with their ideas, solutions as how best to move forward and deal with the present difficulties experienced and restore confidence with Ship Owners and your valued Customers some of which are very longstanding; and they too are frustrated on many occasions with the general availability of Labour.

On a more positive note "Scot Isles" was successfully launched last Friday in Holland, expected to enter Service end July to meet the increasing demands for shipments of Timber and General Cargoes moving to and from Scandinavia, Baltic States, UK and Irish Ports.

**Response:**

Thank you, our CEO David watched the launch live and we would all like to congratulate Scotline on the new addition to their fleet.

In shipping, labour shortage and labour surplus are both sides of the same coin. Vessels rarely arrive in a nicely ordered sequence.

So, to be clear, we accept that there must therefore be flexibility in response capability and that's what we're working towards.

The Port also accepts that effective operational service level is a pre-requisite for shipowners.

Covid-19 has made this hugely challenging. External sources of labour have jointly been either unavailable or deemed unsafe. An imperative for the Port – successfully delivered – has been keeping the Port safely open for business.

We have seen congestion across virtually all UK Ports this last year.

Despite these national peaks and troughs, Scotline has this last 6 months for example enjoyed same day or following day turnaround with 80% of their vessels.

But we welcome your observation, thank-you, and commit to improving our response capability. Increased recruitment to date and originally envisaged agency plans thwarted by Covid were contemporaneously shared with your Scotline Board Director given how seriously the Port takes Scotline's views.

As we emerge from lockdown we are currently in discussions with our workforce about our future plans and how we can be agile while supporting our team and how we can be responsive without exhausting our people.

It may be worth noting that no vessel visiting the Port in the last 18 months has qualified for demurrage.

Ian you will also hopefully have seen that we now have a deputy Harbour Master as well to increase our depth of customer responsiveness and we have improved our links with CLC.

We are happy however to chat to you directly to see if there are specific issues that we can resolve.

Thank you.

## Question

**From a member of the public asking if the Harbour authority can give any assurances on water quality in Carlingford Lough?**

The short answer is that- no we can't because it doesn't fall directly within our remit. We carry out daily visual inspections; we are a first responder to potential incidents and can quickly isolate an area if required and we also report incidents.

For example, we have recently reported on several occasions what we believe to be inappropriate sewage flowing from the town into the Lough.

We ensure that all our vessels adhere to the Port Marine Safety code, and we would inflict heavy penalties if we thought that any of our customer vessels were not adhering to the code in relation to the discharge of waste for example.

The ultimate responsibility falls to DAERA. They currently have four water monitoring buoys in the Lough and the Loughs Agency are constantly out on the water monitoring and inspecting.

We are usually informed of any issues by DAERA or Newry Mourne and Down Council.

We meet regularly with commercial and recreational fishermen and town dock users to remind them of our collective responsibilities to the Lough so; while we can't give any direct assurances as we do not have the authority to do so; we would always encourage anyone who has particular concerns to let us know via the onboard email so we can pass them on to relevant agencies.

**The Port received a significant number of questions from the organisation Keep It Green- some of these questions were response to directly during the AGM. The remaining questions have been responded to below.**

### **Keep It Green Questions:**

**Who was responsible for scrutinising and approving the responses from the Port to last year's AGM questions? And who is the person undertaking this role this year?**

This is and always has fallen to the senior management team. The Port team operate at the highest levels of professional standards, and it is our objective to be open, honest, and transparent. Sometimes the team may not have the answers to particular questions but will always endeavour to provide them.

## **ENVIRONMENTAL INFORMATION**

### **1. Who ordered all the environmental information to be removed from the Port's website and why?**

The Port team reviewed the website in light of this query and can categorically say that no information has been ordered to be removed, nor was any material removed.

It has however identified that the website can be difficult to navigate and is embarking on a process of changing and improving this soon.

