



**THE HIGHWAYS ACT 1980, THE ACQUISITION OF LAND ACT 1981, THE  
HIGHWAYS (INQUIRIES PROCEDURE) RULES 1994 AND THE  
COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007**

**PUBLIC INQUIRY INTO**

**THE WEST SUSSEX COUNTY COUNCIL (A284 LYMINSTER BYPASS  
(NORTH))**

**COMPULSORY PURCHASE ORDER 2020**

**and**

**THE WEST SUSSEX COUNTY COUNCIL (A284 LYMINSTER BYPASS  
(NORTH) CLASSIFIED ROAD)**

**(SIDE ROADS) ORDER 2020**

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**PROOF OF EVIDENCE**

**OF**

**MARK MARTIN**

**FOR**

**WEST SUSSEX COUNTY COUNCIL**

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**DFT REFERENCE: : NATTRAN/SE/HAO/229**

**July 2021**

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## **1. INTRODUCTION**

- 1.1. My name is Mark Martin and I currently hold the position of Project Manager for the A284 Lyminster Bypass (North) scheme ("the Scheme") for West Sussex Council ("the Council"), working within the Highways Major Projects team.
- 1.2. I hold a BSc (Hons) Politics degree obtained in 2005 and a Graduate Diploma in Economics obtained in 2019.
- 1.3. Between 2008 and 2019 I worked in media production. I have trained in the project management and delivery of projects with complex requirements, financial constraints, time constraints and multiple stakeholders. Alongside budgetary management, I have trained in risk management and health and safety management.
- 1.4. I began work at the Council in 2020 in my current position.
- 1.5. I am familiar with the Compulsory Purchase Order Statement of Reasons<sup>1</sup> and the Side Roads Order Statement of Reasons<sup>2</sup>, and the Statement of Case submitted by the Council in connection with the promotion of the West Sussex County Council (A284 Lyminster Bypass (North)) Compulsory Purchase Order 2020<sup>3</sup> ("the CPO") and the West Sussex County Council (A284 Lyminster Bypass (North) Classified Road) (Side Roads) Order 2020<sup>4</sup> ("the SRO") (jointly referred to as "the Orders") and I produce this evidence to explain and describe the Scheme to which the Orders relate.
- 1.6. I can confirm that the contents of my proof of evidence are my professional opinion and are true to the best of my knowledge and belief and are gained from either my own direct involvement or my colleagues' direct knowledge.

## **2. SCOPE OF EVIDENCE**

- 2.1. My evidence provides an explanation of:
  - 2.1.1. The background to the Scheme;
  - 2.1.2. The objectives of the Scheme;
  - 2.1.3. The approvals and funding that support the Scheme; and
- 2.2. My evidence supports Nigel Godden's evidence, providing additional details on the project management processes and Council decisions behind the Scheme.
- 2.3. I refer to evidence to be presented by my colleague Guy Parfect, who will cover transport planning matters.
- 2.4. I refer to evidence to be presented by Andrew Burrows, the head of the design team at Capita Andrew Burrows will cover the design of the Scheme.

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<sup>1</sup> Statement of Case Supporting document [No.5](#)

<sup>2</sup> Statement of Case Supporting document [No.6](#)

<sup>3</sup> Statement of Case Supporting document [No.1](#)

<sup>4</sup> Statement of Case Supporting document [No.2](#)

