

STATES OF JERSEY



SPEED LIMITS: REVISED POLICY

Lodged au Greffe on 2nd November 2010
by the Minister for Transport and Technical Services

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to approve a revised policy with regard to speed limits on public roads, with the following simplified structure –
 - (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 on public roads in urban/built-up areas (using the Island Plan map definition of a built-up area) and roads with no centre line;
 - (iii) a 20 miles per hour speed limit –
 - (1) on public roads in housing estates and distinct residential areas;
 - (2) in areas outside schools where there are part-time electronically-signed speed limits;
 - (iv) a 20 miles per hour speed limit in all Green Lanes;
- (b) to agree that an Appeals Panel should be established to consider decisions on speed limits made by the Minister for Transport and Technical Services which the Connétable of the Parish or the States of Jersey Police disagree with;
- (c) to request the Minister for Transport and Technical Services, in consultation with the Minister for Home Affairs, to investigate the potential road safety benefits of introducing a penalty points and fixed penalty system to deal with minor traffic offences;
- (d) to request the Minister for Transport and Technical Services to take the necessary steps to give legal effect to the proposals.

MINISTER FOR TRANSPORT AND TECHNICAL SERVICES

REPORT

Introduction

Following a proposition of Deputy I.J. Gorst of St. Clement (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 (subsequently amended to 30 September 2009).*

In March 2009, the Minister for Transport and Technical Services (TTS) appointed Connétable G.F. Butcher of St. John (subsequently appointed as Chairman by the Working Group), Connétable P.F.M. Hanning of St. Saviour and Deputies J.B. Fox of St. Helier and K.C. Lewis of St. Saviour to the Working Group.

Discussion

The Working Group met on a number of occasions and undertook the following consultations to inform their 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.

The interest generated by the consultation exercise clearly shows that speed of vehicles is an issue for the Public. 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.

The results from the questionnaire are attached at Appendix B (excluding the individual comments) but the key findings from the questionnaires 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 to wanting 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 and requested 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’.

Of 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 30mph throughout the Parish, although 5 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.

The meeting with the Chef de Police focussed mainly on enforcement issues and supported the use of the ‘smiley/grumpy’ signs (Speed Indicating Devices or SIDS),

possibly funded by the Community Safety Grants Fund (CSGF). (Each Parish has since been supplied with a SID funded by the CSGF). They also felt that the 15mph speed limit in Green Lanes was too low and would support this being increased to 20mph.

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 considered this to be 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 roadside 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 licence-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 UK.
- 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 issue of repeat offenders.

A general issue raised in the consultation is that of the public criticising the current 40mph speed limit, which applies to many of the smaller Parish lanes, where clearly this is not an appropriate speed. One proposal raised 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 vehicles

cannot pass easily) could have a default speed limit of 30mph. The presence, or not, of the centre line would indicate the default limit without the need for other signage.

Following the completion of the Review Working Group report, the Law Draftsman and Law Officers have been asked for an opinion on the feasibility and practicality of this proposal. The Law Draftsman has indicated that this could be achieved by using the power to amend the Law by Regulations (Article 21 of the Road Traffic (Jersey) Law 1956). Law Officers' advice has been sought on whether such a change to the Law could be enforced. The Law Officers have indicated that while such a change to the Law is not inherently mischievous, such a rule would need to be capable of being easily understood and it is important that public awareness, both to visitors and residents, be heightened to its existence.

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 the decision of the Minister for TTS can be reviewed independently. For this reason, it is proposed to set up a mechanism by which a three-person Appeals Panel can be formed to give an opinion on the reasonableness of any refusal for changing a speed limit taking cognisance of the States of Jersey approved Speed Limits Policy.

The Working Group did not go into detail on the formation of the Panel, but did recommend that members of an Appeals Panel should not adjudicate on limits within their own Parish/constituency, and that an independent person should sit on the Panel alongside politicians, one of which should be a Connétable. To enable this, a group of politicians and lay-people would need to be established from which to draw a minimum three-person Panel for each appeal. The final composition of each Appeal Panel would need to be agreed between the Minister for TTS and the appellant.

It is proposed that appeals be made by either the Connétable of the Parish or the States of Jersey Police, to ensure that the Appeals Panel were not overwhelmed by individual requests. It should also be noted that under current legislation, the Minister for TTS remains the person responsible for speed limits on roads, so all decisions of the Appeals Panel which overturn that of the Minister would have to be formally approved by the Minister.

