

## **Questions, Answers and Actions -Adur County Local Forum – 9 June 2022**

### **In Attendance:**

Councillors Angus Dunn, Emma Evans and Andy McGregor (arrived late 8.47pm).

Apologies: Councillors Carson Albury and Kevin Boram

Questions 1 -10 are all in relation to Swiss Garden Primary School and the Meads site and a combined response and summary of the discussions is included after question 10.

### **Question 1 from Robyne Payne (not in attendance):**

As a cancer specialist nurse I understand the challenges in communication within the public sector but from the last meeting there appears to be a lack of interest in communicating with the local council over the issue of developing the meads site for the benefit of our children and local community. There appears to be a tendency to blame one another for the failures in communication. While I am sure there is merit and fault on both sides this is not helpful for anyone, in fact if I behaved this way within the NHS nothing would ever be achieved. What does Adur county council, as the lease of the meads, plan to do to move this forward? The school have access to a vast amount of money in order to improve the space and have been told that the district council need to submit a formal proposal to the local council in order to move this forward. I want to see a formal action plan detailing how and when this proposal will be made, with expected outcomes and dates for these outcomes so that we can make progress on this issue.

### **Question 2 from Andrew Grave:**

I would like to find out what has been done since the last council meeting in regard to progressing the works on the meads to provide a sustainable solution for the needs of the children of Swiss Gardens primary school. Off the back of my question during that meeting, Angus Dunn assured me he would be speaking to Graham Olway and Nigel Jupp to move a solution forward. I would like a thorough update, if possible, on what has been done and what the next steps are in ensuring this issue does not continue on for another 6 years.

### **Question 3 from Rhiannon Fisher:**

As a parent of a year 1 child at Swiss Gardens I am shocked and bewildered by the council's lack of action to upgrade the Meads and provide a good quality all year-round sports and play facility for children who attend the school. Having read the feasibility study that was carried out by Adur council and seen the recommendations for an all-weather pitch which will help to provide good quality and most importantly - fully accessible sports and recreation facilities for the children - I do not understand why action has not been taken to do these necessary and important works. Many parents here are overstretched with work and family commitments. We shouldn't have to be spend our time and energy on raising this issue.

Please provide an update on the progress since the last council meeting when the issue was raised and discussed by a number of parents and the Head.

**Question 4 from Helena Stimpson:**

Please can we have an update on the Meads improvement plan for a usable outdoor space for Swiss Gardens school (any surface, grass or 3g), and an explanation as to why this is being delayed year after year? We need action now! Thank you.

**Question 5 from Robert Neal:**

Since 7th April, has anyone at ADC managed to talk directly with Graham Olway at WSCC regarding The Meads? Specifically, have WSCC instructed ADC that they want to change the surface at the site of The Meads in Shoreham? If not, have WSCC put on record their reasons for not doing this? (and therefore, NOT supporting the all-weather pitch).

**Question 6 from Chris Gallani:**

I'd like to know what the delay has been with making the formal request to Adur District Council that would start the process of changing the terms of the lease? I'd hope that it's obvious how much the parents and staff of Swiss Gardens school and also much of the local community would like this issue sorted, so I wonder if you could detail right here right now, what could delay or prevent us getting an all-weather pitch installed on The Meads site, for which we already have funds allocated, and what any objections from West Sussex County Council might be, so that we can help move this process through quickly and easily.

**Question 7 from Jacqueline King:**

I would like to address a question that follows from the latest council meeting where the Meads was discussed at length. That meeting format did allow questions from the floor, but I was left in need of some clarity on an issue following Councillor Dunn's response that evening - I am hoping to be able to have my question answered on 9th June to enable me to take the correct actions going forward. The clarity required is around the lease arrangement between WSCC and Adur. Life so far has led me to understand that a landlord may do as he wishes with his property as long as giving the lessee appropriate notice. However, I was led to understand from Cllr Dunn that WSCC must instigate any change to the land use as the lessee. Is this really correct? If it is, why did Adur undertake work to decide on the best use of the land? I really need this clarity as we must move past the current impasse. I would also like an update following that council meeting as to who is 'running point' on this issue / project?

