

11. Statement by the Minister for Transport and Technical Services regarding the Victoria Avenue Resurfacing Contract

11.1 Deputy G.W.J. de Faye (The Minister for Transport and Technical Services):

I earlier congratulated Deputy Mezbourian on election success and I now see Senator-elect Maclean immediately in front of me, and of course to my immediate right Senator-elect Breckon, all 3 of whom my immediate neighbours will be crossing the floor of the House. If I do have an issue with bad breath, I would have preferred it to have been dealt with more discreetly than by these extreme measures, but I congratulate them nevertheless. The Victoria Avenue resurfacing contract. When I answered a question regarding the difficulties the department had experienced in relation to the Victoria Avenue resurfacing contract I advised Members that I would ensure a full investigation took place to find out what went wrong with the consultation process and what steps should be taken to ensure that there is no repetition in future contracts. That investigation has been completed and I would like to provide Members with the main findings and recommendations. When the project was in its early design phase, the Jersey Highways Partnership - consisting of Transport and Technical Services staff and a consortium consisting of a local engineering consultancy - teamed up with a major U.K. engineering practice and undertook an initial review of the scope of the works. That partnership applied the same criteria for project management as it had done on all of the other major resurfacing projects undertaken over the last 2 years. The Victoria Avenue project was more complex than previous works as it required realignment to the carriageway, new lighting and surface water drainage pipes to be laid. The Jersey Highways Partnership did not recognise at the outset that this project required tighter control and more stringent project management checks to be applied at an early stage by comparison to previous projects. This initial error, coupled to the application of a new Highways Agency Safety Audit Scheme that was being introduced for the first time, led to the failure to consult with the emergency services at the outset. Had the full 3 stages of the new Highway Audit Scheme been fully applied or had the project manager applied certain control procedures, the failure to consult would have been highlighted at an early stage. On commencement of the work on site, the fire and rescue service raised concerns about the new Bel Royal Junction layout and following a series of meetings and drive-through tests immediate remedial action was taken to accommodate their concerns. Due to the timescale required to complete sufficient work for a full-scale check on the new layout, a period of 5 weeks elapsed before full sign-off was achieved. The investigation concluded that there was a lack of overall project management applied by the project manager, in this case a member of the consultant team, and the Transport and Technical Services staff working alongside the consultants were not fully conversant with the requirements of the new Highways Agency Safety Audit System. A number of recommendations were made and adopted by the Jersey Highways Partnership for all future contracts. I will not, if the House will indulge me, read all those recommendations because they are clearly printed. Although the failure to adequately plan this project caused much public criticism, the overall impact to the scheme in terms of additional cost and time was negligible. The costs associated with realigning kerbs and providing some drop kerbs to allow the emergency services to mount the pavement were £3,000 on a scheme with a total cost of £1.2 million. The costs for that project were broken down as follows: resurfacing £635,000; drainage and ducts £97,000; street lighting £111,000; landscaping and signage £32,000; kerbs and footways £104,000; contingencies £52,000; variations £200,000. I should just briefly explain that the failure and age of the substation was a matter discovered once the works had commenced and would not have been obvious at the outset. In conclusion, a small initial error caused by a lack of adequate control led to a failure in the comprehensive consultation of all interested parties to the roadwork scheme. I hope Members will accept that the cause has been identified and new measures put in place to ensure there is no repetition.

11.1.1 Deputy J.A. Martin:

Just a quick question. In the paragraph where the Minister states that the project managers working alongside were not fully conversant with the requirements of the new Highways Agency Safety Audit System, can the Minister inform the House when this new Highways Agency Safety Audit Scheme or System was put in place? It is recent or is it something that was overlooked?

Deputy G.W.J. de Faye:

The extraordinary irony, perhaps, is that the department since I took responsibility as Minister has engaged in some of the trickiest and most comprehensive road works maintenance procedures that the Island has probably seen for some decades. In many respects, all of those, the Queens Road works, the Springfield Gyrotory works, the works at La Haule, were a basis of being an effective training ground to tackle the really difficult project which was Victoria Avenue. It is now, in hindsight, a matter of regret that at precisely the moment where the Jersey Highways Partnership decided to take on the Victoria Avenue project there was also a decision by that consortium group to introduce at that time the new Highway Agency Safety Audit Scheme, which was a brand new scheme to a number of the personnel involved. That is the time that scheme was introduced, yes. It is a brand new scheme and, as I say, it is a source of regret that it was not fully understood when it was initiated.

11.1.2 Deputy R.G. Le Hérisier:

Can the Minister, notwithstanding some of the excellent work done there, can he indicate why, after the revisiting of the work to ensure better access by emergency services, just opposite the hamburger stall a very elaborate railed-in section appeared to assist pedestrians across a very lightly crossed part of the road? Why was that installed just as vehicles, it appeared, would need to accelerate on to the pavement and pass other parked vehicles?

