

2.10 The Deputy of St. John of the Minister for Transport and Technical Services regarding an adequate budget to undertake full repairs on pot holes:

Does the Minister consider £300,000 to be an adequate budget on which to take the full repair of potholes given the poor states of some Island roads and what action is being taken to get extra funding?

Connétable M.K. Jackson of St. Brelade (The Minister for Transport and Technical Services):

Budgetary constraints inevitably limit the expenditure one would like to apply to obtain a Rolls Royce solution, but I would say that all defects in the highway that represented a hazard to road users were repaired by T.T.S. (Transport and Technical Services) highway maintenance in 2010 at a cost of approximately £360,000. No hazardous defect was left unrepaired owing to budgetary constraints. In some circumstances, defects were plugged before being patched for reasons of public safety or to reduce traffic disruption. In recent years, there has been an acceleration in the deterioration of roads from historic under-funding of highway maintenance, increased number of trenches and the increasing number of heavy vehicles and plus, of course, the 2 very cold winters. However comprehensive, the full repair of defects will never improve the overall condition or the longevity of the highway. The appearance of potholes is normally an indication that routine or planned maintenance is required such as resurfacing or surface treatments.

2.10.1 The Deputy of St. John:

Given the very poor state of our roads... and I can think of some immediately, St. Saviour's Road has potholes coming down into the new Rue Le Masurier on the junction there, Queens Road and other places. Given that as far back as 2003, 2004, 2005, the Public Services Committee of the day were working on a programme whereby any contractor, developer or utility who dug up an area of road would have to resurface the entire area they had dug up, not just the hole that they had dug, what progress, if any, has his department made on putting that into place and when can we see that being put in place?

The Connétable of St. Brelade:

I fully empathise with the Deputy's remarks regarding these situations and, in order to address that, the department is working on a new Street Works Law which I am hoping will come before this Assembly early in 2012.

2.10.2 The Deputy of St. Martin:

The Minister mentioned about potholes being a hazard to road users. Is the Minister aware of any increase in the potholes, particularly where accidents have been caused on pavements whereby people are falling into potholes, particularly an increase maybe from the pedestrians living in St. Martin?

The Connétable of St. Brelade:

Yes, I am certainly aware of a case in St. Martin the Deputy referred to me and once again the pavements are an area which receive attention from the department, and I am assured that the pavements on La Grande Route de St. Martin have been checked to this end. Inevitably whenever there is an accident it is regrettable and the

department will pay attention to the circumstances surrounding particular cases, which invariably are different and require a different approach.

2.10.3 Deputy M.R. Higgins:

The Minister mentioned that one of the reasons for the potholes was the higher number of large vehicles that are using the roads. Is the Minister considering higher taxes on those vehicles so that they are contributing to the repair of the damage that they cause?

The Connétable of St. Brelade:

No, we have not considered higher taxation but we are looking into how the offending vehicles, if I can call them that, can be better controlled, to which end we may be looking towards some sort of examination system for commercial vehicles. Essentially interestingly enough, the larger P30 registered vehicles are not the culprits. It is the ones just below that which are sometimes overloaded and these are the great offenders, so that is the area which the department will need to pay more attention to.

2.10.4 The Deputy of St. Mary:

I do have to take issue with the Minister's use of the words "Rolls Royce solution" because we are not asking for a Rolls Royce solution. We are asking for a safe solution. The Minister said that all the potholes were repaired in 2010. Well, like other speakers, I can think immediately of dangerous large potholes that I see on my way into town. So can the Minister first of all explain to Members what the mechanisms are for monitoring potholes and putting them on lists and then attending to them? Does he agree the potholes are a serious risk to road users and what is the position with liability?

[10:45]

The Connétable of St. Brelade:

In terms of the state of the roads in 2010, there is a regular inspection of the roads by our limited resources I have to say. As in all departments, we have had cutbacks so these are areas which do struggle and we rely on reports from the public and I am surprised that the Deputy has not taken the trouble to report the holes he refers to to me or to my department. I am not aware of them. **[Aside]** Many States Members do this and my department is happy to respond. People may have noticed holes with yellow or white marks around them and those are the ones that have been spotted and are being attended to. Having said that, the weather conditions as such very often lead to rapid deterioration and clearly we try and catch up with these as quickly as possible. With regard to (and I think I am picking up every point) the Rolls Royce solution, clearly one aims to achieve the perfect state of roads but within, once again, budgetary restraints, we are never going to achieve that but it is nice to have something in mind and our department does really try and get the best value for the money it has. In terms of liability, there is no Highways Law as there is in the U.K. so our liability arises - and I am not a lawyer - but my perception is it arises in cases where we do not attend to potholes, which have been advised to the department. So I hope that answers the Deputy's questions.

