

# STATES OF JERSEY



## MINISTER FOR TRANSPORT AND TECHNICAL SERVICES: VOTE OF CENSURE (P.129/2013) – COMMENTS

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Presented to the States on 4th November 2013  
by the Minister for Transport and Technical Services

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STATES GREFFE

## COMMENTS

I hope members will reject this Proposition on the following grounds –

Transport and Technical Services is, and will continue to be, a challenging Department to lead from a political perspective. TTS handles a wide range of operations and is responsible for many assets and services that touch people's lives. This regularly brings the Department into a public and political spotlight.

On a regular basis, I have to make decisions that not everyone will agree with. I have to think about what is right for the majority of the people of Jersey, what is right on the grounds of safety and what is environmentally appropriate.

As members will know, Deputy G.C.L. Baudains of St. Clement has asked me numerous questions, indeed about a third of his 144 questions asked during this term of office have been directed at me.

All questions have been answered without evasion; they have not been padded and only provided with detail to inform or support what has been said. However, they may not have been the answers the Deputy wanted to hear because they did not agree with his views.

I will provide my response to Deputy Baudains' issues in the same order in which they were presented –

### **Asbestos**

I and my department have never refused to work with the Environment Department, quite the contrary. The solution to our asbestos problem was discussed, developed tested and agreed with the Environment Department and the Health and Safety Inspectorate, both of whom, at officer level, supported the methodology.

In addition to many meetings at officer level, I have written to the Minister for Planning and Environment several times trying to find a solution to satisfy his needs since putting in the planning application in 2011 for a storage facility for asbestos.

This is not a tale of TTS refusing to work with the Environment Department; this is TTS doing its utmost to work with the Minister for Planning and Environment to manage asbestos waste appropriately.

### **Bellozanne – scrap metal**

The contract with Picot and Rouillé Limited had been extended a number of times without seeking other competitive bids and the terms of the contract needed updating to reflect changing times and ensure the States got best value. It became overdue for this contract to be tendered in a competitive manner.

I have had many meetings and discussions with the Picot and Rouillé management and have tried to explain what the Department needed for a sustainable future working together. As the long standing operator, Picot and Rouillé were given every opportunity to submit a compliant and successful bid.

Through a fair and auditable process the new contract was awarded to Hunts (Jersey) Ltd.

We always recognised that there would be a difficult transitional period between the 2 contractors. This issue was addressed by temporarily locating the new contractor at Bellozanne (Gate 4) which enabled Picot & Roullé to utilise the existing site so that they could export their remaining stock, transfer/sell its equipment and make good the site.

There are significant benefits with the new way in which waste metal is now dealt with. As scrap metal arises it's transported off the Island for processing at EMR's Portsmouth Shredder. This approach provides the following benefits –

- Shredder noise has been eliminated from the Bellozanne operation, this was a constant source of nuisance over many years.
- No shredder waste would be generated in Jersey, reducing inputs to the Island's Energy from Waste Plant and consequently substantially reducing the amount of hazardous contamination within the ash allowing for the future recycling of the ash.
- Maximising recycling rates for non-metallic materials included in the scrap such as plastics, glass and other inert materials.
- The operation at Bellozanne is simplified, with much less handling of scrap and much reduced storage on site. As a result, environmental impacts such as noise and dust have been reduced locally.
- Hunts (Jersey) Limited do offer a spare parts service.
- The public are for the first time getting paid for the scrap presented to the scrap yard.

### **The old incinerator**

When Deputy Baudains asked a question on this issue in the States on 20th November 2012, a very clear and rational reason was provided and by no means an excuse for not choosing explosion. The gist of which was –

Chimney demolition experts advised my officers that demolition by explosive or similar methodologies was not practical or safe due to the location of operational buildings, existing equipment and the valley road.

Their advised methodology was to erect a scaffold at the top of the chimney, break the chimney into approximately one meter square pieces and drop these pieces down the centre of the chimney for clearance at the bottom. The scaffold would progressively lower as the chimney was demolished until it was low enough to be reached with mechanical excavators from ground level. This methodology was included in the tender documents.

Despite tenderers having the opportunity to offer alternative methodologies to that specified, none did. All specialist demolition tenderers selected the same method as specified by my Department's advisors.

