
STATES OF JERSEY



SPEED LIMITS REVIEW

**Presented to the States on 26th October 2009
by the Minister for Transport and Technical Services**

STATES GREFFE

REPORT

Introduction

1. Following a proposition of Deputy Gorst (P.166/2008), the States approved the following on 2nd December 2008 –

“to request the Minister for Transport and Technical Services –

- (a) to establish a Review Working Group to review the implementation, operation and suitability of the current Speed Limits Policy (P.1/2004) as approved by the States on 15th March 2005;*
- (b) to appoint 3 States members as members of the Review Working Group of whom at least 2, including the Chairman, shall not be Ministers or Assistant Ministers, with the Working Group to receive appropriate assistance from relevant officers; and*
- (c) to present the conclusions of the Review Working Group with any associated recommendations for change to the Assembly before 30th June 2009*.*

** The Minister for Transport and Technical Services advised the States on 19 May 2009 that the report of the Working Group would be presented to the States by the end of September 2009.”*

2. In March 2009, the Minister for Transport and Technical Services (TTS) appointed the following members of the Working Group –

- Connétable of St. John, Graeme Butcher (subsequently appointed as Chairman by the Working Group).
- Connétable of St. Saviour, Peter Hanning.
- Deputy Ben Fox.
- Deputy Kevin Lewis.

3. The Working Group has met on a number of occasions and also undertaken the following consultations to inform the review –

- A public meeting was held on 6th July 2009 at St. Lawrence Parish Hall.
- A questionnaire was circulated to all members of the States Consultation Group, made available online and also in hard copy at Parish Halls, Customer Access Centre, the Public Library, Parking Control office and TTS South Hill offices.
- Members of the Working Group met with the Comité des Chefs de Police on 21st July 2009.
- Representatives from the States of Jersey Police attended a meeting of the Review Group on 10th August 2009.

4. The proposition of the current Speed Limits Policy (P.1/2004) is attached at Appendix 1. This outlines where different speed limits apply.

Background

The implementation of a speed limit policy should have regard to a number of differing, and at times possibly conflicting, considerations –

- Safety – for all road users.
- Appropriateness – a speed limit has to be respected by road users and seen to be reasonable. If it's not, it is ignored.
- Enforced – the practicalities of enforcement must be taken into account.
- Signage – a speed limit needs to be signed in one way or another and frequent changes of speed limit lead to it being disregarded.

These factors need to be taken into account when a new, or change in, policy is being considered. In addition, it needs to be remembered that a speed limit is a maximum speed limit and the speed driven at any time must be appropriate to other factors such as visibility, weather conditions, etc.

Discussion

1. The interest generated by the consultation exercise clearly shows that speed is an issue on the Island. A total of 839 people completed the questionnaire either online or by hand and a further 58 people wrote in to the department. In addition, 30 people attended the public meeting in St. Lawrence.
2. The results from the questionnaire are attached at Appendix 2 (excluding the individual comments) but the key findings regarding speed limits can be summarised as follows –
 - (a) 66% of respondents wanted the current policy changed;

of those people answering the following specific questions –

 - (b) more people wanted to maintain a maximum speed limit of 40mph than wanted it changed. In fact, there was almost an equal number of people wanting the maximum limit increased as wanted it decreased;
 - (c) more than half of people who responded (55%) wanted to keep the maximum speed in urban / built-up areas as 30 m.p.h.;
 - (d) 83% of people answering wanted to retain a 20 m.p.h. maximum speed in housing estates and distinct residential areas;
 - (e) 51% of people wanted the maximum speed limit in Green Lanes raised to 20 m.p.h. whilst 31% wanted to see it retained at 15 m.p.h.;

regarding accident prevention and road safety methods –

 - (f) 62% of people supported the re-introduction of police motorcycle patrols;

