

4. Questions to Ministers without notice - The Minister for Transport and Technical Services

The Bailiff:

We now come to questions without notice and the first period is to the Minister for Transport and Technical Services.

4.1 Connétable L. Norman of St. Clement:

The Minister is aware of the severe flooding which occurs in Rue de Samarés caused by a landowner refusing to clear the drainage ditches which cross his land towards Le Marais. I wish to ask the Minister, will he be responding positively to my request to utilise his powers under the drainage law to require the owner to clear these ditches and, thus, clear the flooding problem?

Deputy K.C. Lewis (The Minister for Transport and Technical Services):

Article 31 of the Drainage Law, Repair of Other Flood Defences: this Article does not apply to designated water courses or designated flood defence works, but does apply to all other water courses and flood defence works. It is a slightly grey area and my officers are investigating this as we speak. There is a common law which says that fields may drain to the lower areas, but where that is causing congestion my officers will certainly look into it.

4.2 Connétable S.W. Rennard of St. Saviour:

At the last sitting we were given a list of roads that were going to be resurfaced, and very commendable. I just have a couple of issues.

[11:45]

I cannot see why we have to resurface Rue des Prés. What I would like to have resurfaced is the road that leads from St. Helier, the dock area, right through up Mont Millais, right the way through on La Grande Route de Saint-Martin, and I would also like the road that goes from Five Oaks to and beyond Queens Valley to be considered because that is a mess. An absolute mess if you are going along La Hougue Bie, right the way through. As I say, very commendable to have roads in St. Helier - and I cannot see why Rue des Prés has to be mentioned - but I would like to have these ...

The Bailiff:

Your question is whether those ones be mended?

The Connétable of St. Saviour:

I would like to have these put on the Minister's list, yes, please.

Deputy K.C. Lewis:

Some are on the list. Hougue Bie is definitely on the list, part of that has been done and the rest will be completed. I am more than happy to take that up with the officers, which roads are done. The Rue des Prés Trading Estate has suffered a lot of root damage from nearby trees and is on the list to be done.

4.2.1 The Connétable of St. Saviour:

The Rue des Prés is suffering from the roots of the trees but I understand that a preservation order has now been put on these trees, so I cannot see the point in resurfacing if these roots are going to be allowed to continue to mess up the Rue des Prés.

The Bailiff:

Does the Minister agree?

The Connétable of St. Saviour:

Yes, does the Minister agree? Thank you, Sir. [Laughter]

Deputy K.C. Lewis:

The roads will not be touched until such time as the tree problem is resolved.

4.3 The Connétable of St. John:

Given that there is a likelihood of a new police headquarters to be built in Green Street, or off Green Street, which will abut the Green Street car park, and given that any new police headquarters has to have blast proof walls because of terrorism, will this affect the number of vehicles that are permitted to park on the south end of the Green Street car park on every floor, given the preferred way - as we know - worldwide for any terrorist act is usually car bombs?

Deputy K.C. Lewis:

Not to my knowledge. This has all been taken into account by the architects.

4.3.1 The Connétable of St. John:

Given the Minister's response, is he not aware that he is responsible for car parks and the like and, therefore, should not be expecting architects, *et cetera*, to be defending his position?

Deputy K.C. Lewis:

I take care of the car parks. The thickness of the walls, *et cetera*, will be taken care of in the planning application, surely.

4.4 Deputy G.P. Southern:

Is the Minister aware of, and what response does he have, to the decision by Unite the Union to take a formal complaint to the States Complaint Board over his decision and actions in failing to deliver clause 18.3 on the transfer of staff on the same terms and conditions in the award of the new bus contract to CT Plus?

Deputy K.C. Lewis:

Yes, a complaint has been received and forwarded to the law officers to assist. The complaint refers to the wording of clause 18.3 and the events that occurred when Connex were successful and does not relate to the changeover to CT Plus.

4.4.1 Deputy G.P. Southern:

Does the Minister accept that he had a duty to adhere to the previous committee's commitment to transferring staff smoothly on the same terms and conditions, and that he failed to do so?

Deputy K.C. Lewis:

No, everything was adhered to as per the contract.

4.5 Deputy T.M. Pitman:

Can the Minister confirm or deny that mechanics in the CT Plus depot were working shifts of 12 hours and over, in breach of employment law, and are required to spend hours on call without remuneration?

Deputy K.C. Lewis:

I am not aware of the details of the mechanics' contracts but I am happy to look at the issues raised.

4.5.1 Deputy T.M. Pitman:

Can we take from that response that the Minister will investigate and then report back to the Assembly?

Deputy K.C. Lewis:

I am more than happy to do so.

4.6 Deputy J.H. Young:

Would the Minister advise the Assembly what steps he is taking within the solid waste operations activity area at La Collette to facilitate the services provided by private skipper operators for storage of skips and to assist their sorting of and recycling of materials in accordance with the waste strategy of the Island Plan?

Deputy K.C. Lewis:

It is very difficult to allocate space at La Collette to private operators. This would be better suited for private tracts of land where these can be sorted, otherwise we have to open up the whole of La Collette to all operators.

4.6.1 Deputy J.H. Young:

Could the Minister explain what would be the problem there, is he short of space at La Collette? My recollection is a vast area of land there. Would he sooner see those operations sited dotted around in unsuitable locations in the countryside?

Deputy K.C. Lewis:

Many skip operators are operating throughout the Island and not necessarily from La Collette. This is more suited to private industrial estates than to La Collette.

4.7 Deputy M.R. Higgins:

What steps has the Minister taken to monitor earnings by bus drivers and others employed by the new bus operator, CT Plus, to ensure that the terms and conditions are substantially the same, and also the fact that new drivers are also being paid less than the drivers who were transferred from Connex?