### **3. BASIS FOR THE ORDERS**

- 3.1. The Council is the Highway Authority for the administrative area of West Sussex.
- 3.2. On 2<sup>nd</sup> September 2020, pursuant to the Council's resolution of 10<sup>th</sup> July 2019 A284 Lyminster Bypass - Land Acquisition (Ref HI05 19/20)<sup>5</sup> and the amendment to the resolution made on 2<sup>nd</sup> September 2020 (Ref ONKD01 20/21)<sup>6</sup>, the Council made the Orders.
- 3.3. Details of the modifications to the Orders as discussed with the Department for Transport are detailed in Section 2.6 and 3.5 of Mr Godden's proof.
- 3.4. The Council is seeking to assemble in its ownership the land and associated rights and interests included in the CPO<sup>7</sup> as proposed to be modified and to stop up a length of bridleway and private means of accesses, and create new means of access as included in the SRO as proposed to be modified.<sup>8</sup>
- 3.5. The Orders are required to ensure the delivery of the Scheme within agreed funding timescales by enabling the Council to compulsorily acquire all the land required in order to deliver the Scheme, should the negotiations with all affected landowners that are currently ongoing to acquire the land by agreement be unsuccessful.
- 3.6. The Council recognises that compulsory purchase powers are to be used only if there is a compelling case in the public interest, which overrides the interests of private land owners whose land is sought to be acquired. The Council, after careful consideration considers that a compelling case exists here, which is outlined in Sections 5 and 6 of Nigel Godden's proof and Section 14 of the Statement of Case.

### **4. OVERVIEW OF THE SCHEME**

- 4.1. The location of the proposed A284 Lyminster Bypass (North) commences from a point approximately 600m south of the A27 Crossbush junction. The Scheme comprises an improvement of the existing A284 through realignment and construction of a new highway. However, resurfacing is proposed for approximately 200m north of the commencement point as part of the noise mitigation proposals. At its southern end, the proposed bypass would connect to the southern section of the bypass which is currently being constructed as part of the mixed use North Littlehampton development to the south.
- 4.2. The Scheme would comprise a new 7.3m wide carriageway with 1.0m hard strips either side. A 3m wide shared cycleway / footway would run from the northern end of the Scheme along the west side of the carriageway to reach a signalised Pegasus crossing. The Pegasus crossing would provide a safe crossing point for cyclists, pedestrians and equestrians in addition to ensuring the continuity of the existing bridleway number 2163 between Lyminster and Poling. From the crossing, the shared cycleway / footway would continue southwards down the east side of the proposed road to link

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<sup>5</sup> Statement of Case supporting document [No.3](#)

<sup>6</sup> Statement of Case supporting document [No.4](#)

<sup>7</sup> [Appendix Document B](#)

<sup>8</sup> [Appendix Document C](#)

to similar facilities further south and continuing on into Littlehampton. A 2.5m grassed verge would be provided on the opposite side of the carriageway apart from along the length of the viaduct. A T-junction would link the existing A284 (to be downgraded) to the new road. The bypassed section of the existing A284 south of Brookfield Stream is intended to be downgraded to a B class road. The road will remain open as a through road in order to provide continued access to the bypassed parts of Lyminster Village.

- 4.3. The proposed A284 Lyminster Bypass (North) would have a speed limit of 50mph reducing to 40mph towards the northern end in order to match the existing 40mph speed limit in this location. At the southern end, the speed limit would reduce to 30mph on the approach to the roundabout which is due to be constructed as part of the A284 Lyminster Bypass (South) works. This change in speed limit would be just beyond the limit of the proposed scheme.
- 4.4. From the southern end, the proposed A284 Lyminster Bypass (North) would be built at approximately the existing ground level until it reached the southern limit of the Black Ditch flood plain. From this point, the bypass would be constructed on a 225m long viaduct which would span the entirety of the Black Ditch flood plain. At the northern extent of the flood plain, the road would continue on an embankment. The proposed road would be above the existing ground level until reaching the location of the Pegasus crossing where levels approximately match the existing. From the crossing heading north, the road would be in a slight cutting before reverting once more to an embankment as it passed the new junction with the existing A284 and crosses Brookfield Stream.
- 4.5. The proposed viaduct is a continuous structure which carries the new Bypass over Black Ditch, a watercourse subject to periodic flooding. This is a concrete beam and slab construction supported upon piers with piled foundations. Brookfield Stream to the north would be crossed with a replacement enlarged and extended culvert.
- 4.6. Surface water run-off from the proposed bypass would drain into the two watercourses with attenuation provided to restrict the rate of discharge of the surface water to Greenfield run-off rates. South of Black Ditch, cellular storage would be used as attenuation and prior to discharge into Black Ditch, this surface water run-off would pass through a wetland area located to the east of the viaduct. This feature would improve water quality both by removing suspended particulates and through microbial neutralisation of contaminants, with the added benefit of encouraging biodiversity. The section of road north of Black Ditch up to the Pegasus crossing would drain into a swale (a wide shallow ditch) running along the eastern side of the proposed road achieving both attenuation and water quality objectives. From the Pegasus crossing to Brookfield Stream, surface water would discharge to a swale and into a dry balancing pond located to the east of the road prior to draining into the watercourse. Surface water from the section of road north of Brookfield Stream would discharge directly into the watercourse as is the current situation.
- 4.7. The design of the Scheme and reasoning behind is set out in Section 3 of Mr Burrows' proof of Evidence.