- (g) 55% wanted to see an increase in the number of random roving police camera speed checks at accident black spots;
- (h) 79% supported the installation of more electronic ‘smiley/grumpy’ speed alert signs.
3. The questionnaire also allowed people to make comments and there were 574 individual comments made in the final ‘free text’ box. About 20% of these referred to specific locations and requesting a change in speed limits, but the issue of enforcement – or lack of enforcement – also came out strongly with over a quarter of respondents mentioning this issue. A typical comment made was that ‘there’s no point in changing speed limits if they are not enforced’.
4. Turning to the 58 letters received by TTS, almost half were specific to certain areas, Parishes or roads. In particular, a third were from residents of St. Clement mainly supporting the view that the maximum speed limit should be 30 m.p.h. throughout the Parish although 5 respondents opposed any reduction. The remaining comments broadly echoed the views brought out in the questionnaires.
5. At the public meeting, 24 people spoke about their views and, once again, the lack of enforcement of the current speed limits was raised as well as people wanting a lower limit in specific areas. The ‘smiley/grumpy’ signs were also fully supported as was the use of non static speed cameras.
6. The meeting with the Chef de Police focussed mainly on enforcement issues and supported the use of the ‘smiley/grumpy’ signs, possibly funded by the Community Safety Grants Fund. They also felt that the 15 m.p.h. speed limit in Green Lanes was too low and would support this being increased to 20 m.p.h.
7. The key issues discussed with the States of Jersey Police were mainly in regard to enforcement and, although not strictly within its remit, the Working Group considers this a crucial element of any Speed Limits policy. The following is a summary of issues/solutions discussed –
- Although speed can be an aggravating factor in collisions, only in 3% of recorded collisions was speed determined to be a contributory factor.
 - The operational cost of using Police staff on speeding offences is high and they need to utilise limited resources where there is the greatest benefit/return.
 - The use of LASTEC, which can process 20 times the number of offenders at the road side than previous speed detection methods, showed that the administration following the offence was a major issue – the Criminal Justice Unit and Parishes could not cope with the numbers.
 - ‘Smiley faces’ signs can identify the time of offences which can lead to targeted surveillance which is of greater benefit than random checks.

- There is an issue with the public seeing the prosecution of speeding motorists as simply a means of raising revenue and it is unlikely to change behaviour.
 - Currently repeat offenders are difficult to identify at Parish level. It would be beneficial to extend the Article 89 power to allow Centeniers to fine at a higher level and introduce a driving license based record system.
 - Changing speed limits and heavy policing is not the whole answer. Perhaps the introduction of Driver Improvement Courses should be considered, as has happened in the U.K.
 - A penalty points system administered at Parish level through the Driving Licence System, with drivers given the choice between penalty points and Improvement Courses, could provide an answer to the heavy administrative workload currently required and address the repeat offenders issue.
8. A general issue raised in the consultation is that of the public criticising the current 40 m.p.h. speed limit, which applies to many of the smaller Parish lanes, where clearly this is not an appropriate speed. One proposal is to introduce a “default” Island wide speed limit based on the character of the road on which a driver finds themselves. In particular, those roads with no centre white line (because large vehicles cannot pass easily) could have a default speed limit of 30 m.p.h. The presence, or not, of the entire line would indicate the default limit without the need for other signage.

The Law Draftsman has indicated that this would be possible by Regulation and Law Officers advice is being sought on whether such a law could be enforced. If this is possible, this would make its implementation simpler and preclude the need for signage on these roads. If this is not possible in law, the speed limit policy could still dictate that a road with no centre line has a default of 30 m.p.h. but the issue of signage would probably make this impractical.

9. Some concern was also raised by a number of respondents and the Working Group themselves that the decision of the Minister for TTS in regard to a speed limit was final. There is currently no appeal process whereby a Connétable, or possibly also the Police, can request another body to consider their request. For this reason, it is proposed that an Appeals Panel be set up comprising three people of which one would ideally be a Connétable and another an independent person. There would have to be a proviso whereby members cannot adjudicate on limits within their own Parish/constituency. For this reason, there would ideally be a pool of States members and at least one independent person on which to draw the Panel.