**Question 8 from Jason Hurwitz:**

I couldn't make the last meeting but watched the meeting video back and was shocked and disappointed to see lack of ownership and apparent shirking of responsibility. Unless reasonably addressed, these actions or lack of, will be remembered by the hundreds of voting parents at the next ballot box, all of which just want their children to have a remotely reasonable outside play and exercise space that can be used all year round, that isn't concrete. I am local resident to the meads, use it with my kids and dog very regularly outside of

school time, I also work on board of a conservation charity and now have my 3rd child in Swiss Gardens school. I feel the local objections to the plans are sadly nimbyism dressed up and energised by misguided environmental concerns. We are blessed with stunning national park as far as the eye can see in Shoreham, the small area is the Meads must be improved with that context, plus the full consideration of the basic needs, safety and rights of young children. My question to you is can you give the parents clarity today on what are the next steps and what is the expected timeline from now to reach a decision prior to action being taken to create a safe outside play area for the children of Swiss Gardens school on the fenced in area of the Meads?

**Question 9 from Marion McConnell (not in attendance):**

Our children don't have time for this to drag on. They're only at primary school for seven years! Given the health and well-being crisis and the scandalously low amount of outdoor space per child at Swiss Gardens compared to other schools in West Sussex do you agree that by dragging their heels the councils have let down every single one of the pupils at Swiss Gardens Primary School?

**Question 10 from Kirsten Wild**

Does WSCC agree that preserving open, accessible, biodiverse grassy parkland in Shoreham By Sea is more important in the climate emergency which the council has rightly declared than concrete car-parking space — and that if Swiss Gardens Primary School wants to achieve more square meterage of play space per child, transforming their big school carpark with a great rubberised surface, rethinking the play potential of Mary's Garden and the large area to the east of it and allowing teachers to park at Pond Road – which is just a pleasant 5 minute walk away - is the only way to achieve it? After all changing the surface of the fenced part of the Meads to something synthetic – anything synthetic - logically won't make the available play space any bigger by even one square centimeter. The school's ongoing campaign makes no sense! Changing the surface of the fenced area to anything synthetic will create a space that's possibly a bit more useable in winter but will be baked hot, totally unusable and unpleasant for little ones at the school throughout our increasingly hot summers. It's just one of the reasons that many parents at the school objected to the school's proposals although we know that there were many other reasons. If square meterage is the challenge, does the council agree that transforming the carpark is the only possible answer.

**Response for Questions 1-10:**

Cllr Angus Dunn referred to a joint letter from West Sussex County Council (WSCC) and Adur District Council (ADC) to Swiss Garden School Governors that had been issued on 6 June. In that letter it confirmed that ADC would not support an artificial pitch surface on The Meads but that both WSCC and ADC are committed in supporting the school and the community to address both issues raised: the surface of the leased area to try and enhance the useability and the area per pupil on the site by reviewing use of the available space to ensure best outcomes for the pupils.

It was also mentioned that since the letter discussions had begun about the possibility of a hybrid surface.

Cllr Dunn, Graham Olway (WSCC officer) and Martin Randall (ADC officer) committed to arrange a meeting with the school, before the end of term, to discuss all options. They were pleased that the school have agreed to work with the Councils to resolve both issues. Options would then be put forward to Members for decision.

