

# Unite the Union response to the Department for Transport Consultation into the Government's proposal for a revised National Policy Statement for Ports (NPSP).



## 1. Introduction

- 1.1. This submission is made by Unite, the UK's largest trade union with over one million members across all sectors of the economy, including manufacturing, financial services, transport, food, agriculture, construction, energy, utilities, information technology, service industries, health, local government and the not-for-profit sector. Unite also organises in the community, enabling those who are not in employment to be part of our union.
- 1.2. Of particular interest to this inquiry Unite represents workers in the ports, in the waterways that shepherd the cargo vessels to the quayside and out again, as well as those workers that: - supply the ports with energy and fuel supplies; - distribute the cargos to and from the ports by every mode of transport be that road, rail, canal barge or coastal shipping. Unite is also the largest trade union in the aviation sector and combined Unite represents over a quarter of a million members in transport modes.

## 2. Consultation Questions

### Port freight demand forecasts

Question 1: what is your overall view of the central case forecasts for unit-load traffic summarised in the draft amended NPSP?

Question 2: what is your overall view of the central case forecasts for bulk traffic summarised in the draft amended NPSP?

- 2.1. Unites view of projections are that all forecasts need to be understood to be a guide of what may happen based on the information available at the time rather than a statement of fact. While the forecasts are well thought out there are so many issues that could arise which over the longer term, make a nonsense of the predictions. Indeed, the current president of the United States need only to sneeze and for someone to think he said "tariff" for major changes to occur<sup>1</sup>.
- 2.2. If major tariffs are placed on the US goods into the EU for example, the US sellers will be looking for markets where there a known stable tariff arrangement and that could result in a major increase in the availability of US goods into the UK. Similarly, the trade deal with India, Canada, etc. can also impact trade volumes.

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<sup>1</sup> Under the first term in office President Trump had to wait 18 months before he could introduce a change in tariffs or port fees. This time round, the President can change the tariff arrangements on a whim as his party controls both the Senate and House of Representatives

- 2.3. On the other hand, a blockage in the Suez Canal<sup>2</sup> or increased or reduced tensions on trade routes<sup>3</sup> can impact trade volumes causing major changes in the amounts of goods moved between ports.
- 2.4. The size of vessels used and the strength of environmental measures on both shipping and other travel modes will also impact the volumes and as these too are about to change in the near future, predictions are currently very unpredictable.

Question 3: do you agree that the forecasts should be at national level, rather than disaggregated to regional or even individual port level?

- 2.5. Unite feels that forecasts at a port level would be ideal but they can be even more difficult to predict due to competition between the ports in the UK and with the ports in Northern Europe. On that basis, predictions by port are by their very nature less reliable and the predictions on a national basis are more frequent and more reliable.

Question 4: we have forecast higher and lower scenarios for traffic rather than statistical confidence intervals. Do you agree in this case, that this is the appropriate way to depict the inevitable uncertainty in any such forecasting?

- 2.6. Unite agrees that it is reasonable to forecast both higher and lower scenarios for traffic, especially in the current climate.

### **Need for development**

Question 5: do you agree that the need for development in the ports sector should continue to be market driven and that decision-makers should accept proposers' perception of demand and hence need other than in exceptional circumstances?

- 2.7. Unite believes that development demands in ports are market driven as it is a competitive market for trade with other similar sized and similarly capable ports around the UK Coast. As a consequence, demand for facilities will be very much driven by what the shipping industry desires. Moving ahead and installing additional capacity beyond that specifically requested or required by legislation may end up becoming unused.
- 2.8. Despite this Unite believes that innovation is possible in ports to reduce emissions from port vehicles and equipment which should be GHG free at the point of use, given current technology. The only major obstacle is realising any value from retired equipment to pay for new more sustainable options.

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<sup>2</sup> Between 23rd and 29th March 2021 the Suez Canal was blocked by the **Ever Given**, a container ship that was blown off course and it had run aground on the bank the canal. This caused widespread disruption causing many ships to divert round the Horn of Africa and cargo to be sent by alternative means.

