

PRESENTMENT – VERDERERS COURT HEARING OF 17 June 2020
Section 17 OF THE NEW FOREST ACT 1949 – IPLEY CROSSROADS

1. Introduction

This Presentment to the Verderers' Court is made on behalf of the local Highway Authority, a department at Hampshire County Council, which has statutory responsibility for highways within the County of Hampshire other than motorways and trunk roads.

Application is made under section 17 of the New Forest Act 1949 for agreement of the Verderers to an additional area of land at Ipley Crossroads within the New Forest being used as highway. The location of Ipley Crossroads is shown on the Location Plan attached (titled Ipley Crossroads and Wilverley Plain Location Plan).

A high number of serious collisions at Ipley Crossroads and unsuccessful attempts to improve road safety at the junction have resulted in the need to change the layout.

This Presentment provides (at part 2, below) background information showing why a change in the layout of Ipley Crossroads is required. The proposed change to a staggered junction (part 3) would result in a small increase in surface area of highway at Ipley Crossroads, which would be set-off against extra land that the Highway Authority is offering by way of compensation (part 4). The Presentment includes reference to the proposed timing of the works and traffic management measures (part 5). Mention is also made of ways in which the proposed scheme may be challenged (part 6).

2. Background

Two minor roads, the C63 Beaulieu Road (running North/South in the new Forest) and the C97 (running East/West) meet at the Ipley Crossroads. The junction has been the site of multiple collisions, particularly between cars and cyclists, resulting in fatalities and life-changing injuries.

The severity of the Personal Injury Accidents ('PIAs') at the junction is increasing:

- there were four serious collisions in the twenty year period 1991 – 2010
- there were two fatalities and eleven serious injury accidents in a period of less than ten years from January 2011 to August 2019
- the projected number of PIA's for the ten year period to end of 2020 is potentially over three times the serious or fatal PIA's during the period 1991 to 2000.

It can be hard to spot cyclists close to the junction due to the open layout of the junction, which allows decisions about traversing to be made early, and due to the

lack of visibility of smaller road users whose presence can be obscured by a vehicle's windscreen pillar. Drivers (especially local drivers using the C97 road frequently) have been shown to have a tendency to cross the Beaulieu Road, ignoring the newly installed STOP signs and without slowing down.

Numerous changes aimed at improving safety at the crossroads have not seen a decrease in collisions. These improvements, started in 1993, followed by schemes in 2008, 2012, 2017 and ongoing improvements made in 2018 and 2019, include use of more road signs, rumble strips, and 'Stop' signs.

Alternative measures to the proposed scheme have been considered but found unsuitable:

- visibility screens (gorse, trees, recycled plastic or wooden screening) would involve removal of heathland, attract livestock closer to the carriageway, and as, in the absence of street lighting, any screening is less visible in low light and at night, drivers of approaching vehicles could mistakenly believe the way is clear
- roundabouts (full and mini) and traffic signals (traffic lights) would require larger amounts of land, street lighting, excavation and cables
- chicanes and traffic islands have not been proven to be successful at reducing collisions in similar circumstances
- road humps would require streetlighting, excavation of the heathland and a large amount of urbanisation
- a double stagger of the crossroads, which would involve changes to two arms of the crossroads and require a much larger area of land, would also impact on the particularly ecologically sensitive north-eastern quadrant of the crossroads where there are seasonal ponds.

3. Proposed changes to Ipley Crossroads

The Highway Authority proposes to change the layout to make a staggered junction, by altering only one arm of the crossroads as shown on the attached drawing labelled 'Ipley Cross Beaulieu Safety Improvements – Land Transfer Plan' :

- a new section of carriageway on the approach of the C97 from the West, of 102 metres in length (measured at the centreline), would join the Beaulieu Road at an angle of ninety degrees 50 metres south of the current crossroads
- the existing carriageway no longer needed would be removed and that land allowed to return to forest.

The proposed new layout, involving a T-junction for traffic travelling East or West on the C97, would mean that instead of traffic being able to drive straight across the

junction, vehicles travelling in either direction would be forced to slow down in order to join Beaulieu Road.

