

07.02.25

28th April 2025

Since meeting with West Sussex County Council, it has been established that planters were not placed at the entrance of Saint Hill Manor at the 2024 International Event. They were only present in 2023. The notes below have been amended accordingly.

**Meeting notes of 07.02.25 with Matt Davey, Assistant Director Highways, Transport and Planning West Sussex County Council.
Re Saint Hill Road PSPO application.**

Dear Matt,

Many thanks for meeting me on the 7th February 2025 to discuss the possibility of Mid-Sussex District Council (MSDC) issuing a Public Spaces Protection Order (PSPO) on Saint Hill Road and West Hoathly Road, East Grinstead.

As you know, there are a number of options to consider when deciding if a PSPO is a suitable option to prevent protests on Saint Hill Road during the 3-day Scientology international event in the Autumn each year. Whilst the most relevant options to the highways authority are event management and traffic management, I have left all options below to show what we discussed and for transparency. Any decision on these options made by MSDC must be reasonable and proportionate and satisfy the statutory tests namely;

By s.59(1)-(3), of the Anti-Social Behaviour Crime and Policing Act 2014 activities carried on in a public place within the authority's area have had a **detrimental effect on the quality of life of those in the locality**, or it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

AND the effect, or likely effect, of the activities (a) is, or is likely to be, of a **persistent or continuing nature**, (b) is, or is likely to be, such as to make the activities **unreasonable**, and (c) **justifies** the restrictions imposed by the notice.

Further and in any event, a PSPO may only include provisions which are **reasonable** to impose in order to prevent or reduce the identified 'detrimental effect': s.59(5).

As you know, it is important to note local authorities enjoy a wide discretion to decide for themselves which behaviours cause '**detrimental effect**' in their particular area, relying on local knowledge and exercising judgment.

In exercising that judgement, it has been very useful to discuss other options with you that may be available to the Council to avoid a PSPO in the area. As you know, a decision has not yet been made on the granting or otherwise of a PSPO but thank you for your time in exploring the other options set out below.

1 Taking no action at all. Whilst this is technically a feasible option, there is an onus on MSDC to explain either (i) why no action at all is required to respond to behaviours exhibited at the two international events in 2023 and 2024, or alternatively (ii) how those behaviours can be addressed by other means. A decision refusing to make a PSPO would be significantly strengthened by pointing to other steps which can be taken in the alternative, i.e. mitigating that decision, hence why the Council are exploring options with you now. Should MSDC decide not to grant the PSPO the Council would not simply do nothing but would seek other options to address the issue.

2 Negotiating a compromise between the Church and protesters. This Council will attempt to negotiate a solution with both the protesters and the Church. Your input on Highways matters will help with these discussions, so thank you for your time.

3 Improved event management by the Church. We discussed the fact the road is busy, and traffic is congested at arrival times for the three-day international event. In the Autumn it is dark during busy arrival times and there are risks to pedestrians walking along Saint Hill Road to access Saint Hill Manor. In 2023 Sussex Police and in 2024 both the Police and MSDC staff have observed near miss incidents with traffic and pedestrians walking to Saint Hill Manor from the rugby club and/ or being dropped off in the road. Future events need to avoid pedestrians walking in the road.

We discussed the observations by MSDC staff at the 2024 event that Church security staff were difficult to see and identify as they did not wear hi-viz whereas MSDC staff and protesters did wear hi-viz.

Your overarching comment was that the Church must share an event management plan with both MSDC and West Sussex County Council (WSCC) in a timely manner before any event involving visitors and crowds. Without the event management plan being shared and discussed, there are risks to visitors attending the event. Public services need to know the plans for the event so any risks such as danger to pedestrians can be reduced or eliminated.

We agreed the Church need to move their visitors off Saint Hill Road as quickly and safely as possible and creating larger car parks inside the Saint Hill Manor grounds would improve safety greatly because visitors would be dropped from vehicles inside the grounds and not on the highway. In addition, extra parking at the rugby club would not be needed, thus avoiding visitors walking in the dark, wearing dark clothing, from the rugby club to the entrance of Saint Hill Manor. You agreed this would be a sensible option, but any improvements to event management must be at the expense of the Church and not WSCC.

4 Improved traffic management and/or road closures. Once again you emphasised the need for the Church to share a detailed traffic management plan with both MSDC and WSCC in a timely manner before any such event. Several MSDC observers at the 2024 international event observed near miss incidents with traffic and visitors walking along Saint Hill Road in dark clothing on an unlit road with no pavements.