Deputy G.W.J. de Faye:

The Deputy raises a number of aspects, one of which I do wish to address, which is the description that this is a very lightly crossed section of road. Quite clearly, the reason for that is that in the past pedestrians have perceived it as a rather dangerous section of road to attempt to cross. That matter has now been significantly addressed and I anticipate seeing more people crossing there. In respect of the railings, they were installed at the specific request of the emergency services. I can advise Members that the thinking behind that was quite simply that if an emergency service vehicle was approaching at some speed, if the centre island was effectively open members of the public would be concerned about what precisely to do. The concept that lies behind the railings is that that is where people would go to in order to ensure that they were totally protected from any vehicle that is mounting the kerb. That installation was a result of the advice given to us by emergency services.

11.1.3 Deputy G.C.L. Baudains:

Picking up on the same issue, the kerbs have been dropped to allow the emergency services to mount the pavement, but it seems to me from observation that it is impossible for the emergency services to drive down the pavement because of railings and other issues. Could the Minister assure us that the emergency services are now perfectly satisfied with that situation? Because I cannot see how an emergency vehicle could get down there.

Deputy G.W.J. de Faye:

Yes, I can give that assurance. The emergency services complied very helpfully with the department once communications were established. As I indicated in my statement in what I called drive throughs, the procedure that revolves around that description is that the largest vehicles that are operated by the emergency services were all taken down on a particular ... it normally was done on a Saturday, with other vehicles put in the positions of where cars might pull aside, given the fact that the driver is aware of an emergency vehicle approaching from

behind. These drive throughs were carried out on a number of occasions to precisely ensure that there would be no difficulties with the functional operation. I am totally satisfied and, indeed, I insisted that the emergency services did effectively sign off their approval of the current arrangements and that they have done.

11.1.4 The Deputy of St. Martin:

I would like to raise a question about the Jersey Highway Partnership. I am rather surprised to see that this consists of the Transport and Technical Services staff and a consortium of local engineering team teamed up with a major U.K. partnership practice. Could I get an assurance from the Minister that should not the police, the fire and the ambulance be part of that emergency ... of the Highways Partnership; thereby they would be seeing probably the problems that could be envisaged from their point of view rather than wait for problems to occur afterwards? I say that because I have raised the issue this morning with the Connétable of Trinity whereby we have now major works going on and yet so little attention has been given to the residents around where quite obviously if the police, the fire and the ambulance had been consulted they may well have made plans before the work got underway rather than trying to solve a problem when it is underway. So, can I get an assurance that in future the Jersey Highway Partnership will include the police, fire and the ambulance services?

Deputy G.W.J. de Faye:

I cannot give that assurance to the Deputy because it may be that the emergency services - the police, fire and the ambulance - may not wish to be part of the consortium simply because what the consortium does is undertake the very detailed planning of road layouts. What I can give the Deputy of St. Martin assurance on is that the ... certainly in the light of the previous failure, consultations will unquestionably take place, and I would say to Members quite simply that contrary to some rather misleading information that was published in the media, it always has been the policy of the department to consult the emergency services about road works. Indeed, one of the first early changes I made as a Minister was to extend that level of consultation so that not only would emergency services be consulted on the matter of significant road works, but so also would be the relevant Constable of the affected parish and the Connétable's Roads Committee. So I think in overall policy terms we have the right policy in respect of who is being consulted. As has become clear - I am sure Members will realise from my statement - there was simply in this case a breakdown in the procedures because of the introduction of a new procedure with which people were not familiar. Otherwise I have to say all other road workings have gone so smoothly that the department, as I am sure Members will recall, previously received fan mail from members of the public saying how well it had been handled. So this really is an unfortunate and, I hope, entirely isolated issue.

11.1.5 Deputy D.W. Mezbourian:

Just picking up on what Deputy Le Hérisser referred to as I think a lightly crossed area of Victoria Avenue, may I just advise him that parishioners were mentioning this to me during my campaign recently because although there are railings on the traffic island now, the difficulty that they have is crossing to reach the traffic island. I will be looking to address that at some time in the future. My question is to the Minister. If I read his statement correctly, my understanding is that the investigation concluded that the error was due to a member of the consultant team. My question is if that is, indeed, the case, has there been a reduction in our payment costs to the consultants for the provision of their work?

Deputy G.W.J. de Faye:

No, there has not. If I may say to Members who may be considering what sort of disciplinary actions were pursued, I have to advise Members that no official disciplinary measures have been undertaken. That is for a number of reasons, primarily of which is the fact that the consultants under all other circumstances have proved to be exceptionally good at what they do and it is

unfortunate that this oversight took place on this particular resurfacing contract. Similarly, as Members will clearly have worked out, when one is dealing with initially a £1 million contract and additional works cropped up which brought the final total with additional spend to £1.2 million - and I should stress again as misreported in the media was not an overspend, it was an additional required spend - given that the actual error in consulting the emergency services resulted in only a further spend of £3,000, I think it would be distinctly unreasonable to adopt formal disciplinary proceedings against those involved.