

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1) Question from Councillor Field to Councillor Claire Dowling

Many residents are changing from petrol and diesel to electric vehicles. Whilst investment by local authorities in placing charging points in public car parks is welcomed it is often difficult, if not impossible, for residents without a driveway to charge their cars safely. This includes employees of emergency services who need to charge their cars.

What actions and policies has the County Council put in place to support and encourage residents to implement suitable systems to charge their vehicles at their own homes where they do not have access to a driveway?

Response by the Lead Member for Transport and Environment

The County Council has secured £4.4m of Local Electric Vehicle Infrastructure (LEVI) funding to enable the delivery of on-street chargepoints across the county. It will also lever in private investment, and is expected to deliver approximately 2000 chargepoints at around 300 locations in East Sussex. We will shortly be procuring an on-street chargepoint operator and expect roll out to commence in autumn 2025.

We also want to support residents without access to off street charging and/or nearby chargepoints, so welcome the Government's recent guidance for cross-pavement solutions for charging electric vehicles. [Cross-pavement solutions for charging electric vehicles - GOV.UK](#). Based on this guidance, we are currently working on developing a policy and licensing process to support this as well as work with manufacturers of cross pavement channels to identify the most suitable and appropriate solutions. In doing so, we will need to consider the risks and technical issues that may be present at each location and how to survey these correctly to identify the potential risks to users of charging channels and those using footways. It is also important to consider how the installation of a single channel may prevent the installation of adjacent channels later due to the minimum physical distance required between installations connected to separate earthing systems.

Once developed, I have asked for the cross-channel pavement policy to be reported to my decision-making meeting for consideration and this will give Councillors the opportunity to comment on the policy's content.

2) Question from Councillor Lambert to Councillor Claire Dowling

A number of Seaford residents have raised concerns about pedestrians walking into Seaford from the Cuckmere Inn along the verge of the A259. Highways are carrying out their statutory duties in maintaining this verge, but it is a verge and not an adopted footpath. Pedestrians using this route therefore do so at their own risk.

However, it is becoming increasingly clear that despite the dangers, people are continuing to try to use this as a route into Seaford although there is a safe route over the fields behind the Cuckmere Inn. The problem is exacerbated as the whole area around Exceat and the Seven Sisters is viewed as a pilgrimage route by visitors from South Korea.

This includes overseas visitors walking from East Dean to the coast along the side of the road where there is no path of any kind.

With the continued increase in visitor numbers to this part of the county, will the County Council now take action, in partnership with others as appropriate, to prevent accidents and to encourage visitors to take safe action to protect themselves?

Will the County Council arrange for:

- better signage at either end of the footpaths across the fields, including signage at the A259 end of Cuckmere Lane pointing out the safer route for pedestrians.
- Signage at either end of the bank/verge making it clear this is not a footpath and not suitable for pedestrians.
- better on line information for our visitors raising awareness of the dangers on the cliffs and the roads, including consideration of QR codes in Korean.
- Coverage of safety messages on social media and TikTok, also in Korean.

Response by the Lead Member for Transport and Environment

Thank you for your written question regarding the issue of pedestrians using the A259 to walk from the Cuckmere Inn into Seaford.

This is a complex matter, and it involves several distinct, but related, areas of County Council work. For example, road safety, highway management, culture and tourism and public rights of way.

Also, there is the need to receive positive support from other stakeholders if the promotion of any alternative off-road routes is to be in some way effective.

Specifically, the South Downs National Park Authority (which owns and manages Seven Sisters County Park) and the Cuckmere Inn would likely need to promote the off-road route. The National Trust (landowner of most of the off-road footpath route) and residents of Chyngton Lane may also have views on the promotion of a route over land they have an interest in.

