

## Cabinet Member for Finance

### Response to Michael Jones' Notice of Motion to County Council 19 July 2019 concerning prospective sale of County Council-owned land at Withy Patch

December 2019

## Director of Law and Assurance

<b>Ref No.</b> <b>FIN13 (19.20)</b>
<b>Key Decision:</b> <b>No</b>
<b>Part I</b>
<b>Electoral Divisions: All</b>

1. The Chairman of the County Council referred a notice of motion on the Prospective sale of County Council-owned land at Withy Patch (see Appendix) submitted to the County Council on 19 July 2019, to Jeremy Hunt the Cabinet Member for Finance and Resources, for consideration.
2. The motion called on the Cabinet Member to *'either take action now to reassure the community that the Council will not proceed with selling or transferring this land to developers or to confirm he will not accept any arrangement which attempts to get the Council to agree to waive, or write off, any of the section 106 developers' contributions from the New Monks Farm developers that will be required to provide sufficient education provision to meet the needs of the resulting community.'*
3. The motion also called on the Cabinet Member for Safer, Stronger Communities, to *'undertake a meaningful consultation with those residents as the person accountable for their welfare on the Council's land and to object to the sale of the land should the residents ask for that.'* (Cabinet portfolio names have since changed to Cabinet Member for Finance and Cabinet Member for Fire & Rescue and Communities).
4. Mr Hunt and Mrs Russell (Cabinet Member for Fire and Rescue and Communities) met Mr Jones on 4 October 2019 to discuss the motion. At that meeting Mr Hunt explained that negotiations were currently ongoing and no further information was available than that set out in the [briefing note Item 7d](#) in the County Council papers for 19 July. Mr Jones agreed to defer the meeting to a later date.
5. Mr Hunt and Mr Crow (Cabinet Member for Fire & Rescue and Communities) met Mr Jones on 21 November 2019. At that meeting Mr Hunt explained that unfortunately negotiations had still not concluded, were confidential and no further information could be made available at this stage.
6. The meeting discussed various outcomes that could arise depending on the outcome of negotiations. While Mr Hunt and Mr Crow noted Mr Jones' concerns Mr Hunt cautioned that nothing could be formally determined until the way forward was established.

7. Mr Crow explained that once negotiations were concluded, should that affect the residents of the Withy Patch, the usual consultation process would be undertaken.
8. It was noted that:
  - a) In respect of the call on the Cabinet Member for Finance: no answer could be given at this point as the development at Monk's Farm was still the subject of negotiations between the parties involved.
  - b) In respect of the call on the Cabinet Member for Fire & Rescue and Communities: once negotiations were concluded, should that affect the residents of the Withy Patch, the usual consultation process would be undertaken.
9. The Cabinet Members are unable to support the Notice of Motion and propose to recommend at the County Council meeting on 17 December that members do not support the motion.

**Tony Kershaw**

Director of Law and Assurance

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**Appendix A** - appended below: Notice of Motion  
Prospective sale of County Council owned land at Withy Patch

**Appendix A**

**Notice of Motion by Mr Jones**

**Prospective sale of County Council-owned land at Withy Patch**

This Council notes that West Sussex County Council owns the freehold land known as Withy Patch which currently forms part of an area that has planning permission from Adur District Council for an extensive new development, commonly known as New Monks Farm.

This Council recognises that the proposals for a major development and retail park has been a source of considerable controversy in recent years. This Council believes that the continued uncertainty, anger and stress this has caused local residents, is unacceptable and calls on the Cabinet Member for Finance and Resources to either take action now to reassure the community that the Council will not proceed with selling or transferring this land to developers or to confirm he will not accept any arrangement which attempts to get the Council to agree to waive, or write off, any of the section 106 developers' contributions from the New Monks Farm developers that will be required to provide sufficient education provision to meet the needs of the resulting community. The needs of West Sussex children and their education must come first.

This Council believes that there is already an increasing shortage of places both in primary and in secondary education in the Adur and Worthing areas with children currently being sent to maintained schools much further from their homes, because the local schools have not got the places for the existing population. The additional population from the New Monks Farm development will inevitably create further pressures and reduce local parents' ability to find school placements close to them without these contributions. Moreover, the additional financial burden of creating places will almost certainly have to be met by this Council, which already faces unprecedented financial pressures without having to absorb the costs of building additional buildings and increasing capacity elsewhere.

This Council also believes that facilitating this development through the sale of the land will result in outcomes entirely at odds with the values recently expressed in the cross-party motion on climate change and the 'climate action pledge'. Not only may the new development increase the local flooding risk, but the increased traffic and congestion on this part of the A27 relating to the increased population and high profile retail offer will exacerbate further the already serious problems relating to pollution and air quality in the current Air Quality Management Areas within the District.

In the event that the Cabinet Member decides to sell or transfer the land it is understood the gypsy and travellers' site at Withy Patch would be required to move to the edge of the development and the residents effectively living directly on the edge of a building site, with all the dust, noise and disruption that such construction would entail. Given what this would mean for that community, this Council also calls on the Cabinet Member for Safer, Stronger Communities to undertake a meaningful consultation with those residents as the person accountable for their welfare on the Council's land and to object to the sale of the land should the residents ask for that.

Therefore, for the reasons stated above, this Council urges the Cabinet Member for Finance and Resources to refuse any sale or transfer of the land at Withy Patch.