



**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

SUMMARY PROOF OF EVIDENCE

OF

MARK MARTIN

FOR

WEST SUSSEX COUNTY COUNCIL

DFT REFERENCE: : NATTRAN/SE/HAO/229

July 2021

Contents

1.	INTRODUCTION	3
2.	OVERVIEW OF THE SCHEME	3
3.	BASIS FOR THE ORDERS	4
4.	APPROVALS	4
5.	PUBLIC CONSULTATION AND SUPPORT FOR THE SCHEME	5
6.	FUNDING	5
7.	CONCLUSION	6

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 Reasons¹ and the Side Roads Order Statement of Reasons², 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 2020³ ("the CPO") and the West Sussex County Council (A284 Lyminster Bypass (North) Classified Road) (Side Roads) Order 2020⁴ ("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.
- 1.7. My evidence supports Nigel Godden's evidence, providing additional details on the project management processes and Council decisions behind the Scheme.

2. OVERVIEW OF THE SCHEME

- 2.1. 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.

¹ Statement of Case Supporting document [No.5](#)

² Statement of Case Supporting document [No.6](#)

³ Statement of Case Supporting document [No.1](#)

⁴ 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. The Scheme was granted planning permission on the 9th May 2019.⁵
- 3.3. On 2nd September 2020 the Council made the Orders.
- 3.4. Details of the proposed modifications to the Orders are detailed in Section 2.6 and 3.5 of Mr Godden's proof.

4. APPROVALS

- 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))⁶ to:
 - The Cabinet Member for Highways and Transport approved a decision in December 2015 (ref HT16 (15/16))⁷ 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))⁸ 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))⁹ 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))⁴ updates to the CPO and SRO for publication.

⁵ Statement of Case supporting document [Nos 33](#) and [34](#)

⁶ Statement of Case Supporting Document [No.89](#)

⁷ Statement of Case Supporting Document [No.90](#)

⁸ Statement of Case Supporting Document [No.91](#)

⁹ Statement of Case Supporting Document [No.3](#)

5. PUBLIC CONSULTATION AND SUPPORT FOR THE SCHEME

- 5.1. 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.
- 5.2. The Council consulted directly on the Scheme in autumn of 2014¹⁰. They found that 61% of respondents were in favour of the proposed Scheme, and 30% not in favour.

6. FUNDING

- 6.1. 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 12th 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.
- 6.2. 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 2021/22.¹¹ These were approved by full Council on 12 February 2021.
- 6.3. 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.¹²

¹⁰ Statement of Case supporting document [No.48](#)

¹¹ [Appendix Document P](#)

¹² [Appendix Document R](#)

7. CONCLUSION

- 7.1. 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.
- 7.2. As stated 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.
- 7.3. 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.
- 7.4. 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 Council's 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.