Many visitors to the area will also use popular apps, such as Google Maps, Instagram or TikTok to plan their visit. This is a difficult area of visitor information to influence. For example, Google Maps identifies the on-road A259 route as this first option for walkers from the Inn to Seaford and only recommends the off-road footpath route if specific details, most likely not known to visitors, are typed into the

directions. Another issue is the high number of overseas visitors so, displaying concise and clear signage in languages other than English becomes challenging.

Regarding your four specific requests for action:

- Better signage at either end of the footpaths across the fields, including signage at the A259 end of Cuckmere Lane pointing out the safer route for pedestrians:

This can be investigated by the Rights of Way & Countryside Team. However, while it should be straightforward to provide signage, there may be site specific limitations and it would also be necessary to consult other stakeholders, such as the Cuckmere Inn and National Trust. Signage is not guaranteed to be successful, however, with visitors often preferring to trust a smart phone app for directions. It can also be easily overlooked in a busy location.

- Signage at either end of the bank/verge making it clear this is not a footpath and not suitable for pedestrians.

As mentioned above, Google Maps unfortunately recommends the A259 as a direct walking route, which visitors may be inclined to follow.

The public do also have a right to walk along the A259, and that can only be suspended with a Traffic Regulation Order. (That would include verges and footways within the highway boundary, as is the case here.)

All signs available for use on the public highway are contained within a document produced by the Department for Transport entitled 'The Traffic Signs, Regulations and General Directions 2016'.

Whilst this document allows for informational signage, the only letters that are prescribed for use are the English/Roman alphabet, with other alphabets not permitted.

Whilst we understand tourists could use Google Translate (or a similar translation tool) on their mobile devices to understand English signs, pictorial signs advising of the A259's suitability would be easier to read and would avoid groups of tourists congregating around signage to translate them.

Whilst there is a sign that advises of a prohibition of pedestrians on a section of public highway, it could easily be confused by foreign tourists as one that is permitting and encouraging pedestrians to use the route.

In England, a circular sign with a red border is widely recognised as a prohibition of something, in other countries, this may not be case. (The sign diagram is shown below for reference.) Considering this, the Road Safety team are unable to agree to progressing a Traffic Regulation Order for prohibiting pedestrians on the public highway at this location.



Figure 5-23 Diagram 625.1 (S3-2-22) Pedestrians prohibited

- Better online information for our visitors raising awareness of the dangers on the cliffs and the roads, including consideration of QR codes in Korean:

As detailed above, effective online information is a difficult area to influence, given the various ways visitors chose to plan their journeys. QR codes may be useful on physical signage, although they would need to be relevant visitors from all countries.

- Coverage of safety messages on social media and TikTok, also in Korean:

There is a piece of work, currently being led on by Eastbourne Borough Council (EBC), looking at visits to the whole Beachy Head, Birling Gap and Seven Sisters area. We have also made Experience Sussex, a new visitor economy development programme covering East and West Sussex, aware of the specific Cuckmere Inn/A259 issue. Experience Sussex does have a website and active social media, but, given the plethora of other information online, this is a difficult area to influence. Additionally, both EBC and Experience Sussex's work is at an early stage.

3) Question from Councillor Murphy to Councillor Claire Dowling

Road Studs (Cat's Eyes) are a safety feature on county rural roads where there is no street lighting. These cats' eyes are an invaluable county asset in guiding the driver along roads in darkness, particularly in rain and fog. Many of these units are wearing out and are not functioning. On our rural roads, road studs are the only night aid there is, apart from carriageway centre white lines. The carriageway centre white lines should aid drivers, but these are also far below a reasonable reflective standard in some areas.

- a) Is there a scheduled maintenance replacement program when the studs reach the end of their safe working life?
- b) Do the local highways stewards inspect the condition of cat's eyes at night?
- c) How can the stewards carry out inspections of road studs safely whilst driving on their own, on high speed roads?
- d) How is it possible to carry out road stud inspection in daylight?

