

2020-20

 | Committee *for the*  
Environment & Infrastructure

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Deputy P J Roffey  
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19 August 2020

Dear Deputy Roffey

**Rule 14 Questions**

Further to your Rule 14 Questions received on 5 August 2020 submitted under the provisions of Rule 14 of the Rules of Procedure, please find enclosed my Answers to those questions.

A copy of the Questions and my Answers has been sent to the Presiding Officer of the States and HM Greffier and a copy has been deposited at the Greffe in accordance with the provisions of Rule 14.

Yours sincerely



**Deputy Barry Brehaut**  
President  
Committee *for the* Environment & Infrastructure

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**REPLY BY THE PRESIDENT OF THE COMMITTEE *FOR THE*  
ENVIRONMENT & INFRASTRUCTURE  
TO QUESTIONS ASKED PURSUANT TO RULE 14 OF THE  
RULES OF PROCEDURE BY DEPUTY PETER ROFFEY**

On 12 December 2018 (adjourned until 14 December), the States of Deliberation considered a Policy Letter entitled 'Road Transport and Driving Licence Implications for Driving in Europe Post-Brexit and Other Related Matters' as presented by the Committee for the Environment and Infrastructure and the Policy and Resources Committee.

The States were asked and agreed to extend the UN Convention on Road Traffic, 1968 ('the Vienna Convention') to Guernsey, which includes the adoption of the necessary legislative and regulatory measures necessary to demonstrate compliance with the requirements. This includes using legislation to ensure appropriate vehicle construction and use standards are in place. This in the form of a regime of periodic technical inspection of motor vehicles.

There were two key dates that were quoted for the introduction of this regime, by the 31 March, 2021 and by the 31 March 2023.

By the 31 March 2021 included;

- a. Technical inspections of all motor vehicles and motor cycles entering international traffic through non-UK ports.
- b. Second hand motor vehicles imported into Guernsey will be subject to inspection - exemptions may apply.

By the 31 March 2023 the remaining categories which included;

- c. Motor vehicles in domestic traffic used for the carriage of goods whose permissible maximum mass exceeds 3,500kg and trailers designed to be coupled to such vehicles.
- d. All Non-PSV motor vehicles in domestic traffic used for the carriage of persons with more than eight seats in addition to the driver's seat.
- e. Cars and light vans in domestic traffic on the basis of a phased introduction commencing with the oldest vehicles first leading up to the newest vehicles on the basis of a 5yr + 3yr recurring period of inspections.
- f. Certain motorcycles in domestic traffic on the basis of a phased introduction commencing with the oldest first leading up to the newest motorcycles on the basis of a 3yr + 2yr recurring period of inspections.

By 2025, a full regime in place and all vehicles tested.

## **Question 1**

The deadline of 31 March 2021 for the first phase is now less than a year away, can the Committee therefore provide an update on progress on the introduction of vehicle examination and testing, particularly for those vehicles that will be travelling off island?

### **Answer**

Phase 1 of the proposals required that all licensed Public Service motor vehicles with more than eight seats in addition to the driver's seat be subject to an annual technical inspection by 29<sup>th</sup> March 2019. At the time of the States debate inspections of all Public Service motor vehicles (including taxis and private hire vehicles) were being undertaken by the Police vehicle examiners as part of the annual licensing conditions placed on those vehicles.

The service was transferred to the States Works Department on the basis of a formal Service Level Agreement to cover the period from August 2019 to December 2022, the intention being that the longer-term inspection of these vehicles would be included in the tender proposals for establishing an inspection regime covering all categories of motor vehicles registered in Guernsey.

Having given further consideration to the most appropriate means of assessing and then procuring an appropriate inspection facility for Guernsey it was decided that a more practical approach would be to invite interested parties to tender directly for all or some of the categories of vehicle testing required and to detail the method of testing and the associated benefits of that proposed solution as part of that bid. Draft tender documents were initially put together in March of this year but progression was thwarted by the impacts on the States of Covid-19.

It is anticipated that tender documents will be issued in September and tenderers will be asked as part of this process to consider how the Phase 2 timeframe requirements might be met, possibly as part of an interim arrangement before establishing a more robust inspection regime to deal with the significantly larger volumes of vehicles to be processed annually under Phase 3 from the end of March 2023. Benefits to the local community is a key component of the bidding process.

Bidders will be given the opportunity to present their proposal to the project team for suitability feedback before making their final bid to encourage a strong and varied response.

## **Question 2**

I understand the 31 March 2021 deadline to be States determined and therefore able to be flexed? How much flexibility do the States have and when must this first phase be achieved, followed by the second phase currently indicated as 31 March 2023, in order to comply with the requirements of the Convention?

## **Answer**

The phased implementation of periodic technical inspections was agreed with the Department of Transport as part of the Island's submission for ratification of the UN Convention on Road Traffic, 1968 (The Vienna Convention) and also included the requirement to legislate for such requirements. Accordingly, every effort is being made to adhere to these timeframes, albeit no-one could have anticipated the impacts that Covid-19 would have had since the outbreak earlier this year.

## **Question 3**

The Committee had three options or models for providing the testing regime which were considered in the Policy Letter;

Option A: Public Sector owned and operated - Northern Ireland model;

Option B: Private Sector Single Operator – Republic of Ireland model;

Option C: Private Sector: Multiple Operators – England, Scotland & Wales model.

The Committee was due to go out to the industry as part of a consultation exercise to help determine which option to pursue. Has this happened and if so has it been determined which option for providing the inspection regime will be used?

## **Answer**

As mentioned in the answer to question 1 above it is now proposed to allow tenderers to promote the most appropriate operating model for such an inspection regime and to explain the benefits of their preferred solution as part of the tender submission process.

The Committee did consult briefly with the Guernsey Motor Trade Association and several other interested parties both prior to and after consideration of the States Report to ensure that there would be interest locally in bidding for the tender or parts thereof. In essence the Committee is open to all options at this time.

It is also relevant to note that the inspection service is intended to be fully self-financing.

## **Question 4**

The examination of commercial vehicles in particular can require a large facility with the need for possibly 2 or 3 testing lanes of up to 50m by 7.5m each, what are the Committee's plans to meet this need as I am not aware that a facility of this scale exists in the island at present?

## **Answer**

As part of the commercial arrangements for vehicle inspections in Northern Ireland all car and commercial vehicles tests are undertaken at designated test centres where vehicles are processed in high volumes in a test lane environment. However,

in the UK cars and commercial vehicles can be inspected at one of thousands of independent test sites where vehicles are processed in much smaller numbers.

Accordingly the need for a test lane environment is one of a number of potential options and is not a pre-requisite of the proposed inspection set up. It is important that a solution is found that is viable and appropriate for Guernsey and tenderers will need to take this into consideration when putting together a bid. Availability of space is one of the local factors that will need to be taken into consideration.

### ***Question 5***

I am led to believe that there is a shortage of the appropriately trained and qualified technicians available on the island to be able to deliver these inspections, in addition to the normal maintenance and repair works currently being undertaken, has the Committee undertaken any work to address this skills shortage?

### **Answer**

It is acknowledged that additional suitably qualified mechanics would be required in order to provide this inspection service. This should be viewed very much as an economic opportunity for businesses and comes at a time when the Island is looking to revitalise its economy as part of its Revive and Thrive Strategy.

**Date of Receipt of the Question:** 5 August 2020

**Date of Reply:** 19 August 2020