<sup>3</sup> There has been increased instances of piracy in some areas of the world either for financial gain or due to political tensions between nations. An example would be the impact of Russia's invasion of Ukraine

## **Economic, social and environmental impacts**

Question 6: to what extent do you think the draft revised NPSP as a whole provides suitable guidance to decision-makers to help them make decisions about development consent applications for new port applications?

- 2.9. Unite has faith that, development consent applications could utilise the NPSP as guidance to help them decide on future improvements. Unite suggests, however, that more weight be given to increased staffing levels and sustainability so that there is a future for the industry.

Question 7: do you think the draft revised NPSP provides suitable guidance to decision-makers on the need to promote equal access to the jobs, services and social networks created by port infrastructure?

- 2.10. Unite considers that the NPSP could go a lot further in this regard, by setting minimal targets and obligations, but what is there, is enough to provide an indication that equal access to jobs, services and social networks is highly desirable.

Question 8: do you think the draft revised NPSP considers all of the significant potential impacts of port development? If not, what do you think is missing and why?

- 2.11. Unite supposes that it is as difficult to cover every eventuality as it is to predict the future.
- 2.12. The extent to which climate change will increase global storm activity and flooding, for example, will have a profound impact on the ports. The planet has never in the memory of human recorded history, faced a climate with so much Greenhouse Gases in the atmosphere, nor a situation where the climate has experienced such a rapid change in global temperatures. Climatologists can make assumptions based on the scientific evidence, but we do not know when or where extreme weather will disrupt the shipping sector or inland transport.
- 2.13. Unite hopes humanity can collaborate in time to prevent the 2°C barrier from being breached, either from manmade activity, or as the result of feed-backs from the planet itself, due to the warming experienced already. If locations like Bristol can install measures to cope with such a huge tidal range<sup>4</sup>, then it should be possible to engineer a solution in the ports. The challenge for shipping is surviving the journey from A to B.

Question 9: do you think the draft revised NPSP provides suitable guidance to decision-makers on the impacts of port infrastructure on the local population?

- 2.14. Unite believes that the draft NPSP provides a very good framework, but each location will have different challenges.

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<sup>4</sup> The difference between the low and high tide mark in Bristol is up to 14 meters (49 ft)

- 2.15. With Bristol it is the tidal reach, with Felixstowe it will be onward transport infrastructure due to capacity on the A14, A12 and rail networks, as well as the width and depth of the channel to turn the ever-growing containerships around. With all cruise liner ports, it is the demands on the grid and transport networks especially to places in the islands of Scotland where the infrastructure available is minimal. Every port has its unique challenges to overcome and equally lessons learned at one port may be helpful in another.

Question 10: do you think the draft revised NPSP gives appropriate guidance to decision-makers about when and how they should consider alternatives when it comes to particular projects?

Question 11: do you think the draft revised NPSP provides suitable guidance to decision-makers on the impacts of port infrastructure on the natural environment and biodiversity?

- 2.16. As stated, Unite believes that the draft NPSP provides a very good framework to build upon and this includes considering alternatives and the natural environment.

Question 12: thinking about dredging specifically, do you think that the draft revised NPSP provides suitable guidance on environmental safeguards for capital dredging and requirements for maintenance dredging after a project is implemented?

- 2.17. As stated, Unite understands that dredging creates its own unique challenges depending on the composition of the channel to be dug it can disturb sediments and cause major issues relating to water quality, habitat disruption and can cause the release of large volumes of methane and other greenhouse gases. Dredging can be a necessary evil, used to create or maintain flood defences or coastal protection measures and maintain the depth of berths for overly large shipping in river basins.
- 2.18. Therefore, while the NPSP provides guidance on safeguards and requirements for maintenance dredging after a project is implemented, these safeguards may be breached by port operators because failure to do so would have the potential to close the port to the ever-growing container ship sizes, requiring ever deeper drafts so they can reach the quayside.
- 2.19. Historic dredging has already caused substantial ecological damage to habitats so some of these ports are in essence a desert. Additionally, there are major health concerns due to the untreated human waste discharges into rivers by water companies making the activity considerably unpleasant. As a result, any additional damage to water quality and habitats, may be minimal.
- 2.20. And then you have the historic maritime obstacles like the SS Richard Montgomery<sup>5</sup> in the Thames and other locations where there may be unexploded ordnance. These