## **The bus service – timetable changes**

As Deputy Baudains states ‘*changing from one operator to another was bound to cause upheaval*’. However, he has not acknowledged that we have also had a major change of contract. The commercial risk was transferred to the new operator and away from the States in accordance with advice from the Comptroller and Auditor General. This has given the operator more flexibility but it still has to work within a regulatory framework.

Yes there were teething problems, although not all of these were associated with the timetable changes. I have never denied this but this was short-term pain for long-term gain and the good of the majority. Yes we could have restrained Liberty Bus at the beginning, but the bus service needed to change in many ways and we would also have been delaying the benefit.

I have never deliberately or knowingly misled States members. Although Deputy Baudains does not explicitly say that I have, you could infer it from his comments regarding the issues surrounding the No. 18 Bus. TTS and Liberty Bus have a policy of consulting on change and this was done – with the public, the Parish and the Housing Department. At the end of this consultation the Department believed the changes to be in the best interests of the general public and they did not perceive there to be opposition to their plans.

As sometimes happens with change, the opposition arises after the change has been implemented. Liberty Bus does have a mechanism for coping with this and changes have been made.

Deputy Baudains has presented a very unbalanced picture, he has failed to mention any of the benefits that have already been realised since the changeover of operator took place –

- Bus ridership is projected to be up on previous years.
- A 13% passenger growth on the eastern coastal corridor routes served by the 1, 1a and 16 (previously 18).
- School bus ridership is up by 15% on previous years.
- Service levels on the important routes 1 and 15 have been at their best ever levels, with improvements provided with every timetable change.
- There are 100 more Sunday services this winter, more than ever before connecting most parts of the Island with St. Helier. Three years ago there were only 3 winter Sunday routes providing only 30 services.
- Smart card ticketing is now available to season tickets holders, students, visitors and concessioners.
- Regular public consultations and parish hall meetings for timetable changes.
- More comfortable buses with greater leg room.
- Regular bus services run during snow.
- Better and fairer internal procedures and controls.

The improvement journey is by no means over, there is still some way to go but we are moving in the right direction and I would like to thank those States members on the Environment Scrutiny Panel and My Bus Advisory Group who have supported me and my goals for bus travel.

### **Death by careless driving law**

Whoever is advising Deputy Baudains is wrong and his assertion that work to allow a new offence of death by careless driving has been allowed to disappear into the 'long grass' is baseless. In answers to Deputy Baudains's questions of 19th February, 19th March and 4th June 2013, I clearly stated the work that was being undertaken.

The facts are that proposals have been developed, following the deliberations of a working group, chaired by the Minister of Home Affairs and that these have been submitted to the Attorney General's office for legal advice.

### **Harbour cycle track**

The previous Minister for Transport and Technical Services brought forward the Sustainable Transport Policy in 2010. As you might expect, as I was Assistant Minister at the time and voted for its acceptance in the States, I fully endorse the Policy and continue to implement it.

We are currently in the enabling phase, which means we are providing the facilities and services to enable people to opt to use their cars less. Improving cycle track and pedestrian facilities is a key enabler.

Of course I was interested in finding a way of providing the missing links to a continuous shared space promenade for walkers and cyclists between Corbière and Havre des Pas and I was keen to explore an off-road route across the English and French harbours. I asked my team to develop a concept for consultation to achieve this knowing the sensitivity and historical significance of these harbours.

Despite my responses to his written questions of 15th January and 29th January 2013, Deputy Baudains still asks '*why was there not consultation?*' on this concept. Let me reiterate: Officers talked to the Harbours Department, WEB and representatives of St. Helier Yacht Club, the St. Helier Boat Owners Association and the Jersey Marine Traders Association. The scheme was also discussed with the Historic Environment Officer and Planning Officers, after which a Heritage Architect was consulted by TTS to recommend amendments to the scheme to mitigate impacts on the Heritage.

Whilst it was recognised that such a scheme might be contentious, a planning application was prepared to test the acceptability of the concept. Feedback received during the initial planning consultation indicated the concept required further development if it was to receive popular support and the application was withdrawn prior to determination.

### **Incinerator – new Energy from Waste Plant**

It is difficult to know what I, as current Minister for Transport and Technical Services, am being held responsible for by Deputy Baudains. His issues seem to stem back to

the decision on the type, size and location of the Energy from Waste Plant (EfW), decisions made by the States well before my time as Minister.