Review Group Conclusion

The Working Group drew the following conclusions from the consultation exercise –

1. The maximum Island speed limit should remain at 40mph for cars (30mph for vehicles over 3.5 tonnes laden weight).
2. The 15mph speed limit in Green Lanes is too slow and should be raised to 20mph.
3. The speed limit for the smaller Parish lanes, where larger vehicles have difficulty passing, is too high at 40mph 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 30mph speed limit. For instance, parts of St. Clement which are now 40mph and also some village centres which are 20mph would, and should, become 30mph.

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.

Review Group Recommendations

The following recommendations were made by the Working Group –

1. A simplified structure of speed limits should be introduced as follows –
 - An Island-wide maximum speed limit of 40mph for cars (30mph for certain vehicles such as those over 3.5 tonnes 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 should 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 (CSGF) 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. (Subsequently, SIDS have been provided to all Parishes, funded from the CSGF.)

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 were possible for such a system to be administered by the Parishes, utilising the Driver's Licence computer system and without recourse to the Criminal Justice Unit at Police HQ, 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 re-introduction of the police motorcycle unit, as this unit provides a strong deterrent and fast response.

Subsequent to the publication of the Speed Limits Review Working Group report, Transport and Technical Services have received representation from the Tourism Department opposing the proposal to raise the Green Lane speed limit to 20mph. However, given the support of the Comité de Chefs de Police, the consultation responses, and the support of the majority of Connétables, the Minister for Transport and Technical Services has decided to include the recommendation of the Working Party to increase the speed limit in green lanes to 20mph in the Proposition.

Financial and manpower implications

- (a) Speed limits changes are enabled by amending the Road Traffic (Speed Limits) (Jersey) Order 2003, and installing signage on the roadside. Should more requests for speed limit changes be brought forward as a result of this proposition being successful, then amendments to the Road Traffic (Speed Limits) (Jersey) Order 2003 requiring Law Drafting resources will be required. TTS would anticipate providing and maintaining the required signage from existing budgets. There will also be a cost to changing the 15mph signage to 20mph on Parish Green Lanes, estimated at £20,000 across the 10 Parishes which have Green Lanes. This cost would be borne by the respective Parish Highway Authorities.
- (b) There are no cost implications to forming an Appeals Panel.
- (c) TTS and Home Affairs will need to allocate officer resources to progressing an investigation into the potential safety benefits of a fixed penalty and penalty points system.
- (d) Modest officer time from Law Drafting and TTS will be required to give legal effect to those measures requiring amendments to the Road Traffic (Jersey) Law 1956 by Regulations.

SPEED LIMITS REVIEW**Report of the Working Group****Introduction**

1. Following a proposition of Deputy Gorst (P166/2008), the States approved the following on 2 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:

- Constable of St John, Graeme Butcher (subsequently appointed as Chairman by the Working Group)
- Constable 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 6 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 21 July 2009.
- Representatives from the States of Jersey Police attended a meeting of the Review Group on 10 August 2009.

4. The proposition of the current Speed Limits policy (P1/2004) is attached at Appendix A. 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 B (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.
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 30mph throughout the Parish although five 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 Chief 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 15mph speed limit in Green Lanes was too low and would support this being increased to 20mph.
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 UK.
- 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 40mph 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 30mph. 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 30mph 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 TTS Minister 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 mph for cars (30 mph for vehicles over 3.5t laden weight).
2. The 15 mph speed limit in Green Lanes is too slow and should be raised to 20 mph.
3. The speed limit for the smaller Parish lanes, where larger vehicles have difficulty passing, is too high at 40 mph 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 mph speed limit. For instance, parts of St Clement which are now 40 mph and also some village centres which are 20 mph would, and should, become 30 mph.
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 mph 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 TTS Minister which the Connétable or the Police do not agree with.

The TTS Minister remains the person responsible for speed limits on all roads, so all decisions of the Appeals Panel which overturn that of the TTS Minister would have to be formally approved by the TTS Minister.

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 Home Affairs Minister. 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 HQ, 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 Home Affairs Minister 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.

