

QUESTIONS TO BE ASKED OF THE PRESIDENT OF THE ENVIRONMENT AND PUBLIC SERVICES COMMITTEE ON TUESDAY 10th JUNE 2003, BY SENATOR E.P. VIBERT

Question 1

In P.104/2001 regarding the Bus Strategy, which was adopted by the States on 31st July 2001, it was agreed that the licensing and regulatory functions of the former Public Services Committee, as part of the strategy, be transferred to the Jersey Competition Regulatory Authority, (JCRA).

Will the President inform members what progress has been made in this respect to date, and when this transfer will be concluded?

Answer

In October 2001, in the lead up to implementing the Bus Strategy and amending the legislation, discussions were held with the JCRA on transferring responsibility for licensing and regulating bus services. At that time, the Public Services Committee was informed that it would be several years before the JCRA was in a position to take on this mantle. My predecessor advised the States of this fact when presenting the amendments to the relevant legislation, in April 2002. Given the previous indication, I have contacted the JCRA Chairman informally to determine the current climate. The Chairman has indicated that, once the draft Competition Law has come into effect, he would be prepared to consider taking on the functions appropriate to the Authority. Based on current expectations, his prediction is that such a transfer might be achieved by early 2005.

Question 2

Would the President inform members –

- (a) whether the newly announced service from the Weighbridge to Elizabeth Terminal was put out to tender and whether or not any provision has been made for this service to receive a subsidy? and,
- (b) why the contract between the States and Connex Transport Jersey Limited is not available for public scrutiny?

Answer

- (a) Until the legislation was amended, experimental and trial bus services could not be introduced. This important option is now accommodated through Regulations under the Motor Traffic (Jersey) Law. The new service is an experimental route and is exempted from the normal provisions of licensing a service. It was not ‘put out to tender’ as a specific route. Under the tendering process for the main bus service, each of the companies submitted rates that could be used to provide additional services such as this. Thus, in essence, there has been a competitive process for providing this experimental service. It is hoped that the new service will be successful and self-funding. However, any shortfall in income will be met jointly by agreement between the Harbours and Airport Committee and the Environment and Public Services Committee. If it is found that the service is not attracting the level of ridership anticipated to keep any subsidy within agreed limits, the service will be suspended.
- (b) As with most contracts, this particular one contains commercially sensitive information which might provide future competitors with an unfair advantage and so the details must remain confidential. Of course, the original tender document upon which the contract is substantially based has been public since 2002 and available to interested parties such as the Jersey Bus Users Forum. These latter voluminous documents are available in the Department’s offices if the Senator wishes to peruse them.