## **5. BACKGROUND TO THE SCHEME**

### **5.1. History**

5.1.1. The history to the Scheme is set out in Section 3.2 of Mr Parfect's proof of Evidence. The options considered in Section 3.7 and their appraisal and transport modelling in Section 3.9 of the same proof

### **5.2. Strategic importance**

5.2.1. Mr Parfect sets out the strategic importance of the Scheme in his proof at Section 3.3.

### **5.3. Scheme objectives**

5.3.1. The objectives of the Scheme are to:

- Provide adequate traffic capacity to allow for planned and recently delivered new housing and employment development in the Littlehampton area, including supporting the Land North of Toddington Lane ("North Littlehampton Strategic Development Area") and thus contribute directly to the delivery of 1,260 new homes and 700 new jobs;
- Increase the attractiveness of Littlehampton for employers and residents by an improved link to the national Strategic Road Network at the A27 to realise the benefits of the planned development and to support existing economic activity;
- Improve environment and safety along the existing A284 corridor in Lyminster village and Wick, including at the railway crossing, by removing through traffic;
- Improve journey times and reliability to access Littlehampton and the adjacent areas on the A284;
- Improve links for pedestrians and cyclists.

### **5.4. Approvals**

5.4.1. The Scheme benefits from the following Council approvals:

- The need for the A284 Lyminster Bypass has been identified in policy for at least 30 years and was adopted by the Council in 1992 as an approved highway line.
- More recently, the Cabinet Member for Highways and Transport approved a decision on December 2014 (ref HT16 (14/15))<sup>9</sup> to:
  - a) submit an application for planning permission;
  - b) submit an application for funding to the Coast to Capital Local Enterprise Partnership;
  - c) begin statutory processes to acquire land for Scheme construction;
  - d) approve the layout for the bypass.

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<sup>9</sup> Statement of Case Supporting Document [No.89](#)

- The Cabinet Member for Highways and Transport approved a decision in December 2015 (ref HT16 (15/16))<sup>10</sup> as follows: Lyminster Bypass (north) - Approval to undertake statutory processes to acquire land for Scheme construction.
- The Cabinet Member for Highways and Infrastructure delegated authority to the Director of Highways and Transport in July 2018 (ref HI12 (18/19))<sup>11</sup> to submit a full planning application.
- The Cabinet Member for Highways and Infrastructure authorised the Director of Law & Assurance in July 2019 (ref HI05 (19/20))<sup>12</sup> to complete the necessary procedures for the acquisition of land and interests for the A284 Lyminster Bypass (North), and to make, seal and submit a compulsory purchase order to the Secretary of State for Transport.
- The Director of Law and Assurance authorised in September 2020 (ref ONKD01 (20/21))<sup>4</sup> updates to the CPO and SRO for publication.

## **5.5. Land acquisition**

5.5.1. West Sussex County Council has appointed WSP to undertake the role of Agent, Land Surveyor and Valuer.

5.5.2. Mr Godden sets out the negotiations undertaken in his proof of evidence.

## **5.6. Planning consent**

5.6.1. As set out in the Council's Statement of Case at paragraph 6.1, the Scheme was granted planning permission on the 9<sup>th</sup> May 2019.<sup>13</sup>

## **5.7. Screening opinion**

5.7.1. An Environmental Impact Assessment (EIA) screening opinion<sup>14</sup> was sought from the local planning authority to establish whether a full EIA would be required for the Scheme. It was established that the Scheme fell into Part 10(f) of Schedule 2 to the EIA Regulations 2017. As it was not located within a 'sensitive area' as defined by the Regulations the review concerned the potential for 'significant environmental effects.' It was recognised that the Scheme would divert traffic away from residential properties and a conservation area without significantly affecting any designated areas. Therefore with regard to the selection criteria in Schedule 3 to the EIA Regulations, and the matters set out above, it was considered that the proposed development would not have the potential for significant effects on the environment within the meaning of the EIA Regulations.