Speed Limits Working Group

30 September 2009

Connétable of St John, Graeme Butcher - Chairman
Connétable of St Saviour, Peter Hanning
Deputy Ben Fox
Deputy Kevin Lewis

STATES OF JERSEY



SPEED LIMITS: REVISED POLICY

Lodged au Greffe on 20th January 2004
by the Environment and Public Services Committee

as adopted as amended 15th March 2005
by paragraphs 1-3 of the amendment of the Connétable of St. Helier

STATES GREFFE

2004

Price code: B

P.1

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to approve 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) to agree 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) to request 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.
- (d) to charge 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

REPORT

1. Introduction

- 1.1 The previous Public Services Committee, under the Presidency of Deputy Hacquoil, approved the creation of a working group to review speed limits, to be Chaired by the Connétable of St. Helier, with representatives from the Home Affairs Committee, Comité des Connétables, States Police and Road Safety Panel.
- 1.2 The group was formed as follows –
- Connétable Crowcroft – Public Services Committee
Connétable De la Haye – Comité des Connétables and Home Affairs Committee
Connétable Coutanche – Comité des Connétables
Deputy Bridge – Home Affairs Committee
Mr. Philip Blake – Road Safety Officer
Inspector Nigel Trustcott – States Police
Mr. David St. George – Senior Traffic Engineer, Public Services Department
- 1.3 The group held several meetings including site visits and its recommendations were subsequently endorsed by the Environment and Public Services Committee. A consultation exercise to assess the views of the relevant authorities and the general public on those recommendations was then carried out and a substantial majority of support has been identified.
- 1.4 Although the power to set speed limits is vested in the Environment and Public Services Committee (under the Road Traffic (Jersey) Law 1956) the Committee believes that this sometimes contentious matter affects the whole community and therefore has decided to seek the support of the whole States of Jersey Assembly before implementing its policy.
- 1.5 The Committee feels obliged to do so particularly in view of P.22/99 passed by the States in March 1999, which gave the power to set 30 m.p.h. speed limits on by-roads to the individual Parish Authorities. This might lead to inconsistency with its proposed policy.

2. The need for a review

Public perception of existing limits

- 2.1 Jersey's speed limits have grown considerably in number and variety, particularly since the first 30 m.p.h. speed limits were introduced in 1988, and Green Lanes in 1994. Compliance with the existing speed limits is poor, particularly where inappropriate limits have been set. Criticism that they are too varied is often received, but conversely requests for lowering of speed limits on particular roads are received regularly, which if approved, would lead to a substantial increase in the number of different speed limit zones, and the incidences of non-compliance. The Committee currently has 28 outstanding requests requiring a decision, and needs a policy in place, so that a consistent approach can be applied.

- 2.2 Green Lanes, though legally controlled by Environment and Public Services by designation of a 15 m.p.h. speed limit, are considered to be a Parish initiative, and have lacked consistency between the Parishes. They have added to the profusion of limits and the feeling that a rationalisation is needed.

Senator Shenton's Proposition

- 2.3 In addition to the individual requests, the Committee needed to consider the implications of Senator Shenton's amended proposition P.32/98 which was approved by the States on 16th March 1999 and which requested the (then) Public Services Committee –

“to introduce a 30 mile an hour speed limit on all by-roads recommended by the Parish Authorities, and introduce additional traffic calming features where appropriate including the restriction to 20 miles an hour of heavy goods vehicles in built up areas and villages”

(N.B. Wording in bold added following a successful Amendment from Deputy P. Rondel; “30” changed from “20” following a successful amendment from Deputy G. Baudains.)

Public Concern

- 2.4 The States Police Plan 2002 identified that, in a recent public survey, speeding motorists were perceived to be the greatest problem in local neighbourhoods.

Sustainable Transport Policy

- 2.5 In its Sustainable Transport Policy the Committee (as previously constituted) proposed to investigate the feasibility of creating a 20 m.p.h. speed limit within the St. Helier ring road and in all built-up areas.

Previous Policy

- 2.6 The policy of previous Public Services Committees has been as follows –

“Green Lanes” (Rural narrow lanes with low traffic volume)	15 m.p.h.
Housing Estates and other discrete residential areas with little or no through traffic	20 m.p.h.
Built-up areas and villages	30 m.p.h.
All other roads	40 m.p.h.

- 2.7 However, the above policy has not been rigidly applied. Under this policy the 20 m.p.h. zones in St. Peter's Village and St. Mary should be 30 m.p.h., but the Parish Authorities did not support an increase in those limits. The interpretation of the built up area causes much debate and the areas subject to 30 m.p.h. limits have grown significantly since the original areas were set. Some 30 m.p.h. zones are clearly not in a built-up area. La Grande Route de

Faldouet for example was recently designated a 30 m.p.h. limit following receipt of a petition from residents, although it is not within a built up area. Clarke Avenue was recently designated a 15 m.p.h. speed limit although it is not a Green Lane.

