

STATES OF JERSEY



DRAFT MAIN ROADS (CLASSIFICATION) (No. 29) (JERSEY) ACT 201-

**Lodged au Greffe on 13th March 2017
by the Minister for Infrastructure**

STATES GREFFE



Jersey

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REPORT

Introduction

The Rue des Pres Trading Estate (“RDTPE”) roads were constructed by the Public from 1964 to 1974 to service 36 business plots that were established and sold to private businesses. For many years, these roads were thought to be roads to which all the provisions of the Road Traffic (Jersey) Law 1956 (“RTL”) would apply.

In 2013, advice was received that those Articles of the RTL which deal with parking control can only apply to Public Roads (Highways). Public Highways consist of Parish bye-roads administered by the various Parish Roads Committees, and States of Jersey ‘Grande Routes’ or Main Roads. States of Jersey main roads are defined in the *Voies de Grande Communication, Acte 1934*, along with various additional Main Road Classification Acts made in the intervening years. The Highway Authority for States of Jersey Main Roads is the Minister for Infrastructure.

The RDTPE roads have never been designated as Public Roads within the meaning of the *Loi (1914) sur la Voirie*, by Main Road Classification Act, and therefore the roads at RDPTE cannot be scheduled in the appropriate Parish Traffic Order for the control of parking. Following this advice, policing of the RDTPE roads stopped.

The situation on RDPTE roads has subsequently become chaotic and dangerous, with many businesses becoming frustrated by the situation and the impact on their businesses. Considerable officer time has been taken up dealing with complaints from businesses and members of the Public to the Department that currently administers the roads, Jersey Property Holdings.

When the Draft Main Roads (Classification) (No. 29) (Jersey) Act 201- has been made by the States, the Minister for Infrastructure will be able to introduce measures to control parking and to introduce charges.

When the RDTPE roads were created, the 36 plot-owners were given contractual rights of way over the access roads, subject to an obligation to contribute a ‘fair proportion’ of the costs of maintenance of the roads and pavements. This was written into the deeds of each of the plots. It would appear that no contributions have been made by any businesses in accordance with this requirement in the 51 years since the roads were first established.

This contractual requirement will fall away when the RDTPE roads become Highways, but the Minister for Infrastructure will be able to recover the costs of maintaining the roads by charging for parking using paycards and permit zones, as established elsewhere. Rights of access by businesses and their visitors will be strengthened.

Collective responsibility under Standing Order 21(3A)

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Ministers for Infrastructure, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers.

Financial and manpower implications

Once the roads have been subject to a Main Roads Classification Act, then parking charges can be introduced using routine Highway Authority procedures, which will pay for the control of parking and introduction of safety improvements, as well as maintenance. The cost of implementing signs and road markings for the control and charging of parking will also be covered by these charges.

Explanatory Note

This Act declares various roads in the Rue des Près Trading Estate to be main roads under the Loi (1914) sur la Voirie. The roads, or parts of roads, so specified are situated in the parish of St. Saviour with the exception of parts of two roads situated in the parish of St. Clement and another part of a road situated in Grouville.



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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 1 of the Loi (1914) sur la Voirie¹ and having regard to the Voies de Grande Communication, Acte 1934², have made the following Act –

1 Classification of main roads

The following roads are hereby classified as main roads (“grandes routes”) –

- (a) in the parish of St. Saviour –
 - (i) the road known as L’Avenue le Bas from its junction with La Route de Longueville to its junction with La Rue Sinnatt,
 - (ii) the road known as La Rue Martel from a point 55 yards north of its junction with La Rue le Gros to a point 60 yards north of its junction with La Rue Sinnatt,
 - (iii) the road known as La Rue Grellier from its junction with La Rue le Gros to a point 55 yards south of its junction with La Rue Sinnatt,
 - (iv) the road known as La Rue Sinnatt from its junction with La Rue Grellier to a point 46 yards west of its junction with La Rue Martel,
 - (v) the road known as La Rue le Gros from its junction with La Rue Grellier to its junction with La Rue Martel;
- (b) in the parish of St. Clement –
 - (i) the road known as La Rue Sinnatt from its junction with La Rue Martel to a point 46 yards west of that junction,
 - (ii) the road known as La Rue Martel from its junction with La Rue Sinnatt to a point 20 yards north of that junction;
- (c) in the parish of Grouville, the road known as La Rue Martel from a point 60 yards north of its junction with La Rue Sinnatt to a point 20 yards north that junction.

2 Citation

This Act may be cited as the Main Roads (Classification) (No. 29) (Jersey) Act 201-.

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- ¹ *chapter 25.950*
² *chapter 25.950.60*