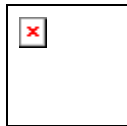


PROJET DE LOI (200-) (AMENDEMENT) SUR LA VOIRIE (P.90/2001): RAPPORT

**Présenté aux Etats le 30 octobre 2001
par le Comité des Services Publics**



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Report

Projet P.90/2001, lodged by Deputy G.C.L. Baudains of St. Clement, proposes an amendment to the relevant part of Article 41 of the Loi (1914) sur la Voirie such that it would read-

“In the last week of the month of June and of August of each year the Connétables shall, by means of a notice published in the Jersey Gazette, warn their parishioners who occupy houses and lands bordering on public roads to have the *branchage* growing on their property along the public roads cut immediately...”

Possible changes to the Loi (1914) sur la Voirie have been considered by the Public Services Committee on a number of occasions during recent years.

In late 2000, when Deputy Baudains was a member of the Public Services Committee, the Committee suggested that it might be beneficial for the Law to be modified so that the Branchage could be carried out at any time during June. This modification would enable the timing to reflect the conditions in any particular year so that the Branchage would provide maximum benefits to pedestrians and all other users of roads and footpaths. However, in a letter dated 22nd September 2000, the Comité des Connétables informed the Public Services Committee that it was not in favour of the proposal and did not wish to see “*any alteration to the existing dates for Visites du Branchage which are held in the first fifteen days of July and September each year.*” In addition, the Connétables currently have the power to request a Branchage whenever they consider it necessary.

The Public Services Committee is also aware, from the Planning and Environment Committee’s Comments on Deputy Baudains’ proposed amendment, that it does not support it because of the potential environmental impact and the “*increased costs to landowners.*”

Nevertheless, the Public Services Committee is of the view that a key objective of the Branchage should be to maintain the safety of road users by ensuring safe passage and good visibility through the timely and regular removal of overhanging growth across footpaths, roads and lanes whenever climatic conditions warrant such action. It believes, therefore, that it should be the duty of landowners and occupants of property bordering main roads, to regularly remove vegetation that impedes passage along a footway or impedes visibility. Clearly, the notification of the specific timing for the Visite du Branchage would need to give landowners sufficient warning to arrange for the work to be carried out.

The Committee will in due course be bringing forward its own specific proposals for amendments to the Law for the benefit of road users. The Committee wishes to ensure that appropriate consultation is carried out with all interested parties and, therefore, it is not in a position to put forward alternative detailed proposals at this time.

In view of this, the Public Services Committee does not support the proposed Amendment by Deputy Baudains.