

Butts Green Working Party Report (1)

1. Introduction

Butts Green Working Party was set up in response to safety and quality concerns raised by residents and school children. Terms of reference for this work were agreed and published. The overall aim of this work is to review Butts Green and the current designated parking area and to make recommendations to Lockerley Parish Council on how to improve the safety and quality of our facility, in line with our Village Greens Policy.

The working party meets in public and is open to anyone to attend.

2. Engagement Activity

Dates for eight working party meetings (Sept – Dec 2024) were published on our website, displayed on our notice board, advertised via the Thorngate newsletter. Each household living in properties surrounding the Green received hand delivered letters inviting residents to the meetings or to e mail us with comments or alternatively we offered a telephone conversation if this was more convenient. Similarly, invitations to both garages and Lockerley Primary School were hand delivered. E mail invitations to the Memorial Hall Trustees, Rev. James Pitkin and Test Valley Borough Council were sent and contact with Hampshire County Council and their Hampshire Highways team have been established.

To date we have met four times as a working party and have had 20 different attendees including residents, some living on Butts Green, the Junior Road Safety Officers from Lockerley Primary School and Cllr Alison Johnstone from Test Valley Borough Council.

Additionally, we have held separate face to face meetings with the owner of Lockerley Motors, The Head Teacher and the Administration / Finance Officer of Lockerley Primary School and with Trustees from the Memorial Hall.

Our efforts to establish contact with Open Reach regarding the BT exchange building adjacent to Butts Green has been unsuccessful to date but we have reached out to our MP, Caroline Noakes, for assistance and she will be doing a site visit later this month.

In addition, frequent surveys have been conducted firstly of the vehicles using the Green for parking, and secondly collecting real time data of the traffic flows during the school drop off and pick up times. A summary of these surveys can be found in appendix One. This data has assisted us greatly in understanding the current patterns of behaviour of drivers and pedestrians using our car parking area and the surrounding spaces, and is helping us formulate ideas to tackle safety concerns.

3. Taking stock of past actions

Residents who have lived in Lockerley and on Butts Green tell us that there has been a long-standing recurring problem relating to traffic management, parking, inconsiderate driving, encampments, and damage being caused to Butts Green because of this.

Various attempts have been made to resolve these issues, but unfortunately today residents and the Junior Safety Officers from the school still report feeling unsafe and are very concerned about the possibility of serious harm occurring due to a traffic incident.

The working party has looked back to the 2019 planning application approved by Test Valley Borough Council to understand what work had previously been commissioned. To date all that is clear is that the works proposed in that planning application were never fully completed. The old Golpha matting was never removed (apart from one section where parking was no longer allowed) and the proposed new wider Golpha matting was not installed. The dragon's teeth appear to have been installed too far onto the Green encouraging drivers to park off the golpha matting onto the Green itself and allowing larger vehicles to be parked there also. This is causing notable damage to the Green. More positively residents report that the dragon's teeth have been impactful by prevented inconsiderate driving across the Green and no further encampments have occurred.

The other significant and frequently reported historical problem has been the behaviour of the owner of Lockerley Motors who has used our parking spaces on Butts Green as an overspill car parking facility. Our recent surveys of our car park have backed this up with more than 53 vehicles associated with the garage being parked on our Green during the 8 time periods we surveyed, averaging 6 cars each time.

Of more concern to residents is the number of vehicles that are parked outside the garage on the corner of Romsey Road and Butts Green / Lockerley Road, making turning right onto Romsey Road hazardous. Residents report children and older adults having to walk into road and negotiate the oncoming traffic to get around that corner, as the pavement is either covered in vehicles or does not exist.

In conclusion the problems on and around Butts Green are long standing. If we just look to solutions to reinstate parking on Butts Green without trying to understand the ingrained and complex cultural / behavioural problems that exist, that are interconnected and that continue to reoccur, then we are most likely going to see a recurrence of these problems in the future. Many of these issues are outside the direct control of Lockerley Parish Council so we need to establish and develop collaborative relationships with and between other parties in hope we can find

sustainable solutions together to improve the quality and safety issues impacting on Butts Green.

