



24 October 2018

Request

I write in relation to the Visite du Branchage on 6 September 2018.

I have noted that there seems to be at least 12 people involved in the execution of this visit. I am somewhat surprised at this as it would seem, at least on first inspection to be excessive both in numbers but also costs for what should be a very simple task. I am aware that vehicles suitable for transporting this number of people had to be reserved on the day of the visit, and I am assuming that other ancillary costs were also incurred.

Under the Freedom of Information please can you supply me with:-

The detailed accounts for the Parish of St Martin for the past 2 years Payment of fine (payee details obviously to be redacted) received for the last 2 years and details of how those payments have been re-invested into the Parish

Response

The Visite du Branchage is carried out in accordance with the requirements of the Loi (1914) sur la Voirie (see <https://www.jerseylaw.je/laws/revised/Pages/25.950.aspx> or, for the English translation, see <https://www.jerseylaw.je/laws/translated/Pages/25.950.aspx>).

All persons, including co-ownership associations (for flying freehold properties) and companies (for share transfer properties) who occupy houses, lands, and other properties, alongside the public roads have a duty to cut the branchage so that there is no impediment to those using the roads and footpaths. The Visite du Branchage is to ensure road safety for all users whether pedestrians or vehicular traffic.

Article 42(1) specifies that on the days fixed for the branchage visits, each Connétable shall visit the roads in his or her parish accompanied by the members of the Roads Committee and the Centeniers. It is the duty of a Vingtenier to enforce any financial penalty imposed for branchage infractions.

The Parish of St Martin Roads Committee consists of the Connétable, Rector and three elected members and the parish has four Centeniers. Two Roads Inspectors and one Vingtenier are elected for each of the five Vingtaines in St Martin.

The accounts below show the value of the penalties and the expenditure (but excludes staff administrative costs as these are not itemized separately for the Visites) -

<u>Date of Visite du Branchage</u>	<u>No. of penalties imposed</u>	<u>Value of penalties imposed</u>	<u>Expenditure – hire of mini-buses</u>	<u>Expenditure - refreshments</u>
July 2017	10	£425	£242.86	-
September 2017	13	£540	£242.86	-
July 2018	8	£305	£242.86	£60.83
September 2018	14	£530	£242.86	£42.90

All branchage financial penalties are included in the line "FINES - proportion retained by the Parish" shown on page 8 of the last published accounts for the year ended 30 April 2018. This amount also includes receipts from speeding fines, parking penalties and other road traffic fines. The published accounts for the parish show the total amount for penalties received as £7,253 for 2018 and £5,255 for 2017 which includes the branchage financial penalties.

Article 46 of the Law specifies that the financial penalties imposed shall be applied to the repair of by-roads of the parish. A financial penalty that is not paid is recoverable by the Connétable as a civil debt. The fines and penalties are reinvested by the parish into the upkeep of parish roads in accordance with the law.

Article 42 of the law also provides that if the branchage has not been cut, the Connétable may issue an order that it should be cut. Failure to comply with an order is an offence and liable to a fine of level 2 on the standard scale (currently £1,000). However, if the matter is dealt with by a Centenier (at a Parish Hall Enquiry) a fine of level 1 (£200) may be imposed and this fine is retained by the parish.