3. Options/Issues

- 3.0 The working group considered a number of issues and options in the search for a policy that would contribute to road safety and be better accepted by the public. These are discussed below.

All-Island 30 m.p.h. limit

- 3.1 The Speed limits working group considered that an all-Island maximum speed limit of 30 m.p.h. would be unreasonably low, given that accident rates in Jersey are low when compared to elsewhere. The group was mindful that the main purpose of a speed limit was to reduce the likelihood and severity of accidents. There was insufficient evidence to suggest that such a significant change could be justified or that it would have a significant effect on accident rates. In a J.E.P. poll, 577 out of 634 people voted against an all-Island 30 m.p.h. limit. Although an all-Island 30 m.p.h. limit, with no other differing limits, would produce significant reductions in signing, and avoid confusion, it is inevitable that calls for lower limit zones would continue, and the need to sign differing speed limits would not disappear.

“Default” 30 m.p.h. limit

- 3.2 The group considered a “default” speed limit of 30 m.p.h., with roads to be signed at 40 (or 20) where considered appropriate. The conclusion of the group was that there were very few roads of significant length where a 40 m.p.h. limit could be signed and not challenged by local residents as being too high, if the majority of roads had a 30 limit. The likely outcome was that only Victoria Avenue and La Grande Route des Mielles (Five Mile Road) would be signed at 40 m.p.h.. Again the group felt that this would result in an unpopular and unreasonably low speed limit for the remainder of the Island. Although the lengths of road where 40 m.p.h. is a reasonable speed limit are short, they are reasonably numerous.

35 m.p.h. all-Island maximum with 25 m.p.h. speed limits in built-up areas

- 3.3 At a joint meeting between the Home Affairs and Public Services Committees, the possibility of two (35 and 25 m.p.h.) speed limits, instead of the current four limits (15, 20, 30 and 40) was suggested as a means of reducing the number of speed limits.

The group did not consider that such a system would produce an acceptable solution. It is not the variety of speed limits but the number of changes to speed limits, which was of concern. Changes in limit would still be numerous and some roads, which were currently subject to a 30 m.p.h. limit, would likely be increased to 35 m.p.h., to the considerable dissatisfaction of residents of those areas.

20 m.p.h. for built-up areas

- 3.4 The Sustainable Transport Policy recommends that consideration is given to a 20 m.p.h. limit within the ring road and in all built-up areas. The group considered that the ring road was not a logical start point for a lower speed limit as many roads with similar characteristics and problems lay immediately outside of the ring road. It felt that the town centre, where the highest pedestrian activity and the highest pedestrian accident rates occurred, had relatively low traffic speeds, which would be unlikely to be affected by a 20 m.p.h. limit. Quality town centre physical traffic calming schemes would be more appropriate and more effective in such locations.
- 3.5 The group gave consideration to applying a 20 m.p.h. limit to the village areas, as currently applies to St. Peter's Village. It was noted that despite good enforcement, the speed limit in St. Peter's Village was poorly respected by motorists. It was agreed that 30 m.p.h. was a more appropriate speed limit for main routes through built-up areas, and where speeds needed to be reduced further in village centres traffic calming would be more effective. It was noted however that traffic calming on main routes needed to be mindful of the emergency services' concerns that measures such as speed humps could have a significant detrimental affect on response times. Traffic calming is discussed below.

Part Time 20 m.p.h. limits at schools

- 3.6 Previous Public Services Committees have approved the proposal to have electronically signed mandatory part time speed limits at schools. The electronic signs would flash at school opening and closing times, so drawing motorists' attention to the need to slow down (to 20 m.p.h.) because of the presence of school children on the road. The two most common reasons for non-compliance with a speed limit are failure to notice the signing of the lower limit, and failure to respect the need for the lower limit. This proposal should overcome both these issues. The group fully supported this proposal.

Senator Shenton's Proposition

- 3.7 On 16th March 1999, the States approved an amended proposition P.32/98 from Senator Shenton –

“to introduce a 30 mile an hour speed limit on all by-roads recommended by the Parish Authorities, and introduce additional traffic calming features where appropriate including the restriction to 20 miles an hour of heavy goods vehicles in built-up areas and villages”.