**Question 11 from Pat Ditton:**

I have returned after 30 years of yacht crewing to dinghy sailing, and I am now a member of the Dinghy Cruising Association. I live in Shoreham, and I'm surprised to find that there is urgently no viable public slipway to launch from. I used to launch from the slipway by the lighthouse. I've come across the rights of way matter about Stowes Gap. I understand that Sussex Yacht Club bought the site knowing there are rights of way. This impasse seems to have led to the very worrying delay in completing the tide wall adjacent to them. I'm now gathering that the Council is preparing to provide indemnity in the case of an appeal against SYC blocking off the rights of way without providing an alternative slipway, so that the tidal wall can be completed. It has been usual practice over the years for a landowner to provide an agreed rerouting of a right of way. Please help me understand why not here, and please what viable alternative public slipway with nearby trailer and car parking is being actively considered now?

**Response to Question 11**

In terms of the question, the County Council cannot comment on any indemnities entered into as this is being led by Adur District Council. In terms of official re-routing of the Public Right of Way (PROW) however this does interest us and as part of the development proposals the applicant has made an application to divert the route, but I believe this has been objected to. Whilst the used route and the legal line of the Restricted Byway in question don't align, we would still require there to be some sort of public access at this point unless there was a formal stopping up of the PROW. Having said that this is not dependant on an alternative route being provided for people to launch and land boats as this is not a public right of way issue. We have previously explained that a boat is not a natural accompaniment on a public right of way so whilst it may provide access to the water this is not the function of the PROW and access to the water is a separate issue to the PROW diversion one. Until a decision is made by the District Council as to how this matter will proceed it is difficult for WSCC to add anything further and issues around alternative slipways and parking is not an issue for the PROW team.

**Question 12 from John Mence (not in attendance)**

Question for update and start on Flood defence and cycle/Pathway on Brighton Road by Sussex Yacht club. This is dangerous there are no pathway on one side and the other side is very narrow with people leaving bins also pathway is very uneven, making difficult with people having disabilities. Also main flood defence needed for town centre. Update would be appreciated.

### **Response to Question 12**

Cllr Dunn stated that this issue was one that Cllr Kevin Boram and Cllr Andy McGregor were much more familiar with and Cllr Dunn would speak to them after the meeting to ensure that this issue is addressed and that officers from WSCC and ADC come together to take forward solutions.

### **Question 13 from Brendan Whelan**

After seven years, surely it is time to reach a decision about Stows Gap, build the short stretch of Tidal Wall and, in line with the planning ruling, either improve the access to the river at that point or provide a new public slipway? Keeping the technicalities to a minimum:

1. Virtually every piece of historic information show Stows Gap as the current road entrance and that it led to a slipway. There is also eyewitness information to that effect. The only information to the contrary is the "Reference line" on the WSCC ROW map. As an Engineer, I know that humans make mistakes and as a result any significant drawing, chart, etc has corrections. An amendment to the Reference Line would seem appropriate.

2. Whenever I or others reported to ADC or WSCC that Stows Gap was blocked in was the route from the road entrance to the water that was, temporarily, cleared.

3. There are many photographs showing the clutter.

4. The 1999 WSCC Rights of Way Committee ruling clearly indicated that the access to the slipway must remain open and cannot be closed simply because it has become cluttered. See

<https://www.shorehamslipways.com/documents/ROW%20Minutes%2017%20May%201999.pdf> . The same decision would be reached if a farmer bought land containing a public ROW and wanted it removed for his or her convenience.

5. The planning committee ruling and the Joint Area Action Plan both make it clear that, during development work adjacent to the River Adur, either existing access to the water must be improved or a new launching place provided. The decision is therefore one or the other.

In summary, now is the time for a decision to enable the Tidal Walls to be completed and whether the access to the existing slipway is improved or a replacement provided. Neither failing to complete the Tidal Walls or not providing access to the river is in the public interest.

### **Response to Question 13**

1. Brendan raised this with Nick Scott (PROW Officer) a couple of times and he approached our legal services but they cannot find any evidence to suggest that this was a mapping error. We did explain to Brendan that if he could find any evidence to the contrary then legal services would consider it and make a decision but to date no additional evidence to support the claim it as human error has ever been provided.