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<sup>5</sup> [The SS Richard Montgomery](#) is a US Liberty Ship that ran aground in the Thames Estuary in 1944, carrying a large cargo of explosives. It remains there today, a potential hazard due to the remaining

hazards are particularly relevant when dredging, construction, or other marine activities are planned, and while, hopefully, most locations are well known and monitored, unite recognises that any infrastructure or dredging may unearth surprises that may need to be tackled where they are discovered.

- 2.21. Unite feels that the NPSP covers most eventualities but clearly there are additional issues that cannot be planned for.

Question 13: do you think the draft revised NPSP provides suitable guidance to decision-makers on the impacts of port infrastructure on the historic environment?

- 2.22. Unite feels that the draft NPSP makes it abundantly clear that the historic environment is to be preserved despite policy makers desire to improve port Infrastructure. The UK has one of the richest maritime histories in the world, the preservation of historic harbours is critical to safeguard our connections with the past. A clear example is at the port of Tilbury, where the development has split the port in two halves, surrounding a historic fort maintained by English Heritage or the SS Great Britain or HMS Victory on display in Bristol and Portsmouth. While historic ships could, with great care be relocated if all else fails, the drydocks, and harbours could not be moved and so planners need to accommodate these into plans.
- 2.23. And then you have the aforementioned, historic, maritime obstacles like the SS Richard Montgomery in the Thames which needs to be avoided at all costs.

Question 14: do you think the draft revised NPSP gives appropriate guidance on how the cumulative and in-combination/synergistic impacts of port development should be considered by decision-makers?

- 2.24. Unite believes that the NPSP does not stress enough the job creation and preservation opportunities, especially from the supply chain of any port development. The statement only states<sup>6</sup> that “*the assessment should consider all relevant socio-economic impacts, which **may** include: the creation of jobs and training opportunities*”. Unite believes that this is insufficient and too vague.
- 2.25. If new developments and infrastructure have the potential to save roles from being lost, then this is far more important than the establishment of competition from a new development which could put roles at risk of being lost.
- 2.26. With the shipping industry moving to ever larger vessels, smaller ports may find it hard to maintain the capacity to handle a ship of that size as such unless they find alternative opportunities, they could close, concentrating capabilities into ever larger ports. If there is a harbour nearby with the potential to tranship cargo into

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munitions on board. The wreck is closely monitored, with a no-fly zone and exclusion zone in place. In the unlikely event that the ship exploded it would produce a 300m (980 ft) wide column of water, throw debris up to 3 km and produce a wave 5 meters (16 feet) high up and down the Thames according to the BBC.

<sup>6</sup> See point 5.14.3

smaller ports around the coast then this could provide a lifeline and reduce both congestion and GHG emissions, this would also preserve the smaller port employment opportunities.

- 2.27. Unite feels therefore that new port infrastructure will not cause any impact on employment or training so would strongly suggest the wording needs to change from “may” to “will” to ensure that this is considered.

Question 15: it is a requirement of the Planning Act that a NPS must give reasons for the policy set out in the statement. Do you think the draft revised NPSP fulfils this requirement?

- 2.28. Unite is of the opinion that the draft NPSP partly covers the reasons for the policy, but each development will have their own additional reasons why it should go ahead. Therefore, the draft revised NPSP cannot fulfil the requirement as a standalone “one-size-fits-all” policy. Unite believes, that as a statement of principles, the NPSP in general fulfils that task.

Question 16: it is a requirement of the Planning Act that the Secretary of State must have regard to the desirability of achieving good design. Do you think that the draft revised NPSP fulfils this requirement?

- 2.29. Unite considers that what may be a “good design” solution in one instance, might be a blot on the landscape in another context, given, every port has it’s own challenges. Unite believes that the desire for a standalone “one-size -fits-all” policy to overcome the challenges of the Planning Act is a noble one, but every proposal needs to stand on its own merits.