Conclusions

The Working Group has drawn the following conclusions from the consultation exercise –

1. The maximum Island speed limit should remain at 40 m.p.h. for cars (30 m.p.h. for vehicles over 3.5t laden weight).

2. The 15 m.p.h. speed limit in Green Lanes is too slow and should be raised to 20 m.p.h.
3. The speed limit for the smaller Parish lanes, where larger vehicles have difficulty passing, is too high at 40 m.p.h. and should be reduced.
4. There is a grey area of interpretation which relates to the definition of a built-up area and hence the appropriate speed limit. The Working Group considered that the Island Plan designation of a built-up area was broadly in line with their views of areas that should carry a 30 m.p.h. speed limit. For instance, parts of St. Clement which are now 40 m.p.h. and also some village centres which are 20 m.p.h. would, and should, become 30 m.p.h.
5. There should be an appeals mechanism after a decision is made by the Minister for Transport and Technical Services so that a Connétable or the Police can ask for a further review of the decision.
6. Enforcement, or the lack of it, is a major issue with many people and if a system could be introduced which the Parishes could administer and was cumulative on the number of offences (such as a penalty points type system), a greater deterrent would exist.
7. The 'smiley/grumpy' faces are supported as a means of alerting drivers to their speed and recording much needed information on actual speeds of all vehicles passing which, in turn, helps target enforcement.

Recommendations

The following recommendations flow from the review and the conclusions of the Working Group as required under the terms of reference of the Group –

1. A simplified structure of speed limits should be introduced as follows:
 - An island wide maximum speed limit of 40mph for cars (30 m.p.h. for certain vehicles such as those over 3.5t laden weight).
 - A lower limit of 30mph in urban/built-up areas and roads with no centre line.
 - A 20mph limit in Green Lanes, housing estates and distinct residential areas and part-time at schools.
2. The definition of a built-up area should have regard to the built-up areas as specified on the current Island Plan.
3. An Appeals Panel to be set up to consider decisions made by the Minister for TTS which the Connétable or the Police do not agree with. The Minister for TTS remains the person responsible for speed limits on all roads, so all decisions of the Appeals Panel which overturn that of the Minister for TTS would have to be formally approved by the Minister for TTS.

The Working Group also felt that further recommendations stemmed directly from hearing the views of the public and the Police but were not directly within the remit of the Group:

4. Greater use to be made of ‘smiley/grumpy’ signs and the Group recommends that funding be made from the Community Safety Grants Fund with the Parishes responsible for managing and regularly moving the signs. These will add to the ones already owned and operated by some Parishes. The active monitoring of the information these signs provide should lead to targeted surveillance by the Parishes.
5. Although the Working Group acknowledged that enforcement was not strictly within the remit of its deliberations, it is clear that this issue runs parallel to any Speed Limits Policy. For this reason, the Working Group concluded that the introduction of a penalty points system, adapted for Jersey, should be considered by the Minister for Home Affairs. If it was possible for such a system to be administered by the Parishes, utilising the Drivers License computer system and without recourse to the Criminal Justice Unit at Police H.Q., enforcement could be managed at the parish level and not impact on the judicial system until the point is reached where an offender has accrued enough points that the licence may be removed. This final decision must be for the Court to decide. Furthermore, consideration should be given to include an option of driver training/awareness courses as an alternative to heavy fines.
6. The Working Group recommends that the Minister for Home Affairs investigates the possibility of on-the-spot fines for admitted speeding offences as this would greatly reduce the paperwork involved with driving offences.
7. The Working Group strongly recommends the reintroduction of the police motorcycle unit as this unit provides a strong deterrent and fast response.

Resources

Any change in the Speed Limit Policy will require law drafting time as well as time and cost of changing signage.

<u>Speed Limits Working Group</u>	30th September 2009
Connétable of St. John, Graeme Butcher – Chairman	
Connétable of St. Saviour, Peter Hanning	
Deputy Ben Fox	
Deputy Kevin Lewis	

NOTE:

The Summary of Responses is also attached to this Report at Appendix 3.