That said, I am happy to take responsibility for what is happening there now.

The EfW has successfully processed the Island's waste since December 2010. It is not a failure and should be celebrated as a success and a significant environmental improvement for the Island. The plant operates within the latest European standards and there has been a massive step change for the better with regard to emissions when compared to the previous plant.

I have repeatedly invited Deputy Baudains to visit the EfW so that he can fully understand what is going on, but he has always declined. I have nothing to hide.

Although the issues mentioned by Deputy Baudains have been covered by various answers in the States, I will yet again provide explanation for members.

The size of the plant was considered and discussed in great detail prior to the issue of a specification and contract. The plant does have spare capacity at the moment as it was designed to allow for a growth in the Island's waste arising. The plant is very flexible and can deal with wide fluctuations in waste throughput. However, the most important point is that it can cope with temporary or permanent increases in waste arisings. This is critical as it removes the need to construct another waste plant if or when the waste arisings go above their present levels.

The stockpiling of non-putrescible waste, whilst not ideal, is a necessary tool used by the department to control the throughput and composition of the waste processed. Just about every other waste plant in the world has the benefit of an alternative route for waste. This means that if there is a problem with the waste plant, the excess waste is diverted to landfill. In Jersey there is no landfill and this issue is mainly overcome by having a 2 stream plant which can maximise the availability and flexibility of waste disposal. Clearly during the commissioning period there have been issues that have required the contractor to modify and repair some of the components of the plant and because of this some non-putrescible waste has been temporarily stockpiled to balance the waste throughput and to assist with testing.

The EfW commissioning has been a long process. This is a deliberate strategy from the project team as it is far better to thoroughly check and test the plant over an extended period whilst the contractors and technical experts are on site to assist and resolve problems. The plant is a large complicated electro mechanical system, faults and breakdowns will occur so the method of working with the installation experts utilising their knowledge and guidance has ensured that the plant has had the best possible start.

Throughout the commissioning the contractual position has remained very strong from our perspective and TTS has insisted that the contractor has paid for all the corrective actions, material changes and our costs. The project management of this project is a model for large projects for the future. My officers have made sure that the guarantees and performance standards for all of the equipment have been honoured, applied and, as necessary, extended in line with the contract.

We have had discussions with Guernsey with regard to the possible importation of waste, as agreed and authorised as part of P.17/2010, and if the opportunity to link to

Guernsey's waste strategy materialises, then the principles of waste importation will be brought before the States Assembly for discussion.

The EfW is a large building and there is no easy way of hiding it. To resolve this, the former Minister for Planning and Environment insisted that an internationally acclaimed architect was commissioned to provide a building with appropriate architectural treatment for the prominent position.

Combined with the architectural treatment, the landscaped mound and planting scheme was designed to soften, but not hide the architectural features to provide an acceptable addition to the foreshore. The planting conditions are harsh and the tree growth is understandably not as fast as on a sheltered inland site. The trees are established and growing at a rate that was expected.

Nature cannot be rushed and allowing the trees to establish a healthy and proportional root structure will ensure that the trees stand a better chance of survival when subjected to future gale force winds.

### **Mount Bingham road closure**

The initial rock fall at Mount Bingham was an unforeseen event that the department has reacted to in the shortest possible time.

When the initial rock fall occurred and Mount Bingham had to be closed, the JEC were carrying out duct works under previously agreed permissions on South Hill down Mount Bingham toward Green Street.

Whilst information was awaited on the extent of the rock stability project the decision was taken to allow the JEC to continue works on South Hill. The JEC continued down Mount Bingham into Green Street, whilst the department gathered information from both. The Parish of St. Helier (landowner of Mount Bingham) and the JEC to allow a traffic management plan to be devised.

Whilst this plan was being finalised, the JEC completed their works by working extended hours with additional gangs on Mount Bingham Hill and the department duly opened the road to east bound traffic which significantly assisted with the traffic delays.

The plan to reverse Mount Bingham and South Hill in the morning peaks took a significant amount of coordination and time. This included arranging the advance notices, planning the signage, seeking approval from the Parish, informing the media, residences and the general public and the manufacture and placing of all temporary traffic signs.