4. Guiding principles regarding parking and village Greens

Lockerley Parish Council has a statutory duty to protect Butts Green and this is enshrined in many Acts on the law of Common Land and Village Greens hence the reason in resolving a Village Greens Policy.

Driving or indeed parking vehicles on a Green is normally in breach of S12 of the Inclosure Act 1857 and/or S29 of the Commons Act 1876 or indeed both. It is also an offence under S34 of the Road Traffic Act 1988 to drive anywhere off the road (except within 15 yards of a road solely in order to park without 'lawful authority'). Lawful authority means the express consent of the owner of the land, or under a proven legal right or with statutory authority. It is also possible that driving and parking on a village Green is an offence under S1 of the Criminal Damage Act 1971. Criminal damage is destroying or damaging property recklessly or without any lawful reason.

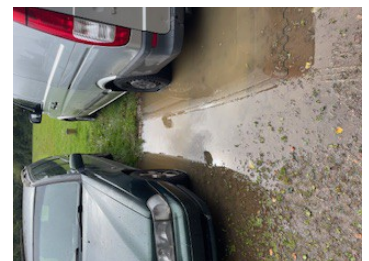
Temporary use of a limited area of a Green for informal car parking in connection with recreational activities only, should be allowed. Recreational activities means walkers, the attendance of functions at the school or hall as classic examples. It does not mean casual parking for whatever reason that may be. It should be lawful to grant vehicular access over and allow the erection of certain public facilities on a Green but this requires the prior consent of the Secretary of State.

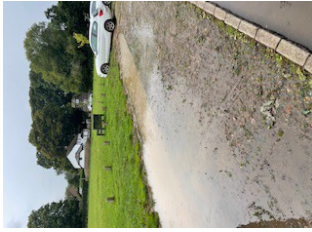
It must be remembered that Lockerley Parish Council cannot provide any general parking on the Green itself because in so doing, this would involve a clear breach of the 1857 and 1876 Acts that I referred to earlier. If we were to put up a 'No Parking' notice on the edge of the road, a person ignoring this notice would be deemed to be trespassing by parking on the Green and legal action could be taken.

Road management and safety is a Hampshire Highways matter not Lockerley Parish Council

5. Safety issues

Due to the already damaged Green and the heavy rain, the car parking area became flooded and hazardous so in September 2024 Lockerley Parish Council discharged our responsibilities in protecting the Green and cordoned off the damaged areas. This was an interim measure which reduced the available car parking spaces to approximately ten.





This was a difficult decision, particularly in relation to the potential for “dispersal syndrome” and its impact on the highway around Butts Green, but as the photographs demonstrate, regardless of the hazardous conditions people continued to park, therefore restrictions were necessary to prevent further erosion of the

Green and reduce risks to residents.

A Risk Assessment of Butts Green has been conducted and is attached as Appendix Two. This has reinforced the need to cordon off areas of the parking and has informed some of the recommendations made below.

Furthermore, we have been photographing and reporting, via Hampshire County Council Highways “report a concern” web pages, parking within ten metres of a corner contraventions. 29 reports have been made so far.

A list of the other top safety concerns and other issues identified and / or raised with the working party are:

Safety

- The use of Butts Green car parking area as an overspill car park by Lockerley Motors
- Shortage of safe parking or stopping places, especially at peak times such as school drop off and pick up and Memorial Hall activities.
- Poor line of sight for drivers due to the garage parking vehicles on the corner of Romsey Road and Butts Green
- The displacement of pedestrians onto the road and blind corner due to the garage parking on the corner of Romsey Road and Butts Green
- Flooding on the Green
- Damage and erosion to the Green
- Large commercial vehicles using the Butts Green car parking area
- Speed of traffic travelling along Romsey Road
- Speed of traffic travelling along Butts Green / Lockerley Road