5.7.2. The screening opinion could only have been challenged through the judicial review process, which by law can only be instigated within three months of the decision. This time period elapsed without challenge to the decision.

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<sup>10</sup> Statement of Case Supporting Document [No.90](#)

<sup>11</sup> Statement of Case Supporting Document [No.91](#)

<sup>12</sup> Statement of Case Supporting Document [No.3](#)

<sup>13</sup> Statement of Case supporting document [Nos 33](#) and [34](#)

<sup>14</sup> Statement of Case supporting document [No.35](#)

## **5.8. Impact Assessments**

- 5.9. Although an Environmental Impact Assessment was not required for the Scheme an Ecological Impact Assessment<sup>15</sup> was submitted with the planning application. An Air Quality Assessment Report<sup>16</sup> and a Noise and Vibration Assessment<sup>17</sup> were also submitted. The environmental reports recorded the environmental effects of the Scheme, including effective and sustainable mitigation measures and identification of residual effects, for each environmental topic. These have been used to inform a Construction Environmental Management Plan (CEMP); an application for discharge of the condition requiring approval of the CEMP was made on 25<sup>th</sup> May 2021.

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<sup>15</sup> Statement of Case supporting document [No. 38](#)

<sup>16</sup> Statement of Case supporting document [No. 36](#)

<sup>17</sup> Statement of Case supporting document [No. 37](#)

5.10. Programme for construction

5.10.1. Due to uncertainties about the amount of time the Secretary of State will require to consider whether to confirm the CPO it is not possible to precisely programme the commencement of the works. Programming is heavily dependent on the vegetation clearance and as such is subject to ecological constraints. Issues of availability of utility contractors and sub-contractors can also affect the commencement date. In the absence of a confirmed start date the Council can only produce a draft high-level programme at this time. There are therefore likely to be some changes to both the start date and the finish date once the detailed delivery programme is produced.

5.10.2. The latest high-level programme for Scheme delivery is indicated below:

**Figure 5.1 WSCC HIGHWAY SCHEMES – A284 MAJOR PROJECTS PROGRAMME**

Scheme Name / Activity	2021							2022												2023								
	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
A284 Lyminster	Budget - £27.3m																											
Negotiation	██████████																											
CPO (Inc Public Inquiry)	██████████																											
Construction								██████████																				

Completion  
October 2023

## **6. NEED FOR THE SCHEME**

- 6.1. The need for the Scheme is set out in section 4 of Mr Parfect's proof of evidence.

## **7. TRAFFIC MODELLING**

- 7.1. Details of the traffic modelling work that was undertaken to identify and refine the Scheme proposals are set out in section 5 of Mr Parfect's proof of evidence.

## **8. THE PLANNING POLICY POSITION**

- 8.1. The planning policy position for the Scheme is set out in section 6 of Mr Parfect's proof of evidence.