Question 17: thinking about guidance in the NPS on environmental regulations and mitigation in the round and drawing on past experience with such regulations and guidance, do you broadly consider it clear, apt to change during the process of an application or proportionate to the problems it seeks to address?

- 2.30. Unite supposes that, again, each port will have its own unique challenges and as such what may work in one location may not in another. The NPSP highlights that under the European Environmental Impact Assessment Directive every project will require an Environmental Impact Statement. Unite, would therefore, hope that any issues raised by the impact assessment are ideally resolved with an acceptable solution and a revised report drafted before the project goes ahead. Should it not be possible to resolve the problem directly, then the proposals would need to be revised before they go ahead.

### **Appraisal of sustainability**

Question 18: to what extent do you think the methodology used to assess the sustainability of the draft revised NPSP is appropriate?

Question 19: has the baseline analysis in the AoS missed or misrepresented any environmental, social or economic data?

- 2.31. Unite believes that such an appraisal needs to consider the entire cargo and ongoing infrastructure already in place not, just the impact on the local community. A ship will only discharge its cargo in one port and ideally collect its cargo during the same call. Therefore, if a new quay capable of handling the likes of the MSC Irina class ships<sup>7</sup> it will eradicate the need for MSC to use smaller ships to call at the nearest port to the destination for the majority of its cargo. Unite feels that neither the AoS nor NPSP cover this issue in enough detail.
- 2.32. Environmental obligations on Freeports and Green ports in Scotland are in several cases, no more than token gestures. Additionally, when addressing the subject of hydrogen extraction, the focus appears to be too focused on Steam Methyl Reformation, which is intrinsically unsustainable, mitigated by some CCS activities to tackle the CO<sub>2</sub> releases. As stated elsewhere in this response, SMR does not just cause the release of CO<sub>2</sub> but also causes the release of unreacted methane, NOx and draws on vital fresh water supplies far more than even water electrolysis<sup>8</sup>.
- 2.33. In order to make ports more sustainable, there needs to be a wholesale electrification of activities onshore, rather than continuing to rely on diesel. Unite believes in the waterborne electrification and sustainable maritime fuel but these options very much depend on National Grid delivery improvements that may be over a decade away<sup>9</sup>.

Question 20: are there any additional key sustainability issues relevant to the NPSP that need to be considered in the AoS?

- 2.34. Unite is unaware of anything further obviously awry with the AoS

Question 21: are the AoS objectives and sub-objectives as set out in the AoS framework appropriate?

- 2.35. Unite believes the AoS objectives and sub-objectives as set out are appropriate other than as set out above.

Question 22: are there any incompatibilities between the main NPSP objectives and the AoS objectives which have not been identified in the AoS?

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<sup>7</sup> MSC Irina is a container ship, notable for being one of the largest in the world with a capacity of 24,346 TEUs

<sup>8</sup> Steam Methyl Reformation utilises 2.5 times the amount of fresh water than electrolysis.

<sup>9</sup> The waiting list for a connection to the National Grid currently predicts a wait of 15 years! Green Hydrogen requires a supply of electricity to break up the water or ammonia, releasing the hydrogen and without a supply of sustainable hydrogen you cannot produce synthetic crude oil from which you distil SMF, SAF and other sustainably produced products.

- 2.36. Unite does not believe there are many incompatibilities between the main NPSP objectives and the AoS objectives other than those identified.

Question 23: to what extent do you think the alternatives covered are appropriate? Are there any additional alternatives that should be included?

Question 24: to what extent do you think the approach taken in the AoS to the assessment of alternatives is suitable?

Question 25: do you agree with the results of the assessment of alternatives?

- 2.37. Unite does not wish to comment further on this topic as it has been covered earlier.

Question 26: to what extent do you think the assessment correctly identifies the sustainability effects of the draft NPS?

Question 27: have any key findings from the AoS report not been taken account of properly in the NPS?