An advantage of vehicles travelling along the C97 having to join the C63 through road and then turn right to continue along the C97 would be the tendency to slow traffic down on the C63, which would be a benefit to livestock in the area.

The proposed scheme minimises impact on the forest and would cause least disruption to traffic.

4. Additional highway and compensation

In order to create the new junction layout at Ipley Crossroads:

- an area of Forestry England land of 663 square metres would be needed for the new carriageway; and
- the area of land no longer needed as highway, comprising 591 square metres, would be returned to forest.

This would result in a net decrease of 72 square metres of forest at Ipley Crossroads.

By way of compensation to Forestry England and mitigation for Natural England, the County Council proposes to return to forest an additional area of carriageway elsewhere in the New Forest. This is likely to be at Wilverley Cross (the location of Wilverley Cross is indicated on the attached Location Plan) through removal of one side of the triangular junction as shown on the attached drawing titled Mitigation Land Transfer Plan . This would result in a reduction of 853 square metres of carriageway, with an additional benefit of re-joining the central area of the triangle to the forest.

The combination of 663 square metres of new carriageway and a total of 1,434 square metres of land being made over to forest would represent a net gain to the forest of 771 square metres. This net gain would be used as a land bank to set off against increases in highway land if additional land is needed in future for highway improvements in the New Forest.

5. Management of the works

Various options regarding traffic management, timing and sequence of works are being investigated. My client is liaising with all parties in order to minimise impact during the works period on road users, on businesses, and on this sensitive area of Hampshire – this includes the Verderers, Forestry Commission, Natural England, New Forest District Council and the New Forest National Park Authority.

Some temporary road closures are unavoidable but these would be kept to a minimum:

- the C97 west arm would be closed for the duration of the works, which will depend on the construction conditions set in the planning application and is likely to be a period of two to three weeks
- traffic signals would only be used on the C63 Beaulieu Road when necessary
- the C63 Beaulieu Road and the C97 eastern arm would be closed for one or two nights at the end of the works for resurfacing.

Proposed timetable for the works:

- planning application mid-July
- works put out to tender late July
- planning permission anticipated 1 September
- works carried out in October (at Wilverley Cross first, followed by Ipley Crossroads).

6. Objections

There will be three parallel procedures relating to this scheme. Anyone wishing to object should raise objections with the relevant authorities.

Verderers Court : Anyone who believes that the Verderers should not agree to the area of land at Ipley Crossroads being used as new highway may raise their concerns with the Verderers before the date of the next hearing of the Verderers Court (15 July 2020).

Highways : The adjustment to the highway boundary at Ipley Crossroads would be dealt with under either section 256 or section 116 of the Highways Act 1980 (the decision will be taken at a later date as to which procedure is used).

- Under the section 256 procedure, anyone who objects to the proposed scheme would be able to appeal directly to Southampton and New Forest Magistrates Court in accordance with 256(3) of the Highways Act 1980, within two months of first publication of a notice of the proposed scheme (the s256 notice would be published in the Hampshire Independent newspaper). If no appeal is brought within two months, the proposed scheme may be implemented without Court approval. If an appeal is dismissed by the Court, the proposed scheme may be implemented.
- Under the s116 procedure, approval of the Magistrates Court would be required to 'stop up' the public right of way over the highway at Ipley Crossroads. Before the section 116 application can be made to the Magistrates' Court a notice would be published in a local newspaper and the London Gazette. Anyone who uses the highway at Ipley Crossroads and any other person who would be aggrieved may attend the hearing of the

application at Southampton and New Forest Magistrates' Court and make representations.

Planning application : The proposed scheme will be the subject of a planning application to the New Forest National Park Authority, to whom comments may be sent.

7. Conclusion

The Highway Authority considers that the proposed scheme would result in the maximum increase in road safety and cause the least detriment to the forest.

The Verderers are asked:

- to agree to the use of land at Ipley Crossroads as new highway; and
- to announce their decision as early as possible and at the latest at the open hearing of the Verderers Court on 16 September 2020.

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For Head of Law and Governance and Monitoring Officer

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Hampshire County Council

16 June 2020

Further information about the scheme

- **Press enquiries:** corporate.communications@hants.gov.uk
- **Other enquiries :** engineering.safety@hants.gov.uk