## **9. PUBLIC CONSULTATION AND SUPPORT FOR THE SCHEME**

- 9.1. As noted in paragraph 3.5 of the Statement of Case, in 1992 there was 56 percent support in principle for the Lyminster Bypass. As a safeguarded route it was also subject to consultation in the Arun District Council Local Plan 2003 and the Arun District Local plan 2011-2031. In the latter the bypass was referred to in some 50 consultation responses. The Littlehampton Neighbourhood Plan 2014<sup>18</sup> by Littlehampton Town Council supported the Scheme following consultation with stakeholders, community groups and residents.
- 9.2. Following on from a feasibility study in 2013 which included an element of consultation with technical stakeholders and Council members the Council consulted directly on the Scheme in autumn of 2014. This occurred in two phases through a campaign that included four public exhibitions, leaflets and questionnaires. Phase 1 was on the principle of the Scheme, with an indicative alignment consulted on with key stakeholders and statutory consultees. Phase 2 consulted on the alignment options with the statutory consultees, stakeholders and affected parties.
- 9.3. The results of the consultation were reported in November 2014<sup>19</sup>. They found that 61% of respondents were in favour of the proposed Scheme, and 30% not in favour. The strongly held view was the A284 Lyminster Bypass (North) Scheme is necessary, delivering "a number of benefits, such as reducing traffic flows and alleviating congestion through Lyminster, enhancing the appeal of walking and cycling in the village, improving air quality and road safety" (p.6).
- 9.4. The concerns relevant to the Scheme, which were all addressed at planning application stage, were around environmental impacts (visual, noise, flooding), traffic flow issues and accessibility.

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<sup>18</sup> Statement of Case supporting document [No.47](#)

<sup>19</sup> Statement of Case supporting document [No.48](#)

## **10. ENVIRONMENTAL IMPACTS**

10.1. As set out above, the environmental impacts of the Scheme have been considered in detail through the planning application process and the grant of planning permission recognises the acceptability of those impacts. The impacts are discussed in section 6 of the Statement of Case.

## **11. FUNDING**

11.1. The A284 Lyminster Bypass (North) is a fully funded scheme. The budget for the Scheme was identified in the County Council's capital programme and is £27.334m as approved by the full Council on 12<sup>th</sup> February 2021. This accounts for the financial impacts arising due to the COVID-19 Pandemic and associated delays. The total Scheme cost is met by the following funding:

- £1.123m from developer S106 contributions which have been paid to the Council.
- £1.652m from developer S106 contributions which have been secured by agreement but the trigger for payment is yet to be reached.
- £0.986m from developer S106 contributions which have been identified from future Local Plan development sites that are forecast to become available to spend on the Scheme.
- These S106 receipts total £3.761m. The Council will allocate capital funding in advance of S106 receipts in the short term until all S106 monies are received.
- £3.000m is to be funded by the Coast to Capital Local Enterprise Partnership.
- £20.573m is being funded by the Council.

11.2. The A284 Lyminster Bypass (North) forms part of the Council's capital programme (which is the suite of capital projects the Council is funding over the given time period). Allocation of funds per year for the capital programme is found in the Capital Strategy. The figures are based on the agreed budget less completed spend in previous years. These details are included within the documents Revenue Budget 2021/22, Capital Strategy 2021-26, and Treasury Management Strategy 2021/22.<sup>20</sup> These were approved by full Council on 12 February 2021. Further details are as follows:

- The recommendation to approve the Capital Strategy can be found in the Revenue Budget 2021/22, Capital Strategy 2021-26, and Treasury Management Strategy 2021/22 - Recommended item (5)(a).<sup>21</sup>
- The A284 Lyminster Bypass (North) is listed in Annex 2a - Capital Strategy (capital programme) 2020-25<sup>22</sup> (p.125) under

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<sup>20</sup> [Appendix Document P](#)

<sup>21</sup> [Appendix Document P](#)

<sup>22</sup> [Appendix Document Q](#)

the highways “portfolio in-flight” projects.

- This decision report and appendices demonstrate that the budget for 2021/22 – 2025/26 was approved.
- The A284 budget figure shown is £23.137m from 2021/22 onwards, with the £1.030m funding for 2020/21 also shown. The report does not refer to the approved budgets in prior years.
- A position statement from the Council details the complete financial position including the previous spend of £4.197m on the A284 Lyminster Bypass (North) with a fully funded budgetary figure of £27.334m.<sup>23</sup>

11.3. A schedule of contributing developments is included below:

**Table 4-5 Schedule of contributing developments**

Development scheme name	Application no.	Financial Contribution
Courtwick Lane Land South of Railway Littlehampton	LU/355/10	£1,000,000
Land North of Toddington Lane Littlehampton	LU/47/11	£1,490,000
Windroos Nursery Worthing Road Littlehampton	LU/229/10	£140,000
The Wick Site (Former Body Shop HQ) Hawthorn Road Littlehampton	LU/271/11	£1,000,000
Hollyacre Toddington Lane Littlehampton	LU/116/13	£130,700
<b>Total</b>		<b>£3,760,700</b>

11.4. The Department for Transport on the 7<sup>th</sup> June 2021 approved funding for the Scheme at a maximum capped contribution of £11.792m.<sup>24</sup> This is subject to the Scheme going ahead and the submission of a Full Business Case.