- 3.8 The group did not support this proposal as, if individual Parishes could choose to apply a 30 m.p.h. limit on by-roads without reference to an Island-wide policy, there was a likelihood of inconsistency. The majority of accidents occurred on main roads and in built-up areas, not on Parish by-roads, which were predominantly rural, where the volume of traffic was lower, and speeds tended to be contained by road geometry. 30 m.p.h. speed limits on Parish by-

roads in most cases would serve little purpose, other than to add to the proliferation of signage.

Only one Parish, St. Clement, had asked the Committee to introduce speed limits on its by-roads in accordance with the Proposition. On 15th April 2003, a Parish Assembly voted 47 to 45 in favour of lowering the limit to 30 m.p.h. on all its by-roads except those which were Green Lanes. The Committee has deferred action on this request pending the outcome of this review.

Lower speed limit for large vehicles

- 3.9 The restriction of 20 m.p.h. for heavy goods vehicles in built-up areas was included in Senator Shenton's proposition following an amendment from Deputy Rondel. It would be difficult to sign or legislate for if applied for some areas and not others at the request of the Parishes. There is currently an all-Island maximum speed limit of 30 m.p.h. for vehicles over 2.5t unladen weight. This is poorly respected by drivers of large vehicles. Many of the requests the Department receives for a lowering of the 40 m.p.h. speed limit relate to the speed of large vehicles, which are already subject to a 30 m.p.h. limit. Better enforcement of this provision could improve road safety without the need for new lower speed limit zones. The group supported a previous recommendation to the Committee that in order to assist in the enforcement of this provision, large vehicles should be required to display a 30 m.p.h. plate, and in order to avoid confusion, the provision should be changed to apply to vehicles over 3.5t laden weight, to tie in with driving license categories.

Green Lanes

- 3.10 The group considered that the Green Lane system was in need of review. The current 15 m.p.h. speed limit is not adhered to, and the application of the Green Lane system varies between Parishes. It may be that future legislation could control the use of Green Lanes by giving priority to pedestrians, rather than by application of a speed limit. Whatever future control was applied, the group considered that Green Lanes should be considered separately from this Speed limit review. The intention of the Green Lane system was that it would be the province of the Parishes, and it was therefore for the Comité des Connétables to initiate such a review.

Traffic calming

- 3.11 The group concluded that the provision of physical traffic calming needed to be considered where there was strong justification for low traffic speeds, such as high pedestrian activity or accident rate. Evidence showed that speed limits in themselves are ineffective in significantly reducing traffic speeds without strict enforcement, which will always be constrained by limitations in manpower.
- 3.12 Because traffic calming is known to be effective in reducing the speed of traffic, the group felt that significant benefits to road safety were more likely to be derived from its use than from speed limits, which are prone to abuse. Quality traffic calming schemes however can be costly and would take many years to implement in all the areas they could be justified. Quality schemes

convey to the driver that it would be wholly inappropriate and antisocial to drive at other than a low speed. A variety of measures such as speed humps, chicanes, central islands, road narrowing, gateways, mini roundabouts, or simply different surface treatments to remove the impression that the car has priority, could be used. Residential side roads could be calmed to guarantee very low traffic speeds and give pedestrians equal priority. Main routes can also be traffic calmed but the methods used needed to allow for the higher volumes of traffic, and the use of the route by emergency services, buses and general commerce.

Enforcement

3.13 The group felt that enforcement was a key issue. The States Police, mindful that the public rated speeding traffic their greatest concern in local neighbourhoods, have carried out several speed enforcement campaigns in recent times. Despite the public's concern, there was a reluctance to view speeding as a serious offence, and a feeling from some that the Police should concentrate on other issues. Educating the public to drive at more appropriate speeds cannot be achieved in the short term. However the Public's attitude to drink driving has changed in the past few decades, and it is hoped that it will become less acceptable in the public's mind to break a speed limit in the years to come. The group's brief was to review what speed limits are appropriate for the Island, not how to enforce those limits. Nevertheless the group viewed enforcement as crucial, and considered that the deterrence to speeding could be increased, particularly through increased likelihood of disqualification, which would have the benefit of removing gross speeders from the roads.

3.14 Speed cameras would enable enforcement in crucial areas to be improved but have significant cost and administration implications, which would need to be thoroughly investigated before a decision could be made on their appropriateness for Jersey. The issue of enforcement would be for the Home Affairs Committee to progress.