- 2.38. Unite considers that the assessment correctly identifies many of the challenges but as set out elsewhere much of the delivery is dependant on the energy extraction and delivery from the wider economy. The installation of solar panels on the south facing rooftops of buildings will help if there is the battery storage capacity to make available that energy supply 24/7, throughout the year not just in the summer months.

Question 28: to what extent do you think the approach to monitoring is sufficient to monitor the sustainability effects of the NPS?

- 2.39. Unite believes that the combination of diesel engine emissions and discharges needs to be monitor far more frequently than is currently the case. Thankfully, gone are the days when oily deposits are left on every surface due to the nature of the shipping fuel oil used, but sadly diesel engines are still pumping out particulates, and these need to be kept in check, especially where they may collect<sup>10</sup>.

Question 29: to what extent do you think the appropriate assessment is a suitable high-level assessment of the impact of port development on protected sites and species?

- 2.40. Unite does not wish to pass judgement on this topic.

Question 30: do you agree with the analysis of costs and benefits set out in the impact assessment?

- 2.41. The cost benefit analysis as provided, attempts to provide a one-size-fits-all assessment but as stated in the earlier responses and those Unite responses to the

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<sup>10</sup> Particulate concentrations dissipate from the point of release but can concentrate in cul-de-sac structure locations if the wind is in the wrong direction to cause them to disperse.

Transport Select Committee, each port throws up its own challenges. Where smaller vessels can utilise smaller ports, the major shipping lines have opted for ever larger ships and that often means dredging a deep enough channel so the ships may use the port and maintaining that deep water draft capability. The aforementioned activity is fundamental, or the port will close, diverting the trade routes into a rival port and so when it comes to the cost benefit analysis, Unite cannot agree with the NPSP.

- 2.42. A forced relocation of the trade if transshipments from coastal traffic, as a result in a major increase in coastal UK ETS charges, from next year has the potential to cause havoc on inland road and rail networks alone, not forgetting the impact this could have on the wider economy if port freight traffic stopped.
- 2.43. Unite therefore cannot agree with the cost benefit analysis.

Question 31: are there any impacts of producing a national policy statement that have not been considered?

- 2.44. Unite hopes that the above outlines just some of the immediately obvious impacts that appear not to have been considered but there are many others including for example
- the impacts on traffic volumes of refined fuels if the trend continues in the closure of oil refineries like Grangemouth,
  - the reduced trade if those refineries start production of sustainable fuels like Sustainable Aviation Fuel (SAF)<sup>11</sup>, Sustainable Maritime Fuel (SMF) and Sustainable Road Fuels (SRF)<sup>12</sup>

Question 32: to what extent do you think the 'habitats regulations assessment' is a suitable or unsuitable high-level assessment of the impact of port development on protected sites and species and why?

- 2.45. Unite does not wish to comment on this topic.

### 3. Conclusion

- 3.1. Unite, inconclusion, would highlight the need for alternative fuel supplies to the port so that it can cater to the fuel demands of the vessel which will no longer be just

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<sup>11</sup> SAF is seen as the only way the UK Aviation sector can continue to fly long haul and is the cornerstone of the decarbonation footpath for the aviation industry globally. It is also the cornerstone in the battle against Radiative Forcing as variants like HEFA (Hydroprocessed Esters and Fatty Acids) reduces the hard to burn Aromatic Hydrocarbons found in conventional fuels to almost zero. Aromatics removal reduces ultrafine particulate levels to almost zero and without the particulates induced cloud cover is far less likely to occur. Sadly, to comply with the aviation fuel licence specifications currently SAF has to be adulterated with added aromatics so that it can be used in a blend with normal fuel but in time it is hoped this will change.

<sup>12</sup> SMF is a product of the cracking process, taken from the production process as SAF or SMF but originating from the [Fisher Tropsch process](#).

shipping fuel oil. Grid connections need to improve at a pace to convert port vehicles and ships to electrical power, thus reducing the clouds of particulates that can hang over ports and their neighbouring areas.

- 3.2. The NPSP has the potential to be the catalyst for a green revolution in the ports but Unite would welcome being more involved in any implementation decisions in the near future.

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