

JCRA

Breakwells Transport Ltd Experience of Barriers to Competition on Jersey

As discussed, it is common knowledge that the lack of space at the Port of Jersey is currently a constraint to growth and diversification for the islands logistics sector. This problem has been clearly identified as an area for improvement and a future master plan to address the problem is stated as being 'in progress'.

Whilst the government of Jersey are trying to solve the issue and certain bodies are endeavouring to make the best of what port space is currently available, we are finding other authorities implementing yet more barriers not mentioned in the report. Maybe this is because they are more specific to our particular business model.

Essentially, it's the removal of parking facilities whilst waiting to board the ferry that is causing Breakwells a significant problem. Being a UK based haulier to the islands, we are governed by not only Jersey road transport regulations, but also UK mainland road transport regulations.

The distinct lack of adequate parking space at port has a substantial knock-on effect to the running of our operation. We are inclined to question whether this is totally innocent & due to the different transport legislation we have to adhere to, or a more deliberate act.

For example, once our drivers complete their daily duties (which are scheduled to be fulfilled by a certain time to keep in line with mainland drivers' hours rules and regulations) then our vehicles need to be parked within the terminal, close to the ship & ready to embark for the return journey to the mainland, thus ensuring we maintain a constant flow of available transportation. As this movement includes an overwater operation, UK drivers' hours legislation states that we are required to follow ferry rest rules. This ruling allows for drivers to interrupt their rest period for the express purpose of one movement to embark and one to disembark the ferry. Any other movements result in our company & our drivers being in breach of EU law. (French drivers & any other EU drivers would also be subject to the same compliance regulations.)

Access to parking space inside the terminal, over the 45 years we have served the island has been recognised as an essential and never been an issue until recently. We are the longest-serving UK based haulage company to the Channel Islands – and the parking we have had access to until recently has allowed us to maintain mainland transport compliance. However, this area has recently been chained-off and we are now prohibited from using it altogether, despite the fact it hasn't been designated for any other purpose. We have received no subsequent offers of alternative space and even though we have tried to explain the implications for our business and to seek some resolution, all our efforts have so far been in vain. Please see attached emails and images.

The lack of parking in the terminal area creates problems other than the aforementioned ferry rest issue. If a driver has been unable to take adequate rest - due to the in-ability to park, he must take time off and an alternate driver has to be employed to complete the journey. In some cases, it may only be a matter of minutes that culminate in this issue & cause us to have to instruct another driver. As a result of this, we incur a substantial wage increase that is entirely avoidable & unnecessary.

When and if parking is found around the port, the driver is not permitted to leave his vehicle. If the driver does leave, we face and have actually had fines imposed on us.

To find suitable space in public areas or the port has proven to be virtually impossible with our vehicles. This problem is unique to Jersey, we have never experienced it in Guernsey, the Isle of Man, the Isle of Wight or Portsmouth.

As discussed at our meeting, Breakwells operate a different business model to the other freight companies. Our trucks are driver accompanied and a door-to-door service is offered, often with next-day delivery. We have a warehouse based in the West Midlands and the transshipping of goods after leaving our depot does not occur. Our I.T. system is modern, track and trace and is a system we have had in place for many years, that our island customers can use.

My late father deliberately modelled the business this way many years ago under the realisation that to succeed, he had to adapt to the needs and constraints of the islands - hence our purpose-built vehicles. He was also aware we had to offer an alternate type of service that would be diverse yet at the same time advantageous to islanders, all whilst not infringing on other island-based transport operators. We fully appreciate people like to keep business close to home, and any benefits kept within their own community.

We very much wish to maintain our small market share of the island, and even potentially expanding somewhat; however, this will still be on a comparatively small scale when you consider the volume of goods going onto the island. Unfortunately, due to the recent issues I am informing you of here, we have seen our market share shrink.

We now find ourselves facing a government-backed, island haulier. Undoubtedly, by completing this very study, the state accepts that the market requires various and alternate carriers. However, as mentioned in the case study of Bornholm Ferry Service companies (Page 19 paragraph 5) 'Other potential operators may be deterred as they would have been up against a company which was 50% state owned'. We concur, this is a concern we have.

Julie Breakwell