2.10.5 Deputy R.G. Le Hérissier:

To be fair to the Deputy, he was wholly engaged in other business. [Aside] I wonder if the Minister could support his official who publicly said the other day that the pace of road repairs was constrained by the lack of a sufficient number of companies to carry out those repairs?

The Connétable of St. Brelade:

Yes, I did note that comment. In practice, the contractor or contractual arrangements in the Island have changed somewhat over the last few years. At one point, the department in its previous form used to hand over several millions of pounds to Ronez and they just pretty well got on with it. Since then of course competition has crept in and there are 2 main contractors dealing with the major road resurfacing programmes and some 3 or 4 smaller contractors dealing with patching. It is quite a competitive situation. The supply of asphalt is limited to one company and that is really where the constraints arise.

2.10.6 Connétable K.P. Vibert of St. Ouen:

Would the Minister agree with me that despite several attempts over a number of years to get a better finish after trenching that the effect of trenching in roads is still one of the major problems which his department faces?

The Connétable of St. Brelade:

Yes, absolutely. In fact, referring to the answer I gave to an earlier question, the Street Works Law, which should come into place in 2012, will give better control over that. Presently, any utility can come in to dig up a road really without any controls whatsoever. Having said that, we are in much better communication with the utilities than was the case previously but there is perhaps a lack of resource being applied to the following-up of trenching operations to ensure the reinstatements are satisfactory.

2.10.7 Connétable P.F.M. Hanning of St. Saviour:

The Minister has referred to the new Street Works Law and hopefully the higher standards in that will make a tremendous difference to the life of the repairs that are done. When he gets his officers to do their annual inspection or regular inspection, could he make sure that they check the levels of their manholes because quite a number of the manhole covers have dropped and these are extremely dangerous, especially if we are trying to encourage cycling.

The Connétable of St. Brelade:

Interestingly enough, that was once again a consequence of the harsh conditions of late last year but one of the interesting points, of course, is that generally the manholes do not move but the road around it does and this is principally the issue. The manholes tend to be set on brick structures over the sewers which are fairly solid but the surrounding road does move rather as a result of heavy traffic surrounding those areas.

The Connétable of St. Saviour:

Sorry, Sir, could I come back very briefly on that one? We do have a number of manhole covers where the cover has dropped within the manhole itself.

The Deputy Bailiff:

The Minister will no doubt note that comment. The Deputy of St. John.

2.10.8 The Deputy of St. John:

The Minister mentioned the Street Works Law. Can he tell us when it was debated in the House or is it to be debated and, secondly, how much he is applying for in this year's budget for resurfacing across the Island, given as far back as 15 or 20 years ago, some years £15 million to £20 million would not have been uncommon to be spent at today's value on road resurfacing?

The Connétable of St. Saviour:

I think there needs to be a difference between road resurfacing and pothole repairs. In terms of pothole repairs, clearly the level of funding is achieved within the department by a bidding prioritisation process, and decisions regarding extra funding will be taken at that time according to the budget available from central sources. There are competing demands and it is very much a risk assessment process, and the decision is based on that. In terms of the funding of resurfacing, that once again is very constrained and while the existing programme suggests that with the present budget each road will be surfaced once every 64 years, which is rather unsatisfactory, the optimum would be once every 20 years, so we have some considerable shortage in funding to achieve the optimum.

The Deputy of St. John:

The Minister did not answer the question in relation to the Street Works Law. When was it passed in the States?

The Deputy Bailiff:

That is in the public domain, Deputy.

The Deputy of St. Mary:

Yes, I am just puzzling over your remark about the Street Works Law because my understanding is it has not come to the House.

The Deputy Bailiff:

Well, that also is in the public domain. **[Aside]** Can we come on to the next question 12, which the Deputy of St. Mary will ask of the Chief Minister? I advise Members we had nearly 15 minutes on the last question. It is far too long considering the number of questions we have. The Deputy of St. Mary.