Deputy K.C. Lewis:

The bus rotas have taken a while to bed down and are currently under review to resolve any issues. That is ongoing and I am more than happy to report back to the States on that.

4.7.1 Deputy M.R. Higgins:

Does the Minister accept the figures that Deputy Southern circulated today which demonstrate substantial reductions in earnings when the CT Plus 2013 terms are compared directly with the 2011 terms?

Deputy K.C. Lewis:

As I say, the terms need to bed down, but I am more than happy to discuss that with CT Plus.

Deputy M.R. Higgins:

Although he said he is prepared to talk about it, did he accept the figures, was the question I asked.

Deputy K.C. Lewis:

I need to check and verify them.

4.8 Deputy S.G. Luce of St. Martin:

Could the Minister confirm the status of Rue des Prés Trading Estate, is it a public or private estate?

Deputy K.C. Lewis:

There is an investigation ongoing. Much of the estate belongs to the State, some administered by T.T.S. and a lot of it is in private ownership and some administered by Property Holdings.

4.9 Deputy M. Tadier:

In a similar vein to a previous question, is the Minister aware that the new rotas established by CT Plus have resulted in drivers working shifts of over 12 hours, and to the detriment and potentially the safety of the public?

Deputy K.C. Lewis:

No, but I am more than happy to investigate that. It was a T.T.S. decision to reduce hours, not increase them, so I will look into that.

Deputy M. Tadier:

Look into them and report back to the Assembly?

Deputy K.C. Lewis:

Absolutely.

4.10 The Deputy of St. Ouen:

Would the Minister confirm when the long awaited liquid waste strategy will be shared with this Assembly, and whether the strategy will include extending the mains drains network to the more built up rural areas?

Deputy K.C. Lewis:

The mains drains issue is ongoing. We have the north of St. Helier flood alleviation scheme well underway. It would be my wish and desire to extend main drains to all parts of the Island, if and when the budgets allow, which I am sure will please the Constable of St. John and the Deputy of St. Ouen. But obviously money is very tight and there are various other issues involved regarding private land ownership, *et cetera*.

4.10.1 The Deputy of St. Ouen:

I did ask the Minister would he confirm when this Assembly will be able to see the liquid waste strategy. Could he confirm exactly when that might be?

Deputy K.C. Lewis:

I will get back to the Assembly with a date.

4.11 Deputy R.G. Le Hérissier:

Would the Minister be prepared to put in the public domain the before and after earnings based on common criteria re the bus operators? Secondly, could he tell us what lessons he has learned from this transfer of bus operations?

Deputy K.C. Lewis:

Yes, indeed, I will get the department on that. Lessons have been learned. It was a very ambitious project to bring in a new bus operator and change routes simultaneously and that was a big ask, so obviously we have learned from that. But, yes, more than happy to circulate that to Members.

4.12 Senator A. Breckon:

Could the Minister confirm whether he has any sanctions he can take against the bus operator for poor service level, what they are, and when he intends to use them?

Deputy K.C. Lewis:

Yes, there are several options open to me. No intention of using them at present but my officers at T.T.S. are working very closely with CT Plus at Liberty Bus to iron out any problems they may have, albeit it that with routes, timing, workforce, *et cetera*. My officers will be working with them for the next few weeks.

4.12.1 Senator A. Breckon:

Could he say what the sanctions are he has?

Deputy K.C. Lewis:

I beg your pardon. Yes, there are sanctions there. In the contract we have KPIs, which are key performance indicators, so that there can be reductions or improvements in the length of contract.

4.13 Senator S.C. Ferguson:

Can I ask the Minister to look at the parking arrangements for entrance into the Accident and Emergency unit on the Parade? Because at the moment, if you are being taken to attend A. and E. (Accident and Emergency), you have to get out of the car on the busy side and you are lucky if you do not get run over on the way into A. and E. Can I ask that this is looked at please?

Deputy K.C. Lewis:

Absolutely. Excellent question from the Senator. In fact that is already being looked at, the entrance way to the General Hospital. Certain road alignments are being planned to make temporary parking safer there and to move the 2 lanes of traffic further over to the left as you come down. Also the possible the realignment of the pelican crossing to further down the road.

4.14 Deputy C.F. Labey of Grouville:

In the Minister's answer to written question 3 he refers to the States Sustainable Transport Policy. Could he indicate if that ever came to the States for debate and, if so, when?

Deputy K.C. Lewis:

Yes, it did, I think it was about a year and a half ago.

4.15 The Deputy of St. Martin:

The Minister has informed us that Rue des Prés Trading Estate is in what might be described as mixed ownership. Could he confirm that he has sought contributions from all the various parties concerned to pay for the resurfacing?

Deputy K.C. Lewis:

Not as yet. We need to establish exactly who owns what and the Assistant Minister for Treasury and Resources, with his Property Holdings' hat on, is taking care of that as we speak.

4.15.1 The Deputy of St. Martin:

Could I seek an assurance that we will not be resurfacing somebody else's road?

Deputy K.C. Lewis:

No intention of resurfacing anyone else's road apart from our own.

4.16 The Connétable of St. John:

Given the skip scenario, and Deputy Young's question this morning, is the Minister aware that this House gave instructions to find a site for this skip operator and, if so, what has happened between the Minister and his Ministry and the Treasury and Resources Department who are responsible for Property Holdings?

Deputy K.C. Lewis:

I thought that was a Planning issue.

The Connétable of St. John:

What has this Minister done along with the Minister for Planning and Environment and Property Holdings to make this happen?

Deputy K.C. Lewis:

I do not recall the original question put to the Assembly regarding this. Perhaps the Constable could enlighten me.

The Bailiff:

Time has run out. I think, Connétable, you will have to take this one up on a future occasion. Now we come to questions to the Minister for Home Affairs.