Other issues

- There is an over reliance on Butts Green car parking area by all that use the garages, the school and the Memorial Hall
- The guiding principles above and the role of Lockerley Parish Council to preserve and protect the Green is not well understood
- The speed limits around Butts Green and generally across the village are not helping to reduce the safety concerns of our residents and school children

- Lockerley Garages are working with us on a plan to remove their vehicles from regularly parking on the Green, but the adjustments to business practices will be difficult to deliver and sustain
- Hampshire Highways target their limited resources towards traffic and parking measures where highway safety is severely compromised and prioritise locations with treatable recurring patterns of report injury accidents. So, whilst they have invited us to compose a list of our highways concerns it may be difficult for them to respond to any structural change requests we may have, e.g. – add a pavement to join up Butts Green and Romsey Road.
- Any proposed solutions to improve the quality and safety of Butts Green need to be affordable
- The current safety fencing is seen as off-putting for attracting new pupils to the school

6. Next phase and recommendations

6.1. Interim Safety measures at Butts Green

Our risk assessment has demonstrated that the section of parking outside the school is subject to significant flooding and ice in the winter. The Green is badly damaged in that area. We would therefore recommend that we manage this risk by discontinuing use of this area for car parking and request approval to:

Recommendation A:

- Decommission this area as car parking space
- Take down interim emergency safety fencing and replace protection by moving Dragons Teeth forward to prevent vehicles entering that area.
- Reinstate the Green by levelling with soil and reseeding or turfing the area
- Authorise the working party up to £1500 to complete this work

6.2. Optimising alternative parking/drop off spaces

Having temporarily reduced the parking spaces on Butts Green we have displaced vehicles onto the highway, most noticeably at peak times for the school.

We will continue to explore with partners options to utilise the spaces around Butts Green more efficiently. For example, discontinuing the use of Butts Green by Lockerley Motors as an overspill, one-way systems for school traffic, supporting the opening of all available space in the Memorial Hall, testing Open Reaches appetite to share their spaces etc. There is however a space owned by Hampshire County Council, outside of the Memorial Hall, which is a valuable parking and drop off area. This is in poor repair. We recommend that, with Hampshire County Councils permission, we carry out some basic resurfacing work to create 5 or 6 car parking spaces 45 degrees to the highway and /or a drop off zone as an alternative to using Butts Green:

Recommendation B:

- Carry out basic resurfacing work such as crushed stones and add kerb stones to the area in-front of the Memorial Hall
- Authorise the working party up to £2,000 for this work if no other source of funding is easily attainable

6.3. Options Appraisal for Butts Green

The working party have started to formulate a long list of options to improve the quality and safety of Butts Green car parking area. This includes considering a do-nothing option, which is not supported due to the level of assessed risk and a no parking option which is yet to be tested. In this next phase we would like to work towards and short list preferred options to recommend to our next Lockerley Parish Council in January 2025 (or sooner at an extraordinary meeting to fulfil any grant application deadlines). To do this we need authority to:

Recommendation C:

- Progress an options appraisal at our open meetings
- Request quotes for these options so we can test affordability

6.4. Working with Hampshire Highways Travel Management Team

We will continue to discuss our concerns with the Traffic West Team. The level of concern however regarding speeding traffic around the Village, and especially on the Romsey Road/Butts Green corner where visibility is poor, would lead us to recommend following the Travel Management Teams advice to apply for 20mph zone to be introduced around Butts Green.

Logically, if the application process allows, we should also include other are higher risk areas such as East Dean Road outside the Play Area and consider applying for 20mph around Lockerley Green and Oval Green, and with partners for Top Green. Wider recommendations regarding safety and speed limits across the village are also emerging which we will formulate in January 2025.