**2. Is the Port aware of the Aarhus Treaty (1998); an international Treaty signed and ratified by the UK in 2005 that obligates all public sector organisations, and any private sector organisations working on their behalf, to**

- A. Comply with environmental information requests relating to your activities;**
- B. Ensure the public can actively participate in any decision by the Port that may affect the environment including features eg air, noise, light, radiation, water, flora and fauna, and**
- C. To publicly share all the environmental information held at any time by the Port and to share electronically where this is feasible eg your website?**

**Who is responsible for the due diligence in the Port to ensure that this Treaty is adhered to?**

The Port team has previously responded to Keep It Green in relation to the Aarhus Treaty to affirm that it complies with all legislation that governs the activities of the Port. The Senior Management Team and the Board have responsibility for compliance and take these matters very seriously. If any group or organisation would like to challenge any aspect of the Port's compliance with its legal obligations, in any respect, we would respectfully request the specific details in writing.

**1. What systems/mechanisms do you have in place for monitoring a) air quality, b) water quality, c) level of noise, d) level and type of light, e) ionising radiation and f) non-ionising radiation ie electromagnetic radiation (EMR), in and around the Port that is affected by the Port's decisions and/or activities?**

**With regards to each environmental feature can you provide or provide a link or information on your website to 1) who is responsible for each system, 2) what is measured, 3) how often are they measured and where can the public access this information without having to inundate the Port with Freedom of Information and/or Environmental Information Requests?**

- a) **air quality**- There is an air-monitoring station which continuously takes readings of the level of airborne particulates in the atmosphere. This information is made available to Newry, Mourne and Down District Council upon request.
- b) **water quality**- The Port is not responsible for water quality and therefore does not monitor it other than daily visual inspections and compliance with our obligations in relation to protecting the Lough. The Port take water quality information from the bodies responsible. See comprehensive answer above to another member of the public regarding water quality.
- c) **level of noise**- The Port team carry out regular noise surveys. This information can be made available on the Port website if there is sufficient demand. The Port is currently reviewing the website and will include provision for uploading these surveys if there is sufficient demand.
- d) **level and type of light**- The Port, with the support of the Carbon Trust in 2012, changed all its lighting to LED lighting to reduce its carbon footprint. There was a further investment in LED lighting for this same reason in 2021. All lighting at the site is in place to comply with the safety of port users. It is the Port's duty to provide safe and sufficient lighting levels which are essential for the harbour to operate in order to comply with health and safety guidance.
- e) **ionising radiation** – This is not applicable given the nature and plant of the Port's operations unless the Port was requested by an official body to carry out these tests.

- f) **non-ionising radiation ie electromagnetic radiation (EMR)** This is not applicable given the nature and plant of the Port's operations unless the Port was requested by an official body to carry out these tests.

#### RADIATION - NON-IONISING (EMR)

- 1. How many telecommunications masts are situated on or around the Port (within 1mile) that are part of the planned 5G infrastructure network and where are they situated?**

The Port does not have this information as it does not know what the telecommunications infrastructure is within one mile of the Port. What it does know is that the Port has one mast on site which has been there for around 20 years and enables most of the people in Warrenpoint to avail of Northern network phone signal instead of Southern signal and higher charges from across the Lough.

- 2. Is the Port intending to or have already optic fibre cables installed as part of a faster broadband infrastructure?**

The Port has had fibre optic cabling installed for many years to support its IT, CCTV and phone systems. It has not had any recent upgrade work on this capability and has no plans in the near future to introduce 5G capability.

- 3. Is the Port aware that fibre optic cabling is essential for the 5G network and that broadleaf trees are affected by and affect the signals, unlike 4G which can run on copper cable and does not harm trees?**

The Port does not have 5G Capability so this is not something it would comment on. The Port will continue to listen to and react to Dept of Transport briefings on any new, potentially relevant, technologies.

- 4. Is the Port aware of the harm to health from EMR in that it heats and coagulates living cells which can cause flu-life symptoms in humans and can also cause cancer amongst other conditions including death and that flora and fauna can also be affected including and in particular birds and insects? Is the Port aware that the WHO is publishing their report in 2022 on the safety of 5G to humans and that they have already confirmed that EMR is carcinogenic?**

Please refer to response to Question 1 (f) in relation to EMR.

- 5. Is the Port aware that the LED lights are part of the new 5G infrastructure?**

The Carbon Trust supported the Port in 2012 to replace all the lighting in the Harbour Estate with LED lighting from an environmental perspective to reduce the Port's Carbon footprint. There was a further investment in LED lighting for this same reason in 2021.

