

Scottish Government submission of 28 November 2023

PE2029/H: Nationalise Clydeport to bring the ports and harbours on the river Clyde into public ownership

Thank you for your letter of 22 September on behalf of the Citizen Participation and Public Petitions Committee regarding the above petition which calls on the Scottish Parliament to urge the Scottish Government to:

- Use powers under the Harbours Act 1964 and the Marine Navigation Act 2013 to revoke the Peel Ports Group, (Clydeport Operations Limited)'s, status as the Harbour Authority for the river Clyde and its estuary;
- Establish a municipal port authority in Clydeport's place and bring the strategic network of ports and harbours along the river Clyde into public ownership; and
- Compulsorily purchase Inchgreen Dry Dock for the benefit of the Inverclyde community.

The Citizen Participation and Public Petitions Committee considered this petition at its meeting on Wednesday 20 September 2023.

At that meeting, the Committee noted the comments of previous Minister for Transport, Jenny Gilruth MSP, in a reply to an oral question by Katy Clark MSP on 22 September 2022, that private ownership of harbours "can substantially slow progress in relation to improvements".

The Committee agreed to write to the Scottish Government seeking clarity on its view on whether bringing the ports and harbours of the river Clyde into public ownership might resolve this concern.

The Scottish Government does not believe that nationalising Clydeport is appropriate and has no plans to do so.

Clydeport, part of the Peel Ports Group, is the harbour authority for the River Clyde and its estuary, managing a jurisdiction of 450 square miles and operating from a number of sites. Clydeport's main terminals are King George V Dock in Glasgow, Greenock Ocean Terminal, Hunterston PARC and Ardrossan. Clydeport's operations facilitate the movement of

more than 15 million tonnes of cargo per year and thousands of passengers annually. These activities, the employment which they provide for, and the investment made by the Company in recent years, continue to be of significant importance to the Scottish economy.

Whilst Scottish Ministers have powers to compulsorily acquire land, that is only where the acquisition is “necessary for the public service” or for planning or development purposes. For such powers to be invoked, a clear development plan for the site would be required rather than an assertion or belief that Ministers could operate the site more effectively than the current owners.

Ports in Scotland represent a successful mix of large privately owned ports such as Clydeport and Forth Ports, independent trust ports such as the Port of Aberdeen and the Port of Cromarty Firth, local authority and Caledonian Maritime Assets Ltd (CMAL) owned ports.

Whilst investment in privately owned ports and trust ports are commercial matters for the relevant port operators, the operator is required to balance any decision to forego or delay investment with the potential for business to transfer to another facility. In her response of 22 September 2022, Ms Gilruth also noted that another privately operated port at Troon was now in a position to facilitate the service to Brodick.

The Scottish Government’s aim is to bring more ports and harbours into the ownership of CMAL where the primary function is the provision of lifeline ferry services. CMAL is wholly owned by the Scottish Government. However, this requires the willingness of third-party owners to enter into change of ownership discussions and, if agreed, a Harbour Revision Order would then be required. This could be anticipated to be a lengthy and complex process.

Transport Scotland