Recommendation D:

- Complete self-assessment Form
- If eligible apply for 20 MPH limits to be introduce around Butts Green and East Dean Road outside the Play Area
- Add Lockerley Green and Oval Green as 20 MPH zones
- Approve the £175 charge to cover the technical assessment required as part of this application

Furthermore, we have heard support for our already approved Speed Indicator Devices programme, and there are residents' interested to be involved in any implementation of a speed safety project. We would therefore recommend:

Recommendation E:

- The Parish Council make progress with the Speed Indicator Devices programme and use the working party as a platform to engage residents.

6.5. Further Legal Advice regarding Butts Green

The working party are trying to navigate what is possible regarding a car parking facility on Butts Green, within the confines of the law, and how we enforce any breaches of parking spaces, should we support an option to make car park space available. We therefore recommend it would be beneficial if Lockerley Parish Council set aside some funds, should the working party or the parish council need to access legal advice, to ensure all recommendations are compliant with legislative requirements.

Recommendation F:

- The working group, along with the clerk, are given a budget of £500, from the Lockerley Greens Preservation monies, to seek, if necessary initial professional legal advice

6.6. Village Greens Policy - amendments

Whilst a positive relationship is developing with the owner of Lockerley Motors, and they are fully cooperating with a time limited plan to remove all vehicles being parked on Butts Green, this experience has been insightful.

This has led the working group to examine what action could we take to firstly make clearer to the public the guiding principles, set out above in section 4, that Butts Green cannot be lawfully used for general parking and secondly, how can we enforce breaches when they occur.

We therefore recommend the following additions to the Village Greens Policy:

Recommendation G:

- We strengthen our Policy by adding a section on car parking, explaining the lawful use of our facilities and limiting the size of vehicles that can park at Butts Green
- We develop an escalation procedure as an appendix to our Policy setting out steps and reasonable timescales for enforcement actions to be taken
- We seek approval of these amendments at Lockerley Parish Council in January 2025

Additionally, to discharge our responsibilities in relation to the policy our annual survey of all the Greens would be timely and help inform our Butts Green improvement work.

Recommendation H:

- Annual Greens Survey is undertaken before the end of December 2024 by parish council members

Butts Green Working Party
October 23 2024

Appendix One

Summary of Surveys

Appendix Two

Risk Assessment (separate document)

Appendix One: Summary of Surveys

Survey 1 (15th October) and Survey 2 (17th October) - Parking in / around the Village Hall and School 0800 - 0900.

1. When LPC parking is available (not used by the garage), there is a noticeable increase of parents using the car park for dropping-off children in the morning.
2. Informal arrangement regarding village hall car park 'drop-off' for school - works really well (cars cleared by 0900)
3. LPC car park used by school staff when necessary (eg courses, etc)
4. LPC car park is used by village hall users, during busy period eg 0830 - 0845
5. Potential increase in car usage, during wet weather .. Therefore further need to curtail use of LPC car park by Lockerley Motors

LPC Butt Green Car Park and congestion issues at Butts Green junction

This was one of the primary concerns voiced by parishioners and school children, during the initial stages of the BGWP meetings.

A survey of cars around the two key points (LPC Car Park and the junction near to Lockerley Motors Garage) was undertaken from 19th June - 2nd October 2024.

The following summary is based on analysis of photographs taken between 19th June and 2nd October 2024. There will be a range of time periods for each sample analysis.

1. Parking within 10m of a junction: 15 vehicles have been reported to Hampshire Highways, via online portal (up to 2nd October). As of 21st October, 29 cars have been reported to HCC. This will continue!
2. The average numbers of cars parked on the road that are linked with the garage (adjacent to the garage/s) = 3 - 4 vehicles
3. The average numbers of cars parked on the pavement that are linked with the garage (adjacent to the garage/s) = 4 - 5 vehicles.
(The owner of Lockerley Motors has regularly used the road and pavement to extend his business space)
4. LPC Car Park. Over 8 different time periods, 53 vehicles have been identified as potential links with the garage. This equates to an average of 6 vehicles per time period. Through LPC intervention, the garage owner has curtailed parking his heavy recovery vehicles, but still uses it as an overflow car park for his business.