- 6. Has the Port carried out any due diligence for the health and safety of its staff from the infrastructure that is being installed for the 5G network ie cells, masts, optic fibre and LED lights? Can the Port provide this report on your website for the public and how any harm has been mitigated against within and external to the Port (as the Port is instrumental in enabling the network to creep into Warrenpoint and beyond)?**

The Port is not installing any 5G capability in the near future so this has not been done, as it would be irrelevant.

## **RADIATION – IONISING (eg nuclear)**

### **7. Is the Port aware that CO2 is used as a coolant for nuclear waste?**

This is irrelevant to the Port because the Port categorically has no interest in engaging in the nuclear industry.

### **8. Is the Port aware that Warrenpoint has the highest levels of radioactive isotopes in Northern Ireland in marine flora and fauna? (from the Southampton University Report 2011-2014 which I have given/mailed to the Port three times to date and which the Council held).**

**What does the Port intend to do with this information in the knowledge that Sellafield is continuing to pump out radioactive discharge into the Irish Sea and is settling at Warrenpoint due to tidal and wind influences and in the knowledge that they are continuing to build further nuclear plants along the GB western coast?**

The Port categorically has no interest in engaging in the nuclear industry and trusts in the relevant statutory bodies to safeguard all of our interests. The report makes clear that there has been significant and continuing improvement in water quality since legislation was modified in the 1970's. As per the question regarding Carlingford Lough water quality, the ultimate responsibility for the Lough falls to DAERA. They currently have four water monitoring buoys in the Lough and the Loughs Agency are constantly out on the water monitoring and inspecting.

We are usually informed of any issues by DAERA or Newry Mourne and Down Council. Please contact DAERA for further information if required.

### **9. Is the Port in any consultation in relation to establishing a SMR (Small Nuclear Reactor Plant) in Warrenpoint or in its surrounds? If so, with whom, what has been proposed and what has been agreed and how has any impact assessment been carried out?**

Direct answer from Chairman during the AGM- 'I can answer this one very quickly to say that I (Dr Gerard O Hare) am born and reared in this area. I look at this Lough every day and I see it as a fabulous resource in my home area.

'The nuclear industry is just not something that would ever be investigated for the Port while I am Chairman. I hope that Keep It Green and any other bodies that wish to raise the potential for nuclear industry activity in the Port, will categorically hear on record today from the Port that it is not even within the Port's current or future considerations, nor will it ever be while I am Chairman and David Holmes is CEO.'

## **PORT'S INFLUENCERS**

### **10. Is the Port aware that the former Chair Mr McIllevy was a Chair/Member of the Haven Waterway Enterprise Zone Advisory Board at the time of his tenure at the Port? The Board's Priority focuses on "energy and environment" and supports "ICT connectivity through Superfast**

**Broadband”, trunking roads from Welsh Ports, promotes the oil and gas industry as well as the nuclear industry. Does the Port now condone his appointment and influence on the Port’s activities given that we see no transparency concerning his clear, conflict of interest (acting on behalf of the UK Government on various Port Boards including Cork yet clearly not for the public of NI), influence in Warrenpoint matters yet all matters mentioned above are now his legacy?**

Appointments to the Board of Warrenpoint Harbour Authority are made by Department of Infrastructure. Warrenpoint Port senior management team has no influence over these appointments and will work with, and support whoever is selected via this governmental process.

There was, and is no, perceived conflict of interest.

**11. Does Mr McIlvenny have any influence on the Port’s activities now he is no longer Chair, if so what capacity and what is his remit? Can/Could the Port override his decisions/influence on health and safety grounds?**

The current Chairperson of the Port is the Chairperson, and the current Board is the current Board. They are not advised or influenced by former Chairpersons or former Board members.

**12. Does anyone who is employed by the Port or DFI or Cabinet Office (or other organisation) have influence on the Port’s activities concerning a) nuclear waste b) SMR Plant c) 5G/Smart energy? If so, who are they and what is their remit?**

The non-executive Board of the Warrenpoint Port are appointed by Department of Infrastructure; the executive members of the Board are appointed by the Board, both are appointed via open recruitment competitions and are responsible for the governance and day to day management of Warrenpoint Port.

**13. What is the current Chair’s opinion on the nuclear industry and is he aware of the existing discharge in Carlingford Lough due to Sellafield and other nuclear plants along the GB coastline?**

The Chairman has answered the question in relation to the nuclear industry above.