<sup>23</sup> [Appendix Document R](#)

<sup>24</sup> [Appendix Document S](#)

11.4.1. This Capital Grant if received will replace a portion of the £20.573m that is being funded by the Council.

11.4.2. The Scheme is fully funded and without the Capital Grant the funding will be coming from the Council's Capital budget as confirmed at Full Council on 12<sup>th</sup> February 2021.

## **12. OTHER CONSENTS**

12.1. As part of the planning consent (reference WSCC/049/18/LY) applications were submitted to discharge specific pre-commencement conditions on 25<sup>th</sup> May 2021 as follows:

- Condition 4. Construction Environmental Management Plan (CEMP) to be approved by County Planning Authority.
- Condition 5. Construction Management Plan (CMP) to be approved by County Planning Authority. Council to consult with Highways England.
- Condition 6. Archaeological Written Scheme of Investigation (WSI) to be approved by County Planning Authority.

12.2. Following the discharge of these conditions certain consents and licences will be required. These include the following:

12.2.1. Environmental Permit required from the Environment Agency for flood risk activity works near Black Ditch. The application for a bespoke Environmental Permit for the main works has been submitted and was duly made as of the 2<sup>nd</sup> July 2021. Application Reference: EPR/GB3953LQ This is currently being determined. Permits for additional survey work on Black Ditch flood plain not covered by this application will be organised as required, such as the Flood Risk Activity Standard Permit<sup>25</sup> received in August 2020.

12.2.2. Natural England licences for works affecting protected species. The applications for these will be dictated by timescales and surveys closer to the construction period.

12.2.3. Ordinary watercourse consent from West Sussex County Council and Arun District Council in relation to works impacting on Brookfield Stream (works impacting an ordinary watercourse). This has been obtained<sup>26</sup>.

12.2.4. Section 61 of the Control of Pollution Act 1974 consent if requested by the local authority (to be confirmed following discharge of CEMP).

12.2.5. The Scheme will require traffic regulation orders (TROs). The permanent orders will be a speed limit order, prohibition of driving order and possibly a clearway order. The temporary orders will be for weekend closures during the installation of the culvert. Statutory consultations will also be required for the traffic regulation orders and the installation of the Pegasus Crossing. The necessary processes for the crossing will be carried out alongside those required for the TROs.

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<sup>25</sup> Statement of Case supporting document [No.93](#)

<sup>26</sup> Statement of Case supporting document [No. 94](#)

### **13. EQUALITY IMPACT ASSESSMENT**

- 13.1. An Equality Impact Report was undertaken in December 2015<sup>27</sup> when approval was sought from the Cabinet Member for Highways and Transport to commence the statutory processes to acquire the land necessary for the bypass.
- 13.2. By removing through traffic from the village, it was anticipated that pedestrians, including disabled non-motorised users and parents with pushchairs/prams, should be encouraged to use the quieter road.
- 13.3. The provision of a shared use path along the bypass will be of benefit to cyclists and pedestrians travelling north-south, and motorists would have a shorter and less congested route with reduced journey times.
- 13.4. Equality impacts and the County Council's duties under the Equality Act 2010 were further considered in a report delegating authority to submit a full planning application to the Director of Highways and Transport in July 2018.<sup>28</sup>
- 13.5. This considered the effects, both during the works and upon completion, on drivers/commuters, local residents of both Lyminster and the North Littlehampton Development, and local businesses.
- 13.6. It concluded that it was likely that during the works some negative effects, such as dust and noise, could be experienced by residents close to construction areas, and there could also be a temporary increase in congestion caused by construction traffic and the necessary traffic management, but the Council committed to working with the contractors to keep these effects to a minimum.
- 13.7. The removal of vegetation and trees would be kept to a minimum and there would be a need for street lighting to be provided in some places for safety, but the design mitigates the negative effect of this as much as possible.
- 13.8. However, no negative effect, whether temporary or permanent, is expected to discriminate against any protected individual or group and the report concluded that the Scheme would instead support economic growth in the area with the added benefits of improving safety, congestion levels and journey time reliability through Lyminster village for all.
- 13.9. Further reports by Executive Director of Place Services and Director of Highways, Transport and Planning in July 2019<sup>29</sup> and September 2020<sup>30</sup> seeking approval for modifications to the Compulsory Purchase Order plans and the making of a Side Roads Order, also considered the Equality Impact Report and confirmed that an assessment of users had taken place and the impact thereon considered in the design.