APPENDIX 1**SPEED LIMITS: REVISED POLICY (P.1/2004)****As adopted as amended on 15th March 2005**

THE STATES, adopting a proposition of the Environment and Public Services Committee, as amended –


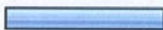
- (a) approved a revised policy with regard to speed limits on roads, as follows –
 - (i) a 40 miles per hour speed limit on all public roads not subject to lower limits or Green Lane status with vehicles with a laden weight of 3.5 tonnes or over being subject to a 30 mile per hour limit on these roads;
 - (ii) a 30 miles per hour speed limit –
 - (1) on roads through urban, built up areas with development on both sides;
 - (2) on lengths of road under ½ mile long in partially built up areas which are situated between 30 miles per hour limits and therefore not long enough to stand on their own as roads with a 40 miles per hour limit;
 - (3) on roads with development in depth on one side only producing significant numbers of vulnerable road users, particularly pedestrians and cyclists;
 - (4) on roads through built up villages where there are frequent junctions with inadequate visibility for higher speeds, and pedestrian crossings;
 - (iii) a 20 miles per hour speed limit –
 - (1) on roads in housing estates and discrete residential areas which are not main routes and which have little or no through traffic;
 - (2) on roads in bays which are not main routes and which have significant tourist pedestrian activity with such limits applying only during the summer season in appropriate cases;
 - (3) in areas outside schools where there are part time electronically signed speed limits;
 - (4) in other areas such as may be agreed following consultation between individual Parishes and the Committee;

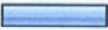

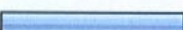




- (iv) a 15 miles per hour speed limit in all Green Lanes and on no other roads (subject to a review of Green Lanes).
- (v) no speed limit on roads being used for road racing.
- (b) agreed that the Environment and Public Services Committee should be required to consult with the Connétable of the Parish in which a road is situated before making an Order setting a speed limit on any road;
- (c) requested the Home Affairs Committee to conclude its investigations into appropriate measures to deter road users from exceeding the speed limit and to report back to the States with its recommendations by July 2005; and
- (d) charged the Environment and Public Services Committee to take all necessary steps to give effect to the revised speed limit policy.

ENVIRONMENT AND PUBLIC SERVICES COMMITTEE

APPENDIX 2

TTS speed limit review

1. Should the current policy be changed?		
	Response Percent	Response Count
Yes 	66.3%	556
No 	33.7%	283
<i>answered question</i>		839
<i>skipped question</i>		12

2. What do you consider should be the Island wide maximum speed for cars? (Please tick one box only)		
	Response Percent	Response Count
50 mph 	22.0%	117
45 mph 	9.8%	52
40 mph 	39.0%	207
35 mph 	9.0%	48
30 mph 	19.0%	101
25 mph 	0.4%	2
20 mph 	0.8%	4
Other (please specify ___ mph)		41
<i>answered question</i>		531
<i>skipped question</i>		320

3. What do you consider should be the maximum speed for cars in urban or built-up areas? (Please tick one box only)

	Response Percent	Response Count
40 mph <input type="checkbox"/>	4.6%	25
35 mph <input type="checkbox"/>	6.0%	33
30 mph <input checked="" type="checkbox"/>	55.2%	302
25 mph <input type="checkbox"/>	14.4%	79
20 mph <input type="checkbox"/>	19.7%	108
Other (please specify ___ mph)		17
answered question		547
skipped question		304

4. Do you agree that the maximum speed for cars in housing estates and distinct residential areas should be 20mph?

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	83.2%	456
No <input type="checkbox"/>	16.8%	92
answered question		548
skipped question		303

5. Which other areas do you consider should have their maximum speed for cars set to 20mph? (Please tick any that apply)

	Response Percent	Response Count
No other areas <input type="checkbox"/>	9.4%	49
Outside schools at all times <input type="checkbox"/>	23.6%	123
Outside schools part-time <input checked="" type="checkbox"/>	61.2%	319
Green lanes <input type="checkbox"/>	47.4%	247
Other (please specify)		91
answered question		521
skipped question		330

6. Do you think the Green Lane scheme (whereby the maximum speed for cars in designated Green Lanes is 15 mph) should be		
	Response Percent	Response Count
Continued, as it is	40.6%	217
Extended, to include more lanes	37.1%	198
Stopped, so there are no Green Lanes in Jersey	22.3%	119
	<i>answered question</i>	534
	<i>skipped question</i>	317

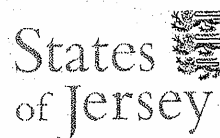
7. What do you consider should be the maximum speed for cars in Green Lanes? (Please tick one box only)		
	Response Percent	Response Count
30 mph	7.7%	41
25 mph	8.3%	44
20 mph	51.4%	273
15 mph	31.1%	165
10 mph	1.5%	8
Other (please specify ___ mph)		27
	<i>answered question</i>	531
	<i>skipped question</i>	320

