

2024.11.25

**2.13 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the ferry service tender process: (OQ.231/2024)**

Will the Minister advise whether he has received confirmation of which entity, specifically either Brittany Ferries or Condor Ferries, Jersey would be entering into a contract with if Brittany Ferries are the successful bidder in this ferry service tender process?

**Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):**

As the tender process for the Jersey-only service is live and the successful bidder has not yet been selected, I am unable to discuss specifics regarding the procurement or individual tenders.

**2.13.1 Deputy M. Tadier:**

That is a strange answer that I was not expecting, although I should learn to expect the unexpected when it comes to Jersey's ferry tenders. It seems to me on the one hand we are very clear about who the tenderer is, it is DFDS, I do not think we have got any secrets there, and on the other it is Brittany Ferries or Condor Ferries. I am sure the Minister is aware of the concepts of Schrödinger's cat but we have got maybe the concept of Schrödinger's catamaran here going on in the sense that Guernsey seems to be very clear about who they are doing business with; they have said that they are signing a contract with Brittany Ferries. Is it the case that Jersey will not know who they are signing with and, when it comes to who is going to be running Guernsey's service even, is it dependent on who Jersey chooses whether it will be run by Condor or Brittany Ferries?

**Deputy K.F. Morel:**

I am not in a position to know who or what Guernsey is or has done in regards to signing anything with anyone else but perhaps it would have been better for me to phrase it this way. As the tender process for a Jersey-only service is live and the successful bidder has not yet been selected and, in fact, we are waiting for the submissions to be provided this week, until we receive those submissions it will not be possible for me to know the answer to the question that the Deputy has posed.

**2.13.2 Deputy J. Renouf of St. Brelade:**

Can I ask the Minister, as part of the tendering document - I cannot remember the phrase for that document - could he state whether clarification around ownership was sought as part of that process?

**Deputy K.F. Morel:**

Having an understanding of the financial structure and everything around the finances is a very important part of this tender process. Understanding how any of the entities are structured, understanding any liabilities around that is very important, and understanding who we will be signing a contract with will be very important as well.

**2.13.3 Deputy J. Renouf:**

Can I therefore confirm that in 36 hours, counting down now, that he will know who he is trying to deal with on the French side of this?

**Deputy K.F. Morel:**

Well because that will be in the process, that will be with officers, so in 36 hours it is quite possible that I will not know but the officers or the independent evaluators will know. I will find out

subsequent to that because, quite rightly, I am not taking these submissions and doing that work myself. As I said earlier, not this week but a couple of weeks ago, or perhaps in Scrutiny last week, one of the reasons why tender processes are undertaken by officers is so that political influence is removed from that evaluation process. The political part is then added on at the end.

**2.13.4 Deputy K.M. Wilson of St. Clement:**

Could the Minister tell us who is involved in handling the tender process and who will be the agent who will make the recommendation to him?

**Deputy K.F. Morel:**

I will be receiving a recommendation from the senior reporting officer and prior to that it will be the independent evaluator who he engages with to understand their recommendations.

**2.13.5 Deputy K.M. Wilson:**

If the Minister is not likely to accept the recommendation, what plan does he have then?

**Deputy K.F. Morel:**

I think we are definitely in the realm of hypotheses here. A hypothetical future is not something that I believe I have to answer on in terms of Standing Orders and I will not answer in that respect.

**2.13.6 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:**

Were there any changes to the selection requirements of the tender compared to the joint processes? If so, what were these changes?

**Deputy K.F. Morel:**

The principal change is around the fact that we are now asking for bids for a Jersey-only service. As a result of that, the overall minimum service requirements have changed and obviously the minimum vessel requirements as well have changed.

**2.13.7 Deputy H.L. Jeune:**

I am asking the same question as I asked the Chief Minister earlier, did the Minister learn any lessons from the failed joint processes and did they inform these changes to this current process? If so, what were they?

**Deputy K.F. Morel:**

I have learnt and am in the process of learning many lessons. I think it is too early to go into what those lessons are right now, but certainly in terms of joint processes I think there are certainly lessons to be learnt.

**2.13.8 Connétable R.D. Johnson of St. Mary:**

I apologise if I might have misunderstood the Minister's reply to my earlier question where I think he said that the focus had been on the route from France-Jersey-U.K. rather than involving Guernsey. Can I ask the basic question as to whether the extra Island stop was involved in the tender process on both counts?

**Deputy K.F. Morel:**

Sorry, the extra Island slot, I ...

**The Deputy Bailiff:**

He means Guernsey, I think.

**The Connétable of St. Mary:**

Sorry, on both sides. I am just concerned to know whether the tender process involved from Guernsey's point of view the fact that the ferry would stop at Jersey on the way to Saint-Malo otherwise and similarly the other way round.

**Deputy K.F. Morel:**

Guernsey appeared to have made their decision based on what was then a joint process and that joint Channel Island process certainly included calling into both Islands. Obviously I do not know what Guernsey have signed up to in terms of their agreement with Brittany Ferries. I am not in a position to know that, and so I cannot speak to that, but the question that we are asking in this process is for a Jersey-only service. As far as inter-Island elements are concerned, that will happen after we have made our preferred bid of recommendation.

**2.13.9 The Connétable of St. Mary:**

At the risk of making an obvious point, does that mean that there is a possibility, if not likelihood, that there will be no service between the 2 Islands in the future?

[16:30]

**Deputy K.F. Morel:**

I think that is highly unlikely that there would be no inter-Island service. I think that is highly unlikely either way but it is not something that we need to deal with at this stage. That will come after we have reached that preferred bidder status.

**2.13.10 Deputy M. Tadier:**

I think in previous statements the Minister confirmed that there would be no new tenderers in this second round, and so the Minister presumably can confirm that these tenders coming forward were by invitation. I presume that the Minister wrote to 2 entities to invite them to tender, could he simply say whether the company he wrote to asking them to tender was Brittany Ferries or Condor Ferries?

**Deputy K.F. Morel:**

Off the top of my head I believe it was Brittany Ferries, but I would need to double-check in case it was not because those 2 terms, Brittany Ferries and Condor Ferries, have often in the past month or 2 months been used interchangeably, but I believe it is Brittany Ferries.

**The Deputy Bailiff:**

That brings that period of questions to an end. We now go to questions without notice and the first period of questions are allotted to the Minister for Infrastructure. The first question is from Deputy Renouf.