### **14. LIAISON WITH STATUTORY UNDERTAKERS**

- 14.1. The New Roads and Streetworks Act 1991 includes a noticing system where highway authorities and utility companies (statutory undertakers) can co-

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<sup>27</sup> Statement of Case supporting document [No.92](#)

<sup>28</sup> Statement of Case supporting document [No. 91](#)

<sup>29</sup> Statement of Case supporting document [No. 3](#)

<sup>30</sup> Statement of Case supporting document [No. 4](#)

operate and liaise throughout the design and build process, providing for optimum solutions and protecting the interests of parties involved.

- 14.2. Under these processes the statutory undertakers are responsible for notifying the Council of the need for diversion and protection works and for designing such works.
- 14.3. As part of the preliminary design process budget 'C3' cost estimates were sought from all affected statutory undertakers in 2017 as part of the detailed design process.
- 14.4. Once the detailed design was substantially fixed the Council requested detailed 'C4' estimates for the Scheme and these were obtained from all affected statutory undertakers during 2019.
- 14.5. The Council is yet to serve C5 notices stating the intention to proceed with the Scheme.

## **15. CONCLUSION**

- 15.1. The Scheme benefits from Council approvals to acquire land through the CPO and SRO process in order to meet these objectives. This is set out in paragraph 5.4.
- 15.2. As stated in Section 9 above, the public were consulted on the Scheme proposals and design in 2014. Besides this there has been consultation on the Scheme since 1992 and also during consultations on the Arun District Council Local Plan 2003, the Arun District Local plan 2011-2031 and the Littlehampton Neighbourhood Plan 2014.
- 15.3. The Council can show that all the necessary resources are likely to be available to construct the Scheme within a reasonable time-scale, and that there is funding available to both acquire the necessary land and implement the Scheme in a timely manner, as set out in Section 11.
- 15.4. The Scheme is unlikely to be blocked by any physical or legal impediments to implementation. The Scheme has the required planning permission. Subject to confirmation of the Orders, the remaining processes that are required to implement the Scheme are the confirmation of the discharge of planning conditions, the confirmation of the Flood Risk Activity Permit, the formal advertisement and associated Council approval processes for the necessary traffic regulation orders (TROs). Should there be any objections to the TROs the person(s) responsible for giving approval for them to be implemented would be the Local County Councillor or the Councils' members of the Joint Eastern Arun Area Committee (JEAAC). All local County Councillors and the Council's members of the JEAAC committee are aware of the strategic importance of the Scheme and would assess any objections in the context of the overall Scheme objectives.

## **16. APPENDIX DOCUMENTS**

The following documents are appended in the composite appendices for the Council, as referred to in this proof (in addition to those appended to the Statement of Case):

- B. [Modified Compulsory Purchase Order Document](#)
- C. [Modified Side Roads Order Document](#)
- P. [Extract from Revenue Budget 2021/22, Capital Strategy 2021-26, and Treasury Management Strategy 2021/22](#)
- Q. [Extract from Annex 2a to Revenue Budget 2021/22, Capital Strategy 2021-26, and Treasury Management Strategy](#)
- R. [A284 Financial position statement July 2021](#)
- S. [Department for Transport – Funding Offer \(Outline Business Case\)](#)