4. Proposed policy

4.1 After much debate the group concluded that there was insufficient justification for significant sweeping changes to Jersey speed limits and what would be perceived as onerously low limits in certain areas. It therefore concluded that a continuation of the current policy with a more stringent application of the criteria for roads to be subject to a 30 or 20 m.p.h. speed limit as set out below should be recommended.

4.2 Where very low speeds are considered necessary physical traffic calming should be used. Traffic calming for main routes could also be considered but would have to take account of the need for the Island's population to go about its business.

4.3 The criteria should be applied to the current requests, and changes to current limits made as appropriate. Where existing limits did not fit these criteria, these should be identified and reviewed with the appropriate Parish. Agreement to raise a speed limit would need approval of a Parish Assembly.

4.4 Once set, further alterations to speed limits, would not be considered unless accident rates identified a particular problem, or significant changes to the area justified a review of the speed limit.

4.5 The proposed criteria are as follows –

<u>40 m.p.h.</u>	All public roads not subject to lower limits or green lane legislation, to remain subject to a maximum speed limit of 40 m.p.h.. (Currently large vehicles, over 2.5t unladen are subject to a maximum 30 m.p.h.. (It is recommended that this should change to over 3.5t laden to fall into line with current driving license categories, and that a 30mph plate must be displayed).
<u>30 m.p.h.</u>	Roads through urban, built-up areas with development on both sides, partially built-up lengths lying between 30 m.p.h. limits and not long enough (under ½ mile) to stand on their own as 40 m.p.h. limits. Development in depth on one side of the road producing significant numbers of vulnerable road users (pedestrians and cyclists). Roads through built-up villages, with frequent junctions with inadequate visibility for higher speeds, and pedestrian crossings.
<u>20 m.p.h.</u>	Housing estates and discrete residential areas, not main routes, little or no through traffic. Bays, not main routes, with high tourist pedestrian activity (in some cases during the summer season only). Part-time electronically signed 20 m.p.h. speed limits at schools.
<u>15 m.p.h.</u>	15 m.p.h. to continue to apply to Green lanes, at least until a review of the green lane system has been completed. 15 m.p.h. would not be applied to any other roads.

5. Consultation

5.1 The Committee, aware that speed limits could be contentious, were anxious to assess whether its proposals were representative of what the public wanted. A balance needs to be struck between the Committee's obligation to continue to improve road safety, and the need to allow the public to go about its business without unreasonable restrictions. As well as consulting all the relevant official bodies, it also advertised its proposed policy in the local media to give the general public the opportunity to comment.

5.2 The consultation exercise identified a significant level of support for the proposals from official bodies. In particular it is supported by the Home Affairs Committee, States Police, Comité des Connétables and Road Safety Panel.

5.3 The Connétables agree that a review of Green Lanes is needed. As part of that review they intend to consider whether 20 m.p.h. would be a more appropriate speed limit than 15.

5.4 The Parish of St. Helier Roads Committee is the only consulted organisation that does not support the proposals. It recommends that a 20 m.p.h. speed limit be applied to all roads with high pedestrian activity. The Committee does not believe that this is practical, as it would need to apply it to the entire town area. This has been discussed above (section 3.4).

5.5 Despite the issue seeming to generate strong views and significant media interest, only 25 members of the public responded to the request for comments through media statements and a Jersey Evening Post notice. 14 were in favour, 3 against, and 8 neither for nor against. A small number of States members responded independently, the majority in favour.

5.6 Speed limits have not been applied consistently in the past. To achieve a more consistent approach it may not only be necessary to reduce the speed limit on particular roads, but to increase certain limits, although this would not be done without the approval of the relevant Connétable and Parish Assembly. It is proposed that the Road Traffic Law be amended so that the Committee is required to consult the relevant Connétable before making an Order prescribing speed limits. This would normally be done as a matter of course, but it is not at present a legal requirement. Although the Comité des Connétables supports the proposals it has stated that the 20 m.p.h. zones by St. Mary's school, in St. Peter's Village, and the 30 m.p.h. zone on La Grande Route de Faldouet should remain. The Committee will discuss with the Connétables of the relevant Parishes whether alterations to those speed limits combined with other measures, could be acceptable to the residents and users of those areas whilst being consistent with the proposed policy.

6. Conclusions

6.1 The Committee is confident that its proposed policy will be supported by the public, and is a sensible balance between the obligation to address the issues of road safety, and the need to allow the public to go about their business without unreasonable restrictions.