2. This may have been the case as the legal line of Restricted Byway 3157 has not been available for many years. As there was a route through (albeit not the legal line) this was not considered a priority to resolve, as is our policy, however this does not mean the Definitive Map (the legal record of PROW) was incorrect.

3. Noted.

4. No one is denying there should be a PROW here although the legal line is not available. The applicant for the planning application has submitted a s.257 application to divert the PROW and we are consultees and this is a standard process for diversions linked to development. The legal process allows routes to

be diverted or extinguished due to development and as far as I am aware this process is underway. Because people do not like the alternative is why it is open to public consultation where they get a chance to object to proposals which I believe they have. As I have said above however with boats not being a natural accompaniment to users of a Restricted Byway the issue of available access to water is not directly a PROW issue and as long as the District are following the law set out under s.257 then there is little more we can do in the PROW team other than respond on whether the new route is suitable for lawful path users and natural accompaniments.

5. This is not a PROW issue. Access to the water is not dependant on the existence of a PROW and if this is to be provided by the District then it is unlikely that it will be classified as a PROW unless it is a diversion of an existing route, as is the case with the proposals for Restricted Byway 3157.

Again Cllr Dunn undertook to ensure all interested parties started working together to get a solution to this issue.

#### **Question 14 from Tony Seaman**

I am a long term resident of Southwick and for many years owned a small boat, but found that there was not a practical public slipway in Adur to launch it. Also, as an individual, I am concerned that the Tidal Walls project has not been completed at Stowe's Gap which continues the risk of flooding in the Shoreham area. Therefore, my question for the meeting is: Why is it taking so long to reach a solution to provide a slipway (at Stowe's Gap or elsewhere on the River Adur) and complete the Tidal Walls project at Stowe's Gap?

#### **Response to Question 14**

This question is best directed to Adur District Council as they are leading on this.

Again, Cllr Dunn undertook to ensure all interested parties started working together to get a solution to this issue. Martin Randall stated that Philip Graham at ADC was working on this issue, and he would ensure that he links in with the relevant WSCC officer colleagues.

#### **Question 15 from Cllr Julian Shinn (ADC St Nicholas Ward):**

I would like to enquire why the newly published Transport Plan has removed important commitments (within the draft) to safe cycling infrastructure on the A270 Upper Shoreham Road and the reasoning behind this.

#### **Response to Question 15**

The Upper Shoreham Road scheme is not specifically referenced in the West Sussex Transport Plan because it is a strategic plan and so does not mention every local scheme. Specific reference to the project was removed because we do not have an agreed scheme at present. However, we are working with local politicians to agree revised proposals, which would be progressed as an LCWIP priority for Adur, subject to all relevant design, legal processes and sufficient funding to implement the scheme.

Cllr Dunn added that Cllr Boram was leading on this issue for WSCC and ADC but all Councillors were determined to get a solution. Cllr Dunn would speak to Cllr Boram on his return from leave to get an update on progress.

**Question 16 from Kevin Rozario-Johnson:**

The IPCC Climate reports lay out in stark detail how without immediate action to reduce 15emissions (to have peaked by 2025 & reduced by 43% by 2030) catastrophic and irreversible changes to earths climate will radically alter the habitability of earth. The IPCC report clearly states how urban planning and low carbon infrastructure (such as the necessary & promised cycling network, including USR) will be vital to enable people to make reduce car use. I would like to know how the council intends to respond to the need for immediate action. So far, rather than fast track plans so we as a community are enabled to contribute to these urgent transitions, we've had delay after delay, it now appears USR been removed from the final version of the transport report. Why are we still waiting for plans to lead to action?