8. Which of the following accident prevention and road safety methods do you think should be used in Jersey?			
	Yes	No	Response Count
Re-introducing police motorcycle patrols	61.5% (448)	38.5% (280)	728
Increasing the number of random roving police camera speed checks at accident black spots	55.4% (403)	44.6% (325)	728
Installing additional electronic 'smiley/grumpy' speed alert signs to remind motorists of their speed	78.9% (596)	21.1% (159)	755
	<i>answered question</i>		798
	<i>skipped question</i>		53

9. Please use the space below if you have any further comments.		Response Count
		634
	<i>answered question</i>	634
	<i>skipped question</i>	217

Transport and Technical Services

Summary of Responses



REVIEW OF THE SPEED LIMITS POLICY

19 October 2009

SUMMARY OF CONSULTATION DETAILS

Following the approval of the States to a Report and Proposition by Deputy Gorst and debated on 2 December 2008, the Minister for Transport and Technical Services appointed a Working Group "to review the implementation, operation and suitability of the current Speed Limits Policy (P.1/2004) as approved by the States on 15th March 2005."

The Working Group comprised the Connétable of St John, Graeme Butcher (Chairman), the Connétable of St Saviour, Peter Hanning and Deputies Ben Fox and Kevin Lewis.

As part of this review, the Working Group sought the views of the public by issuing a questionnaire, inviting written comments and also holding a public meeting on 6 July 2009 at St Lawrence Parish Hall.

OVERVIEW OF CONSULTATION RESPONSES

A total of 839 people completed the questionnaire either online or by hand and a further 58 people wrote into the department. In addition, 30 people attended the public meeting in St Lawrence. Of those completing the questionnaire, 439 (52%) completed it online and 400 sent their completed questionnaires into the department, which were then input onto the system to allow the results to be collated and the results computed.

The results from the questionnaire are attached at Appendix A (excluding the individual comments) but the key findings regarding speed limits can be summarised as follows:

(a) 66% of respondents wanted the current policy changed.

Of those people answering the following specific questions:

(b) more people wanted to maintain a maximum speed limit of 40mph than wanted it changed. In fact, there was almost an equal number of people wanting the maximum limit increased as wanted it decreased.

(c) more than half of people who responded (55%) wanted to keep the maximum speed in urban/built-up areas as 30mph.

(d) 83% of people answering wanted to retain a 20mph maximum speed in housing estates and distinct residential areas.

(e) 51% of people wanted the maximum speed limit in Green Lanes raised to 20mph whilst 31% wanted to see it retained at 15mph.

Regarding accident prevention and road safety methods:

(f) 62% of people supported the re-introduction of police motorcycle patrols.

(g) 55% wanted to see an increase in the number of random roving police camera speed checks at accident black spots.

(h) 79% supported the installation of more electronic 'smiley/grumpy' speed alert signs.

The questionnaire also allowed people to make comments and there were 574 individual comments made in the final 'free text' box. About 20% of these referred to specific locations on the Island and requesting a change in speed limits, but the issue of enforcement – or lack of enforcement – also came out strongly with over a quarter of respondents mentioning this issue. A typical comment made was that 'there's no point in changing speed limits if they are not enforced'

Turning to the 58 letters received by TTS, almost half were specific to certain areas, Parishes or roads. In particular, a third were from residents of St Clements mainly supporting the view that the maximum speed limit should be

Note: the reference to the 'questionnaire' in this summary is the same as is reproduced in Appendix 2

30mph throughout the Parish although five respondents opposed any reduction. The remaining comments broadly echoed the views brought out in the questionnaires.

At the public meeting, 24 people spoke about their views and, once again, the lack of enforcement of the current speed limits was raised as well as people wanting a lower limit in specific areas. The 'smiley/grumpy' signs were also fully supported as was the use of non static speed cameras.

MINISTER'S RESPONSE TO CONSULTATION

The outcome from the consultation has been incorporated into a report of the Working Group which the Minister for Transport and Technical Services will present to the States shortly.