**14. What is the current Chair’s opinion on the health and safety of 5G in all of its potential infrastructure and radiowaves that may be utilised in the future?**

The Port does not have 5G capability so this is not something the Chair would comment on.

**15. What is the current Chair’s opinion on tourism potential for Warrenpoint and what are his intentions to increase and enhance our tourism potential?**

Warrenpoint Port supports the Council Tourism Strategy, and the Board and Management team will do whatever it can to enhance or support the delivery of this.

## **GOODS – IMPORTS AND EXPORTS**

**16. What mechanism/system is in place to carry out due diligence on ensuring cargo that is imported and exported is legal and safe? Can the Port provide information on this system on their website for transparency please?**

The port works closely with its customers and statutory bodies to ensure that cargo imported and exported through the port is legal and safe. It is the responsibility of the owner/carrier of goods to ensure that all statutory compliance for importing/exporting is adhered to. Every shipment will

contain a manifest detailing goods being imported/exported through the port. These manifests also go to statutory bodies e.g., Newry and Mourne District Council – Port Health, DEARA, UK Border Force) if applicable. A document pertaining to the movement of hazardous waste through the Port has recently been updated and will shortly be added to the Port's website.

**17. What approximate % of imports can the Port confirm that is checked against paperwork? How will this be affected with the automation of the Port?**

It is the goods owners/shipping companies' responsibility to ensure that goods match those on the paperwork and each of these organisations has their own checks and measures in place to ensure this in compliance with international legislation. The port carries out checks on the quantity of goods on the manifest compared to actual quantity imported/exported. This varies depending on type of cargo. e.g., There is a 100% check on number of containers imported/exported; the same applies to all animal feed imported; Physical check on quantity of timber and steel imported are on an ad hoc basis.

**18. How is staff trained on the legal and safety assessment of goods being imported and exported eg GMO foods?**

This is the responsibility of DAERA who have an Phyto and Phytosanitary checking facility onsite with fully trained staff to ensure products are in compliance with the current legal obligations.

**19. Does the Port allow and will the Port allow GMO foods and/or seeds into NI? Will the Port be transparent and inform the public if they ever do allow GMO foods/seeds into NI and where they are or will be distributed geographically (as GMO is also an environmental feature within the Aarhus Convention)?**

There are rules of entry in relation to the import of food stuffs and tests are carried out by DAERA. We comply with the law. The Port is a facilitator of the import and export process. Please refer to DAERA for further information of current rules in relation to import and export of specific food products.

## **FUTURE PLANS**

**20. What are the future plans (briefly) of the Port in terms of**

1. **Tourism**- The Port supports the Council Tourism Strategy and will do what it can to enhance or support the delivery of this.

2. **Nuclear (waste and/or installations)**- This has been addressed this above.

3. **Automation of the Port and driverless vehicles and lorries**- automation is something the Port will always look at if it makes it a more agile organisation, but the Port has no plans for driverless vehicles or full automation. The UK Maritime strategy notes however, and the Port agrees, that drivers for automation include not just efficiencies but improved health and safety opportunities.

4. **Increasing transparency**- The Port believes it is doing this. The Port is proud of who it is and what it does and has no issue at all in sharing this. The Port has put in place quarterly updates with elected representatives, initiated a direct community engagement email address and now produces a quarterly ezine. The Port will answer any questions put to it. It appreciates also however, that the industrial nature of the Port is sometimes at odds with an area of outstanding natural beauty. The

Port however is committed to making a contribution to the local economy (over £9m GVA last year) and to being involved in and supporting the local community.

**5. Creating an in-house Communications Team led by a Director and to improve external communications including in-house website management-** It has been outlined above that the Port is embarking on a reworking of its website to make it more user friendly and looks forward to delivering this in the coming months. All communications are led or overseen by the senior management team.

**6. Corporate Social Responsibility and, in particular, mitigating against environmental harm-** The Port is committed to a journey of continuous improvement with CSR and its environmental footprint at the heart of this. The Port will undertake to what it reasonably can do to mitigate its impact on the local environment.