**Response to Question 16:**

WSCC continue to pursue options for active travel improvements in the Shoreham area including options for the Upper Shoreham Road and the area around Middle Road and Eastern Avenue. We are currently working with key stakeholders to identify deliverable schemes within all relevant design and legal processes. In addition, it is important to note that these potential schemes will cost many millions of pounds to deliver and as such they remain subject to a further bid to DfT. In the meantime, we keep the DfT updated with progress and will be delivering an important improvement locally with part of our Active Travel Fund award this year which is a new signalised crossing point on the A283. This crossing will link the popular Downs Link and the Old Shoreham Toll Bridge to the Upper Shoreham Road via St Nicholas Lane. The Upper Shoreham Road scheme is not specifically referenced in the West Sussex Transport Plan because it is a strategic plan and so does not mention every local scheme. Specific reference to the project was removed because we do not have an agreed scheme at present. However, as previously stated, we are working with local politicians to agree revised proposals, which would be progressed as an LCWIP priority for Adur, subject to all relevant design, legal processes and sufficient funding to implement the scheme.

**Question 17 from Harry Longbaugh (not in attendance)**

On 14th June 2021 the then Minister of State for transport wrote to the leader of West Sussex County Council (WSCC) setting out the reasons why the County Council were NOT invited to bid for Active Travel Funding that year. The letter goes on to specifically highlight that "an authority's performance in how it utilised funding would be taken into consideration in the allocation of future tranches. The purpose of this condition was to help target future funding at those authorities that have a proven track record of delivery...this includes long term commitment. By allocating future tranches in this way, we aim to safeguard value for money for the taxpayer, while providing for long-term positive change towards the Government's ambition for half of all journeys in towns and cities to be cycled or walked." West Sussex County Council were punished by the

Department for Transport and the Conservative Government because of their handling of how they spent the funding from tranche; by removing the pop up cycle lanes without giving them adequate time to change travel habits.

The letter from the minister continues to call attention to the fact that:

"This was not a good use of public money and means that your authority will not be invited to bid for any new capital funding this year. I hope that in delivering your tranche 2 schemes you build on the lessons learned from tranche 1, which would put WSCC in a strong position to bid for funding in 2022/23 and future years." West Sussex County Council are keen to point out on their own website that they secured £250,000 from tranche 2 allocations for: "Consultation on a permanent cycleway scheme for Shoreham, with design proposals for Upper Shoreham Road. This could enable a potential bid in future phases of the ATF. The design would be for a high-quality cycleway that meets the new national standard for cycling infrastructure, known as LTN 1/20." With the consultation having finished 10 months ago (at the end of July 2021) and no signs of any permanent cycleway scheme or any solid commitment specifically to Upper Shoreham Road; how are WSCC providing value for money for the taxpayer? After being awarded £250,000 funding to design and develop cycleways on Upper Shoreham Road and given the past experience (detailed above) as well as the well-publicised Cycling UK court case; how will WSCC explain it when the Department for Transport and the new Active Travel England body withhold access to future funding bids (not just for active travel) if Upper Shoreham Road cycleways are not built?

### **Response to Questions 17**

WSCC has recently adopted a new West Sussex Transport Plan 2022 – 2036 that describes how we will address the key challenges facing this county. Climate change is a key challenge, and the plan sets out how we want to urgently reduce transport emissions by reducing the need to travel and increasing use of sustainable modes of transport and electric vehicles. The West Sussex Transport Plan can be found at [www.westsussex.gov.uk/ltp](http://www.westsussex.gov.uk/ltp). The Upper Shoreham Road and other active travel infrastructure is not specifically referenced in the West Sussex Transport Plan because it is a strategic plan and so does not mention every road where we aim to provide such improvements. There is an ongoing member led task and finish group which is also revising our Walking and Cycling Strategy in the light of recent documents such as Gear Change. Part of this work will be to revise our delivery plan to ensure that we provide significantly more and improved active travel infrastructure over the coming years. In the meantime, we continue to work on developing schemes around the county which includes proposals for Shoreham, Crawley, Horsham, Worthing and Chichester and we will be delivering improvements this year such as the A24 Findon improvement.