With regard to the location of the JEC trench, I told Deputy Baudains that the trench would be in the middle of the road because that is what my officers had been told by the JEC the previous day. However, when the JEC actually started work they found it possible to achieve a more seaward route. The location could only be determined by the proximity of other utility equipment and this could only be confirmed through excavation.

That said, it would not have been possible to open the road because the JEC's contractors need space to work. During the excavation, the excavator turns across the

road to load trucks which requires the adjacent lane to be closed. In order to complete this work as quickly as possible, the JEC agreed to allow their contractor to double shift and the working hours were extended.

The combination of the unforeseen event on the rock face and the requirement for the JEC to lay new ducts to receive new electricity cables has resulted in a very challenging problem. I know that my officers have worked, and continue to work, monitoring and reacting to this changing situation to minimise delay and disruption to the travelling public.

### **Road Resurfacing**

We have a backlog of road maintenance work due to previous underfunding. My officers are therefore trying to make the most of their available budget.

In an ideal world with a limitless budget we would remove and replace deeper than just the damaged layer of road surface to provide maximum strengthening. However, with a restricted budget and in order to maximise the square meters of road we improve only the failed road surface.

TTS engineers stipulate the industry standard that contractors must achieve. The laying of this thin surface is difficult to achieve and in some cases problems with surface undulations have occurred. My engineers and our contractors are fully aware of this and are working hard to resolve these on-going issues.

Whilst these undulations are not desirable the finished level of the surfacing meets the TTS specification.

### **Route du Fort / St. Clement road junction**

Making pedestrian improvements where possible is part of the Sustainable Transport Policy agreed by the States in 2010. Encouraging active travel, particularly for school children is also supporting health policy.

I know this junction very well and I took a keen interest in the proposals when they were presented to me.

The fact that St. Luke's School, as part of their school travel plan preparations, raised the issue of the difficulty in crossing St. Clement's Road, south of Route du Fort, seemed to me to be a perfectly good reason for looking at what could be done to improve the situation.

My officers did analyse various options including the Dannel Road option advocated by Deputy Baudains. They conducted traffic surveys and pedestrian counts.

Safety is always uppermost in my mind, and this featured in my discussions with the officer concerned. I also queried how many cars this will force to use other routes, the answer averaged out at under 8 per hour. I concluded this would not have significant impact.

The option of providing a pedestrian stage across the southern leg of the junction was the option determined as being the most appropriate means by which improved



pedestrian facilities could be provided in the area and by prohibiting the left hand turn there would not be excessive traffic delays.

These issues were set out for Deputy Baudains in response to his written questions of 10th and 24th September 2013.

### **Snow Hill – no left turn**

Since the construction of Green Street roundabout in 1993 there had been a sign at the exit from Snow Hill car park directing drivers to left turn only, to reduce the risk of an accident at that busy junction. The requirement to turn left had not previously been prescribed by Order and in 2012 the Department saw fit to include it in an amendment to the Road Traffic (St. Helier) (Jersey) Order 1996 so that it would be a legally enforceable provision.

Deputy Baudains lodged a proposition to have the Order amendment annulled. The amendment had several other significant traffic provisions and its annulment would have been problematic. I endorsed the advice from my officers that turning left when exiting Snow Hill car park was the safest practice to advocate. However, in an effort to save both States and administration time and as annulment would have adversely affected other issues, I agreed to remove the left hand turn requirement from the amendment on the proviso that Deputy Baudains withdrew his proposition. The signage was subsequently taken down.

### **Conclusion**

Finally, rather than, as Deputy Baudains asserts, the items listed above demonstrating that I have both failed to discharge my responsibilities adequately and that I have not delivered an economical and quality service to the public, the facts prove otherwise.

My Department undertakes a terrific volume and diversity of work which is vital to the quality of life for all Islanders. Jersey is a great place to live and I am very proud of the contribution my Department plays in making this so. The standard of work my Department undertakes has been maintained or improved since I took over, but we are still continually striving to achieve further improvements.

The list of items raised by Deputy Baudains refers to a small percentage of the work my Department undertakes and concentrates on politically emotive subjects, I feel very insulted and aggrieved that this vote of censure has been brought on such a basis.

Leading Transport and Technical Services requires a great deal of commitment, dedication and you need to have broad shoulders. I am very proud of my Department and our achievements. I will strongly defend my position in the States when facing this vote of censure.