**7. Extending land and property (and for what purposes) -** There is demand for land at the Port from customers. The Port wants to grow and to be able to service more vessels. If there was more land, the Port would use it. It just currently doesn't have it, so the Port needs to maximise the space available.

## **FINALLY**

**21. Could the Port please confirm their understanding of the term "sustainable" ie does the Port work to the understanding that economic benefits can counter-balance the social and environmental dis-benefits or does the Port work to the sustainable practices of maintaining and/or enhancing social, environmental and economic factors (all three) and that none are compromised?**

As a Trust Port the benefactor is not shareholders or individuals – all the money goes back into the Port and the economy so in terms of sustainability; a core pillar of a CSR strategy is to be profitable, because if you aren't profitable and running a sound, successful business you do not have the ability to do anything else; so for the Port like every other successful organisation in the world- economic, social and increasingly environmental factors sit side by side.

**During the AGM a number of further questions were submitted via the chat function. These came from two participants, Keep It Green and an unknown participant (BB). Responses have been provided below.**

**BB: Does the port have a Flight Restriction Zone when it comes to Drones?**

Yes, anyone wishing to operate a drone over the Port needs to request permission and provide a drone operator's licence if approved.

**KIG: Under the Arrhus convention the Port has the responsibility of carrying out assessments from their activities that have potential impact on the environment**

Warrenpoint Port has a robust Environmental Policy which is published on the website [www.warrenpointport.com](http://www.warrenpointport.com) Environmental concerns have been addressed in the responses above to the pre submitted questions.

**KIG: Since 2010 the NI Assembly has promoted the nuclear industry in NI**

Direct response given during the AGM: 'The nuclear industry is just not something that would ever be investigated for the Port while I (Dr Gerard O Hare) am Chairman. I hope that Keep It Green and any other bodies that wish to raise the potential for nuclear industry activity in the Port, will categorically hear on record today from the Port; that it is not even within the Port's current or future considerations, nor will it ever be while I am Chairman and David Holmes is CEO.'

**KIG: Does the Port have optic fibre installed? This is only essential for the 5G network**

Previously answered.

**BB: What is the Ports stance on the large-scale fishing community protest planned for Dublin Port this Wednesday?**

The Port meets regularly with the local fishing community but have no stance on what is happening in Dublin.

**BB. The Central Bank has issued a record €37.8m fine against Ulster Bank for its role in the tracker mortgage scandal. Will the Port be changing banks?**

The Port has not taken a position on this particular issue, but it does regularly review support services including our banking partners to ensure best fit for Warrenpoint Port.

**KIG: Will all KIG questions be answered?**

Yes – all Keep it Green's questions will be responded to and a meeting has been offered to discuss any further follow ups.

**KIG: Does that mean that you have plans to acquire more land in the near future?**

Previously answered.

**KIG: Can you please ensure that the Chair and Board are aware that the current 4G infrastructure together with fibre optic cables and LED lighting is part of the SMART network that is being set up for 5G**

Regardless of the capability Warrenpoint Port has no plans in the near future to introduce 5G. However, the Port cannot rule out any future advancements in technology to improve Port operations, providing they are safe and sustainable.

**KIG: Can you confirm that the Board are now aware that they are installing and have already installed most of the 5G network infrastructure?**

The Port has not installed any fibre optic cables in recent years. The current fibre optic capacity supports the Port's IT, Phone and CCTV capability.

**KIG: That IS 5G infrastructure - please correct the Chair's understanding on this matter**

Regardless of the capability Warrenpoint Port has no plans in the near future to introduce 5G. However, the Port cannot rule out any future advancements in technology to improve Port operations, providing they are safe and sustainable.

<https://committees.parliament.uk/writtenevidence/2230/html/>

<https://www.crowncastle.com/site/resources/infographic/smart-city.pdf>

**KIG: That last link explains that your electrification of the Port is part of the 5G agenda and is NOT SAFE as per the evidence, inter alia, shown in the former link. Could you please share these two links with Board members? Also please look up the 2010 White Paper on GDF page 10.**

These links will be shared with the Board, however there is nothing at the Port that is 'part of the 5G agenda'. Regardless of the capability Warrenpoint Port has no plans in the near future to introduce 5G. However, the Port cannot rule out any future advancements in technology to improve Port operations, providing they are safe and sustainable.