

Right2Know wins case for Sanral tariff disclosure

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The Right2Know Campaign has claimed "partial victory" in the legal wrangle between the South African National Roads Agency Limited (Sanral) and the City of Cape Town.



Right2Know's Alison Tilley says the partial disclosure of documents is a victory for the Right2Know campaign to stop the Winelands toll roads. Image: Twitter

The Western Cape High Court heard an in-camera application by Sanral and the preferred bidder for the tolling project, the Protea Parkways Consortium, to deny public access to supplementary documents on the proposed N1 and N2 Winelands highway tolling.

The documents include information on tariffs and revenue to be generated by the operator.

Right2Know spokesman Alison Tilley said parties involved, except Sanral, had reached a compromise to make public an edited version of the documents. "It is a partial victory. This would at least give the public a foot in the door," she said.

The Democratic Alliance-led City of Cape Town opposed Sanral's secrecy application and Right 2Know and rights lobby group Section 16 applied to the high court.

The two groups' lawyers were kicked out of the closed hearing after they refused to sign a confidentiality agreement. Tilley said they did not want to be part of secrets.

"The other parties - all the relevant national and provincial ministers, the City of Cape Town and Protea Parkways Consortium (PPC) - are not opposing the release of an edited version.

Sanral refuses to compromise

"But Sanral has refused to agree to this compromise. This leaves Sanral isolated in its insistence on unjustifiable secrecy," Tilley said.

Sanral spokesman Vusi Mona said in a statement the roads agency had no desire to withhold information that would make it possible for the agency to account for stewardship of the resources under its control.

"But where plans have not yet been implemented or tenders not yet awarded, it is important that we respect the integrity of the tender process. The benefits of such plans or tenders have not yet been secured and a competitive tender process may be at risk of being usurped by others if disclosed prematurely." Mona claimed.

"The City of Cape Town had failed to explain to the public that Sanral had not yet awarded the tender and was only at the preferred bidder stage," Mona said.

"More importantly, the Minister of Transport has not even declared the toll tariff. Accusations that Sanral is refusing to disclose the tariffs are therefore, misguided and simply not true."

Sanral officials warned earlier this year that the court battle over the proposed Winelands toll project could scare off investors as the project had already been delayed by 10 years.



Sanral's Vusi Mona says that the tender and planning processes haven't started and it is unfair to release confidential documents prior to these processes being completed. Image: [Looklocal](#)

Last year, the high court granted the City of Cape Town an interim interdict preventing Sanral from going ahead with the project, or any contract - pending the court's review of Sanral's decision to implement the tolls.

The interdict remains in force until the finalisation of the city's application to have Sanral's declaration of the project and selection of preferred bidder Protea Parkways Consortium reviewed and set aside. The court instructed Sanral to hand over all documents relating to its board's bid to get approval from the Transport Minister.

Sanral was ordered to hand over to the city a feasibility and strategy report, a financial analysis report produced in August 2007, and an intensive traffic modelling document.

Source: Business Day via I-Net Bridge

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