6.2 The States are asked to approve the policy as detailed above.



6.3 The proposals have no man power implications. Signage for new speed limits will be carried out by existing staff.



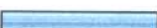




6.4 The majority of the proposals have modest financial implications and would be covered by the Public Services Department annual budget for maintenance of signs. The signage of part-time speed limits at schools however would involve installation of electronic equipment with power supplies. Although in some cases the existing school warning flashing lights would be adapted, it is estimated that to install electronically signed part-time speed limits at all 35 schools would cost approximately £100,000. It would therefore be necessary to assess those locations where the need is greatest and those locations where it would be unnecessary, and to install the speed limits over a period of up to five years to enable the cost to be met within the Public Services Department's existing budget.

APPENDIX B [TO THE APPENDIX]

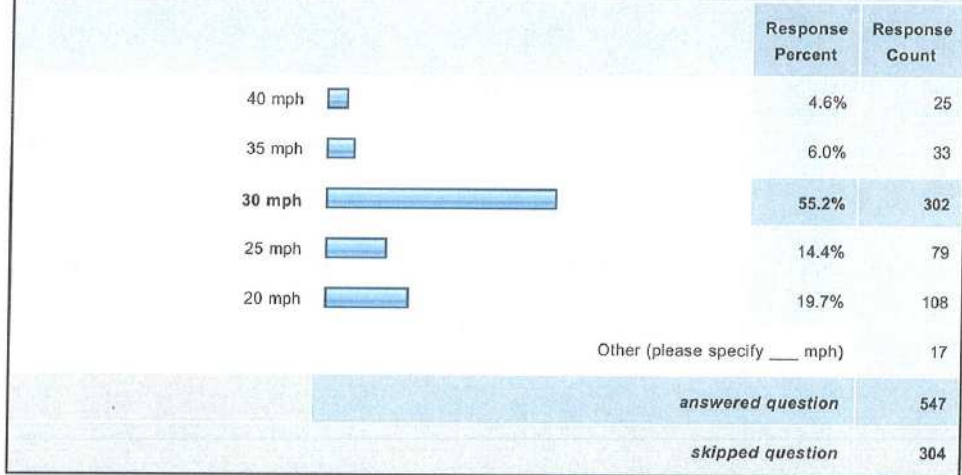
APPENDIX B OF APPENDIX 1

TTS speed limit review

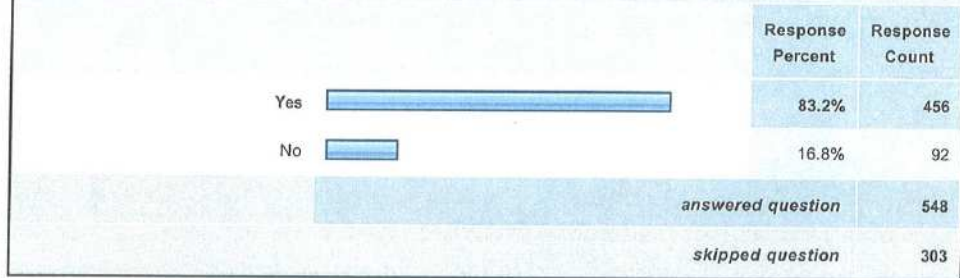
1. Should the current policy be changed?		
	Response Percent	Response Count
Yes 	66.3%	556
No 	33.7%	283
<i>answered question</i>		839
<i>skipped question</i>		12

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)



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



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 type="checkbox"/>	61.2%	319
Green lanes <input type="checkbox"/>	47.4%	247
Other (please specify) <input type="checkbox"/>		91
<i>answered question</i>		521
<i>skipped question</i>		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 <input type="checkbox"/>	40.6%	217
Extended, to include more lanes <input type="checkbox"/>	37.1%	198
Stopped, so there are no Green Lanes in Jersey <input type="checkbox"/>	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 <input type="checkbox"/>	7.7%	41
25 mph <input type="checkbox"/>	8.3%	44
20 mph <input checked="" type="checkbox"/>	51.4%	273
15 mph <input type="checkbox"/>	31.1%	165
10 mph <input type="checkbox"/>	1.5%	8
Other (please specify ___ mph)		27
answered question		531
skipped question		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
answered question			798
skipped question			53

9. Please use the space below if you have any further comments.

	Response Count
	634
answered question	634
skipped question	217