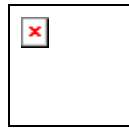


COMMITTEE OF INQUIRY: JERSEY MOTOR TRANSPORT COMPANY (1987) LIMITED

**Lodged au Greffe on 24th April 2001
by Deputy A. Breckon of St. Saviour**



STATES OF JERSEY

STATES GREFFE

180

2001

P.72

Price code: B

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

in accordance with Article 36B of the States of Jersey Law 1966, as amended, to approve the appointment of a Committee of Inquiry -

- (a) to investigate fully the use made of public funds paid to the Jersey Motor Transport Company (1987) Limited (trading as Jersey Bus), and other associated companies, in relation to transport services for senior citizens, H.I.E. cardholders, schoolchildren and rebate on fuel duty;
- (b) to consider whether a service level agreement should be established in return for any or all of the funding referred to in paragraph (a) above; and
- (c) to report back to the States with such recommendations (if any) as the Committee considers to be appropriate.

DEPUTY A. BRECKON OF ST. SAVIOUR

- Notes:
- 1. The Finance and Economics Committee's comments are to follow.
 - 2. The Human Resources Committee's comments are to follow.

REPORT

Millions of pounds of public money have been paid to this operator and others for the provision of transport services for certain groups of persons - most of the subsidy has been spread across the system and has assisted both the operator and the individual to either travel or provide a service.

I believe it is fundamentally flawed and morally wrong to attempt to cancel part of an Island service that then will exclude some of those it was intended to serve.

Reneging on the agreement

The operator is then, in my opinion, in the case of senior citizens and H.I.E. cardholders, reneging on an implied agreement by excluding those who were targeted for assistance, who happen to live in the "wrong" area or use the "wrong" route - this cherry-picking can **not** be allowed in the public interest.

Deliberations of the States

A report and proposition from Senator R.J. Shenton (P.69 of 1987) "**Bus passes for Senior Citizens**" was lodged au Greffe on 7th April 1987 and this requested, "*the Defence Committee to enter into consultations with the Finance and Economics Committee and the Jersey Motor Transport Company Limited with a view to the introduction of free bus passes being available for use by senior citizens between specified hours, the cost being met out of the annual income of the States*" this was withdrawn on 29th September 1987, presumably as a result of some consultation?

27th September 1988 - "Bus Service Free Travel for Pensioners and Modifications to Weighbridge" (P.116 of 1988) was lodged au Greffe by the Defence Committee - this was approved by the States on 11th October 1988 and agreed in principle -

"(a) that financial assistance should be given to J.M.T. (1987) Limited so as to provide free travel on the buses for Jersey Residents of pensionable age;

(b) modifications to the terminus at the Weighbridge, as detailed in the Report of the Defence Committee dated September, 1988."

Note: the cost of (b) was estimated at £70,000.

23rd January 1990 - "Bus Service: Free Travel for Pensioners" (P.11 of 1990) lodged au Greffe by the Defence Committee - this was approved by the States on 13th February 1990 -

"to approve the continuation of financial assistance to J.M.T. (1987) Limited so as to provide free travel on the buses for Jersey Residents of pensionable age and Health Insurance Exception (H.I.E.) card holders, such assistance to be altered annually in accordance with the Jersey Cost of Living Index."

Furthermore, I believe that to date no current detailed facts and figures are generally available (transparency), with regard to public monies that have been given to the operator for general travel concessions for classified individuals. Although discussions have been held on a number of occasions, the outcomes have not been illuminating and full disclosure of accounts has not been forthcoming.

I believe the above to be a failing of the system and I do not believe it is appropriate for the operator to now select certain routes for possible cancellation and to say that they are not cost-effective when the whole of the service has not been adequately financially scrutinised and proven to be value for money in a way which would meet the approval of an audit or Public Accounts body.

Huge sums of money have been paid on behalf of the public without any form of service level agreement to date. These payments, I believe, should be dependent upon the general availability of this service, within reasonable guidelines that also meets a level of public expectation.

I believe this matter requires greater (and fresh) scrutiny than it has received to date and that a Committee of Inquiry is the correct way to proceed and I would remind members of the States of Jersey Law 1966, as amended -

Committee of Inquiry

(1) Where the States are of opinion that inquiry should be made into any definite matter of public importance, they may appoint a Committee of Inquiry to inquire into that matter in accordance with this Part and Articles 52 and 53 of this Law shall have effect in relation to that Committee.

(2) A Committee of Inquiry shall consist of not more than five persons, who may or may not be members of the States, and the States may direct which of those persons, if more than one, shall be the President, who shall preside in the absence of the President and the number of persons who shall form a quorum thereof but where a Committee of Inquiry consists of only one person that person shall be the President and the quorum.

(3) A person appointed to a Committee of Inquiry shall take an oath before the Bailiff in the form contained in a standing order.”.

Financial and manpower statement

Article 36K of the States of Jersey Law 1966 states that the Finance and Economics Committee may direct to what extent a person appointed to a Committee of Inquiry may be remunerated and those expenses together with any others which the Finance and Economics Committee may direct may be incurred by a Committee of Inquiry shall be paid out of the general revenue of the States. It will therefore be a decision of the Finance and Economics Committee as to how much the Committee of Inquiry will cost.

Paragraph (5) of Article 36I of the Law provides that the Greffier of the States may appoint a secretary to the Committee of Inquiry to perform such duties connected with the inquiry as the President of the Committee may direct. It is possible that the States Greffe will provide the services of a secretary but that, if this is not possible, an officer may be seconded from another department, or a short-term contract post be approved for the duration of the inquiry. This will be a decision for the States Greffe and Human Resources Department.