



Denise [REDACTED]

**Enquiry 636408**

3 messages

Gary Jannaway &lt;[REDACTED]&gt;

13 October 2026 at 14:39

Dear Denise,

Thank you for your email regarding the obstruction of the highway in Ferringham Lane, Ferring.

Firstly, I feel it is important to clarify the status of Ferringham Lane, as there appears to be some confusion around this issue.

Ferringham Lane is an unadopted road, meaning that it is not maintained at public expense by West Sussex County Council, and there are currently no plans for WSCC to adopt the road in the future. However, historical evidence suggests that public highway rights exist over the road. These are two separate matters, and it is important that they are not confused.

In simple terms:

- Highway rights relate to the public's legal right to pass and repass along a route without obstruction.
- Highway adoption relates to who is responsible for maintaining the road surface, drainage, lighting, and other associated highway infrastructure.
- A road can therefore be unadopted but still be a highway, meaning the public may have a legal right to use it even though it is not maintained by the County Council.
- Equally, the fact that a road is unadopted does not remove any public highway rights that may exist.

In this case, the information available to the County Council indicates that highway rights exist over Ferringham Lane, notwithstanding its unadopted status.

I can also confirm that, at the present time, no application for a stopping-up order has been received by the County Council in relation to this location.

For completeness, a stopping-up order is a separate legal process used to formally remove public highway rights over land. If a stopping-up order were successfully obtained, the affected area would cease to be highway and the public would no longer have a legal right to pass and repass over it. In practical terms, this would mean that the land would no longer be subject to highway rights and could potentially be enclosed or used for other purposes, subject to any other relevant permissions or legal restrictions. Until such time as a stopping-up order is made, any existing highway rights remain in place.

In relation to the reported obstruction, I have recently sought an update from our Legal Services team. I understand that no response has been received from the occupier

following previous correspondence. As a result, Legal Services are considering the next appropriate steps and have advised that a formal letter before action is likely to be issued. Should this proceed, the occupier would be given a specified period in which to remove the alleged obstruction or respond to the Council's concerns.

At present, no date has been set for the removal of the obstruction. However, the matter remains under active consideration by our Legal Services team.

I appreciate that this issue is of considerable interest to residents and businesses, and I understand the desire for clarity regarding the Council's position. Whilst I am unable to comment on any potential future legal proceedings, I can confirm that the matter continues to be progressed through the appropriate legal channels.

I hope this helps clarify the current position.

Kind regards,

Kind regards

**Gary Jannaway**

Assistant Area Highways Manager – Arun & Lavant

Economy, Infrastructure & Environment – Highways, Transport and Planning

West Sussex County Council, Western Area Office, Drayton Depot, Oving, Chichester, West Sussex, PO20 2AJ.

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We've launched our new website [www.westsussex.gov.uk](http://www.westsussex.gov.uk)

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[REDACTED]

[REDACTED]

[REDACTED]



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[www.arun.gov.uk](http://www.arun.gov.uk)

To register to receive notification of planning applications in your area please go to  
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**From:** Hebe Smith <Hebe.Smith@arun.gov.uk>

**Sent:** 16 October 2026 11:56

**To:** Planning.Responses <Planning.Responses@arun.gov.uk>

**Subject:** FW: FG/65/26/S73 - Planning Committee Meeting 21st October 2026 at 2pm

Hello,

Please can this email be logged as a rep on FG/65/26/S73. If the attachments could be merged with the email as a single document, that would be brilliant.

Thanks very much,

**Hebe Smith (she/her)**

Senior Planning Officer, Planning Department

**T:** 01903 737626

**E:** [hebe.smith@arun.gov.uk](mailto:hebe.smith@arun.gov.uk)

Arun District Council, Civic Centre, Maltravers Rd  
Littlehampton, West Sussex, BN17 5LF  
[www.arun.gov.uk](http://www.arun.gov.uk)

To register to receive notification of planning applications in your area please go to [Planning application finder \(arun.gov.uk\)](https://www1.arun.gov.uk/planning-application-finder).



## Our priorities...



**From:** Denise [REDACTED]  
**Sent:** 14 October 2026 12:50  
**To:** Neil Crowther <[Neil.Crowther@arun.gov.uk](mailto:Neil.Crowther@arun.gov.uk)>  
**Cc:** Hebe Smith <[Hebe.Smith@arun.gov.uk](mailto:Hebe.Smith@arun.gov.uk)>; Planning.Responses <[Planning.Responses@arun.gov.uk](mailto:Planning.Responses@arun.gov.uk)>  
**Subject:** FG/65/26/S73 - Planning Committee Meeting 21st October 2026 at 2pm

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Dear Neil

Please find attached the letter I received from Gary Jannaway at West Sussex County Council Highways, transport and Planning.

This letter is a key component to the decision that will be reached by the panel at the above meeting.

Please can you make sure that this letter is presented to the members of the panel before the meeting so that they are aware that The Legal Team of WSCC have already contacted the tenants of The Little Tipple regarding the decision made by WSCC Highways that the obstruction in the road outside of The Little Tipple is illegal, has to be removed and as this is the subject of the above planning meeting, has a major relevance to any decision they make.

Please can you confirm that this has been presented to the panel before the above meeting.

kind regards

Denise Loydell (Mrs)