

Parish of St Helier News Release



For release on Wednesday 18th July 2018

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Tunnell Street – States of Jersey Police release of the Luck report

The Parish of St Helier has been informed that a report by A Luck Associates (the **Luck Report**) in relation to the layout of the Millennium Town Park and prepared for criminal proceedings against ██████████ is to be released into the public domain by the States of Jersey Police (**SOJP**) in response to a freedom of information request.

The Parish is concerned that the Luck Report could easily be misconstrued due to misconceptions on the part of its author. The Luck Report is based on and purports to assess the approach to the design and implementation of the Millennium Town Park road layout entirely by reference to UK standards rather than what was actually done applying Jersey standards. The author of the Luck Report appears to have ignored Jersey statutory requirements or the standards that were actually applied by TTS (who commissioned the design of the road layout as part of the design for the Millennium Town Park) or the Parish in 2015 and has failed to recognise or make allowance for these differences.

During and after the period in which the Millennium Town Park, including La Raccourche, were developed formal Road Safety Audits (as undertaken in the UK) were not required in Jersey and therefore were not carried out as standard practice. At the time when the scheme was first implemented, both the Parish of St Helier and the States of Jersey did not have a formal road safety audit policy and safety audits were not commonly carried out on all works. The Parish has since voluntarily adopted full Road Safety Audits in January 2018 and thereby meets UK best practice.

The author of the Luck Report also failed to deal properly with the information she had been provided with from the Parish in relation to the informal safety audits that were actually undertaken by the Parish in 2015, as she criticised these by reference to the standards required in the UK without making allowance for the substantial differences in the practice in Jersey, or for the detailed local knowledge of the individual carrying out the assessment.

There are also matters covered in the report that the Parish did not realise would be included, and further relevant documents might have been made available to the author for them to consider had the Parish been aware that these matters were being considered.

One example is the discussion in the Luck Report around the removal of the bollards in Tunnell Street from the design drawings prepared for TTS (now the Department for Infrastructure) in 2011, even though the author made no enquiries nor sought (from the Parish at least) any documents to suggest the reason for this design change. The Parish, and presumably TTS, would have made further documents available to the author had it been given the opportunity to do so, which would very likely have affected her opinion.

The Luck Report was not commissioned by or for the Parish, and it was not provided to the Parish until after the conclusion of the criminal proceedings and only when the coroner's inquest was fixed. Shortly after the tragic accident involving Clinton Pringle, the Parish agreed to make relevant documents available to the SOJP to assist the investigation into the accident.

The Parish only obtained the Luck Report in September 2017 in preparation for the inquest, and immediately noticed a number of issues with it. The Parish felt that there were areas that should have been clarified with the author prior to the report being finalised. As the Luck Report had already been used in criminal proceedings there was no opportunity to raise these with the author.

The Parish is concerned that a number of inaccuracies in the Luck Report, and the Parish was given no opportunity through consultation with the author of the Luck Report to clarify the areas of concern. The Parish would have expected to be consulted given the previous cooperation with the investigation and the agreement that the report was due to be shared with the Parish.

Independent to this, the Parish agreed, following a request from parishioners, to obtain its own report so that it could start to plan for any recommended alterations to the Millennium Town Park area. Notwithstanding the concerns about the Luck Report, the Parish provided the recommendations from the Luck Report to its own road safety experts for comment. Not all of the recommendations in the Luck Report were found to be applicable or valid. The area around Millennium Town Park has now been reviewed and changed taking into account observations and recommendations of the Parish's own experts.

The primary issue identified by the Luck Report was that a pedestrian travelling along La Raccourche, unfamiliar with the road layout, would not have necessarily known there was a risk of cars coming from the right. This potential risk has now been reduced by the Parish as part of the layout changes that have been implemented.

However, reviewing the Luck Report without sight of the Collision Investigation Report prepared by SOJP will create a misleading impression. The evidence in the SOJP Report, which was given to the Royal Court and the Inquest was that the issue of a pedestrian exiting La Raccourche and not seeing a vehicle approaching down Tunnell Street was not a factor in the accident involving Clinton Pringle. It should be remembered in any discussion of this tragedy that the driver of the vehicle was convicted of causing death by careless driving.

The Parish is concerned press and public debate will be rekindled based on the Luck Report which in isolation will present a misleading and confusing impression to those without all of the relevant facts. The tragic event in June 2016 will not be forgotten and the Parish will continue to do whatever it can to make the roads for which it is responsible in St Helier as safe as they can be.

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