

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Adur & Worthing Councils FAO: Louise Prew
FROM:	WSCC – Highways Authority
DATE:	26 March 2026
LOCATION:	Land West Of 35 Montague Street Montague Place Worthing West Sussex
SUBJECT:	AWDM/0146/26 Single storey concession kiosk.
DATE OF SITE VISIT:	n/a
RECOMMENDATION:	Advice/ More Information Required

I refer to your consultation in respect of the above planning application and would provide the following comments.

The Local Highway Authority requires clarification from the applicant as to whether the proposed kiosk is to be a permeant or temporary structure.

The Kiosk is shown positioned within the publicly maintained highway boundary, within a pedestrianised area in Montague Street. Therefore, if it is to be a permeant structure the applicant would be required to formally stop-up and potentially purchase the land. In order for the land to be incorporated into the site, the highway rights would need to be formally removed by way of a Stopping Up Order. This would be subject to a separate process administered by the Department for Transport's National Casework Team. The Highway Authority along with other statutory undertakers and interested parties would be consultees in this process. There is also no guarantee that this process would be successful. The comments made here would not constitute the Highway Authority's formal position regarding any future Stopping Up.

If this is a temporary structure a license could be issued however would be subject to separate enquiry.

It is possible that a license could be issued under S115 of the Highways Act, this would also likely incur a separate consultation with various stakeholders from multiple organisations regarding its acceptability. A S115 license would also be a temporary license needing routine renewal. Further to this, if the kiosk is to be a temporary instalment, it may also require a street vendor licence. To be enacted, all licenses would require approval.

Please can clarification be sought on the nature of the proposed kiosk. Would the structure be temporary- for example for an organised event?

Jodie Wilkes
West Sussex County Council – Planning Services