



Jersey

# **HIGHWAY ENCROACHMENTS (JERSEY) REGULATIONS 1957**

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## **HIGHWAY ENCROACHMENTS (JERSEY) REGULATIONS 1957**

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Jersey

## HIGHWAY ENCROACHMENTS (JERSEY) REGULATIONS 1957

**THE STATES**, in pursuance of Article 3 of the [Highways \(Jersey\) Law 1956](#), have made the following Regulations –

Commencement [[see endnotes](#)]

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### **1 Encroachments over highways<sup>1</sup>**

The following projections from a building may extend beyond the boundary of the building with the highway –

- (a) surface water pipes and their appurtenances, copings, window heads and sills, string courses, facias, window dressings and other like architectural decorations, but so that no part thereof projects more than 4 inches from the boundary;
- (b) flagstaffs and flags but so that no part thereof is less than 9 feet above the level of a footpath or less than 18 feet above the level of a carriageway;
- (c) lamps, but only over a footpath and so that no part of the lamp is less than 9 feet above the level of the footpath;
- (d) awnings and blinds, but only over a footpath and so that no part thereof is less than 7 feet above the level of the footpath and less than one foot inside an imaginary vertical line drawn from the outer edge of the footpath;
- (e) signs, but so that no part of the sign is less than 7 feet above the level of a footpath or less than 18 feet above the level of a carriageway and, where less than 18 feet above the level of a footpath, so that no part of the sign is less than one foot inside an imaginary vertical line drawn from the outer edge of the footpath, and, in any case, so that no part of the sign projects more than 4 feet from the building.

### **2 Power to direct that Regulation 1 shall not apply in certain cases**

- (1) Where any projection from a building authorized, by virtue of Regulation 1, to extend beyond the boundary of the building with the highway is so

placed as to hinder the effective carrying out of any functions of a highway authority or of any other public or parochial authority, the highway authority may in any case and shall if so requested by that public or parochial authority, by notice served on the owner of the building, direct that that Regulation shall cease to apply in relation to that projection or shall apply subject to such modifications as may be thought fit.

- (2) A direction under paragraph (1) shall not take effect until the expiration of such period (not being less than 28 days from the service of the relevant notice) as may be specified in the notice.
- (3) The provisions of Article 5(2), (3) and (4) of the [Highways \(Jersey\) Law 1956](#), (in these Regulations referred to as “the Law”) shall apply for the purposes of this Regulation as if references therein to notices served under the proviso to Article 5(1) were references to a notice served under this Regulation.

### **3 Encroachments on highways<sup>2</sup>**

- (1) A highway authority may on any carriageway of a highway place raised paving or other material for the purpose of making the crossing of the carriageway less dangerous to pedestrians or for directing the course of vehicular traffic.
- (2) A highway authority shall not, under paragraph (1), place anything on the carriageway of –
  - (a) a by-road, unless it has first consulted the Minister; or
  - (b) a main road, unless it has first consulted the Connétable of the parish in which the thing will be located.
- (3) A highway authority shall ensure that anything it has placed on a carriageway under paragraph (1) is adequately illuminated from 30 minutes after sunset to 30 minutes before sunrise so as to give warning to pedestrian and vehicular traffic.
- (4) A highway authority shall not alter or remove anything it has so placed without first consulting the Minister (in the case of something placed on the carriageway of a by-road) or the Connétable of the parish in which the thing is located (in the case of something placed on the carriageway of a main road).
- (5) A highway authority may place pillars, rails, or other fences, whether permanent or temporary, on any footpath of a highway for the purpose of protecting pedestrians or for the purpose of making the crossing of a carriageway of a highway less dangerous.
- (6) A highway authority shall not, under paragraph (5), place anything on a footpath unless –
  - (a) in the case of a footpath of a by-road, it has first consulted the Minister; or
  - (b) in the case of a footpath of a main road, it has first consulted the Connétable of the parish in which the thing will be located.

**4 Citation**

These Regulations may be cited as the Highway Encroachments (Jersey) Regulations 1957.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Highway Encroachments (Jersey) Regulations 1957	R&O.3791	30 March 1957
Highway Encroachments (Amendment) (Jersey) Regulations 1958	R&O.3874	5 February 1958
Highway Encroachments (Amendment No. 2) (Jersey) Regulations 2007	<a href="#">R&amp;O.6/2007</a>	23 January 2007

### Table of Endnote References

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- <sup>1</sup> Regulation 1                      amended by R&O.3874  
<sup>2</sup> Regulation 3                      substituted by R&O.6/2007