### **Question 18 from Carla Nisbet (not in attendance):**

On the 18<sup>th</sup> November 2021 and again on the 15<sup>th</sup> March 2022, I asked the question "when can we expect to see safer crossings around Southwick Green to enable residents of all ages to walk safely around their local community?"

Since January 2022 Councillor Dunn has been trying to set up a meeting with the new Highways person. This meeting has still not happened. Every day I (and



many members of the local community) am reminded how difficult it can be to cross the roads surrounding The Green safely. As outlined previously, my request would be to see a zebra crossing from The Cricketers Pub across to the playground area in Southwick Green and also a lollipop person during term time to help children cross the road to/from the bottom end of Church Lane (opposite The Green) . These are key access points for parents and children travelling to/from school as well as pedestrians gaining access to and from Southwick Square amenities.

So my question to you again is "when can we expect to see safer crossings around Southwick Green to enable residents of all ages to walk safely around their local community?"

**Response to Question 18:**

Cllr Dunn confirmed he had contacted the Area Highways Manager Adam Bazley to move this issue forward.

**Question 19 from Jaqui Hobbs:**

Kingston Beach enjoys Village Green status and the car park provides access for many local people engaged in activities on the water. Of the 45 properties destined to be built adjacent, 17 of them are sized at four bedrooms or more. A concern has already been raised by West Sussex Highways about the lack of visitor parking. What is the Council's proposed action to prevent this local resource becoming an overflow car park to the new development?

**Response to Question 19:**

The Kingston Beach car park is not managed and operated by the County Council. Therefore, it has no control over the operation of the car park, including how to manage any potential overspill car parking from new development. It would be for the operators of the car park to manage their car park as they see fit and ensure any parking takes place is in accordance with any advertised restrictions. The proposed development to which you refer, is a 'live' planning application (number AWM/1481/21) that is being assessed before being determined by Adur District Council, as Local Planning Authority. The County Council, as the Local Highway Authority, has been consulted on the application and it will ensure that appropriate levels of on-site car parking are provided to prevent significant levels of overspill car parking from taking place. The County Council will also encourage active and sustainable modes of travel, by securing financial contributions towards infrastructure to support these types of journeys between the new developments in Shoreham Harbour and key destinations. This includes improvements to pedestrian and cycle routes, the provision of Travel Plans to encourage active and sustainable transport and the provision of car clubs. This infrastructure will help facilitate trips via sustainable modes and reduce the dependency future residents will have on owning a car.

Cllr Dunn encouraged any residents with objection to submit those formally via the planning application.

**Question 20 from Penelope Coffin (not in attendance)**

I have a Blue badge for my car which I still drive myself. I tried to apply for a designated parking bay outside my house but was told that I did not qualify for this as I am not in receipt of the Disabled Living Allowance. I live alone and can only walk short distances but as the Living Allowance is means tested, I fall just outside the income at which I could apply for this. I live in Colebrook Road in Southwick, a small road without parking restrictions and we get a large number of commercial vehicles using it for parking. There are occasions, particularly at weekends, when if I went out, I would be very unlikely to be able to park when I returned. This seems very unfair.

### **Response to Question 20**

Whilst sympathetic to the situation unfortunately the guidance is quite clear on our website regarding the eligibility of a disabled parking bays. We do require that an applicant meets the minimum required criteria in order to provide an advisory disabled bay. Should circumstances change then we would suggest reapplying. Equally as an alternative you may wish to explore the possibility of creating off street parking at your property and applying for a vehicle crossover <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/>

At the meeting another resident suggested that Disabled Living Allowance was not means tested. Further advice from Highways Officers at WSCC states that upon applying if anyone doesn't fit criteria for a bay they would be advised as to the reasons why, perhaps even the missing component which would then grant them a bay. We suggest the applicant call our Customer Service Centre on 01243 642105 and talk it through with them.