To give a few examples of road studs missing, the B2124 Laughton Road has only about 10% of road studs working, the A22 from Golden Cross to Forest Row has

even less. The A271 from Hailsham to Bexhill is also missing many units, as is the A267 from Hailsham to Tunbridge Wells. There is a patch of road at Fives Ashes that has been resurfaced recently but the road studs have not yet been replaced.

- e) Is the County Highways Department satisfied that the contractors are fulfilling their contractual obligations in replacing worn out studs?
- f) If there is a KSI accident and the subsequent police report identifies missing road studs may have contributed to the accident, what liability falls to East Sussex County Council as it is ultimately the Highways Department's responsibility?

Response by the Lead Member for Transport and Environment

a) Is there a scheduled maintenance replacement program when the studs reach the end of their safe working life?

There is currently no dedicated highway maintenance budget for a scheduled road stud replacement programme. However, the activity is covered as part of East Sussex Highways' revenue-funded reactive / core maintenance programme (only capital when delivered as part of programmed structural maintenance scheme). There is a requirement contained within the Highway Safety Inspection Manual stating that Highway Stewards should be inspecting for missing road studs.

The County Council is currently reviewing its Highway Asset Management Strategy, Policy, and Plans and it is intended to provide clarity on the inspection and maintenance of road studs ensuring greater reference to Well Maintained Highways, Traffic Signs Manual Ch.5, DMRB: Road Layout CS 126 Inspection and assessment of road markings and road studs (formerly TD 26/17).

b) Do the local highways stewards inspect the condition of cat's eyes at night?

There are no programmed safety inspections carried out at night. If there is a need for an inspection to be undertaken "out of hours" for a specific reason i.e. when traffic volumes are lighter, then this will be accommodated. Nighttime inspections of this nature are currently beyond the scope of the highway maintenance contract.

c) How can the stewards carry out inspections of road studs safely whilst driving on their own, on high speed roads?

Monthly driven safety inspections are carried out by two Highways Stewards, one driving and one observing the network.

- d) How is it possible to carry out road stud inspection in daylight? To give a few examples of road studs missing, the B2124 Laughton Road has only about 10% of road studs working, the A22 from Golden Cross to Forest Row has even less. The A271 from Hailsham to Bexhill is also missing many units, as is the A267 from Hailsham to Tunbridge Wells. There is a patch of road at Fives Ashes that has been resurfaced recently but the road studs have not yet been replaced.**

During a monthly driven inspection (in daytime) the Highway Steward would be able to identify missing studs or those that were visibly damaged. This meets with the requirement of the contract.

With respect to the locations referenced, these have been shared with the Highway Stewards and will be reviewed in the next monthly driven inspection and any remedial works programmed accordingly.

- e) Is the County Highways Department satisfied that the contractors are fulfilling their contractual obligations in replacing worn out studs?**

The ESCC Highways Contract Management Group believe that the contractor is carrying out the highway inspections in line with the inspection manual and contract requirements.

- f) If there is a KSI accident and the subsequent police report identifies missing road studs may have contributed to the accident, what liability falls to East Sussex County Council as it is ultimately the Highways Department's responsibility?**

Highway authorities have a duty to maintain the highway and ensure it is safe for road users, and this includes appropriate asset management. If a road incident were to occur attributable to missing road studs, this can lead to liability if a dangerous condition results in an accident or injury.

By way of context, Section 41 of the Highways Act 1980 places a non-delegable statutory duty on highway authorities to maintain the highway, including making it safe for traffic. If a highway authority fails to properly maintain the highway due to negligence, particularly inadequate asset management, they may be liable for damages caused to road users, including personal injury, property damage, or other losses. A dangerous state of the highway, resulting from a lack of proper maintenance or inadequate asset management, can be the basis for a claim against the highway authority. To establish liability, a claimant would need to demonstrate that the highway was dangerous due to poor maintenance, that the highway authority was negligent in failing to maintain it properly, and that the claimant's losses were a direct result of the dangerous condition.