You explained that Saint Hill Road is a relatively rural road that is unlit, without pavements and has a 60 MPH speed limit. WSCC are unlikely to reduce the speed limit on this road due to the event only being once a year and the expense and officer time involved in drafting a Traffic Regulation Order (TRO). Speed limits are introduced based on data for killed and seriously injured on a road and not to facilitate private events off the highway. A reduction in speed limit would not be a proportionate. In addition, Sussex Police do not have the resources to enforce a reduced speed limit.

You explained WSCC would not fund street lighting on Saint Hill Road because it is not proportionate for a 3-day off highway annual event and would contribute to urbanisation which is not desirable. The costs would be too high for WSCC to bear, and it is unlikely a suitable power supply is nearby. However, you advised that if the Church shared an event management and traffic management plan, offering alternative lighting solutions these were likely to be looked upon favourably by WSCC. An example given was that the Church could hire large outdoor lights such as those used in major roadworks to light the road around their entrance from inside their own grounds. If the lights were placed without dazzling drivers, this solution would likely be acceptable to WSCC.

A temporary road closure would not be supported by WSCC because the event is off the highway and could not prevent emergency vehicles access to Saint Hill Road or protesters walking to the entrance of Saint Hill Manor. In addition, this would cause more traffic chaos as visitors could not be dropped at the Saint Hill Manor entrance.

Sussex Police have commented that the planters the Church had placed on the verge at their entrance in 2024 ~~2023~~ were helpful to avoid protesters straying into the road causing a road safety risk to all users. The Police agree the highway cannot be obstructed, and this includes the verge next to the Saint Hill Manor entrance, but the planters were helpful. WSCC are asked to consider whether these are acceptable in the future. However, it is accepted that fencing erected by the Church along the verge in 2024 was considered an obstruction of the highway and it was correctly removed.

The primary objective of the Police at this event is to maintain public safety and the planters did go some way to achieving this. I would be interested in your comments on this issue.

Addition 24th February 2025. – WSCC Highways would be willing to support the Police in their public safety duty by allowing the planters to be placed on the verge at the entrance of Saint Hill Manor for the duration of the event, provided these are included in the event management plan that must be submitted to stakeholders and partners before any event of this scale takes place.

We did discuss if the rugby club must be used as a parking area, whether an additional pedestrian entrance into Saint Hill grounds much nearer to the rugby club would be helpful. This would mean pedestrians were less exposed to walking along the road in the dark. You agreed this could be an option, but the Church must consult fully with WSCC on plans such creating a new entrance off the highway.

The Church parked cars and vans opposite the entrance of Saint Hill Manor during the 2024 event. This appeared to be designed so protesters could not stand on this verge. You explained that there are no parking restrictions along Saint Hill Road and if the vehicles were not obstructing the highway, this was not an issue for WSCC. Any enforcement action on obstructing vehicles would be a matter for the Police.

5 Local authority and/or police to continue monitoring event in 2025 or beyond.

The Church have indicated that the presence of Council observers at the 2024 event ensured the protesters were better behaved than in 2023. This is not supported by Police evidence because no arrests were made in 2023 or 2024. Evidence from Police Sergeants at both events states in all cases the event was peaceful between all parties. Traffic management and visitors walking along an unlit Saint Hill Road in dark clothing was a cause for concern as we both acknowledge.

MSDC are keen to resolve the current issue of whether a PSPO should be granted or not and do not consider it helpful to any party to prolong decision making for another year whilst another observation exercise is conducted. Neither the Council or the Police think a second observation exercise in 2025 is necessary or proportionate.

6 Investigate whether use of amplified sound and music is a statutory nuisance for the purposes of the Environmental Protection Act 1990. This is not deemed to be necessary. Neither the Police nor the Council have received complaints about a statutory noise nuisance.

7 Serving Community Protection Warnings and/or Notices during the event under s.43 ASBCPA. Using the current intelligence picture and the observations of both

the 2023 and 2024 events, this is not considered necessary. These powers remain available to the Police if required. No crime has ever been recorded at the international event.

8 Obtaining a Closure Order for the area around the Premises under s.80

ASBCPA: This option is not feasible as closure orders cannot be made over highways and public land.

9 Application for injunction(s) by MSDC: Applications can be made under s.222 of the Local Government Act 1972; ss.1 and 2 of the ASBCPA; and/or s.3 of the Protection from Harassment Act 1997. Whilst legally permissible, this involves various evidential and procedural challenges. The Council and Police also conclude this is not necessary in the circumstances of this case.

This is not a helpful way to address competing behaviours by both sides, e.g. the Church playing music and filming and protesters filming. MSDC may also need to renew an application for an injunction each year, and the cost of conducting contested litigation in the High Court would be a relevant factor in choosing not to use injunctions.

10 Police powers to deal with criminality or disorder arising during the event: The police have powers of investigation and arrest under PACE 1984 and powers of dispersal under s.35 ASBCPA. Responsibility also rests with the police to investigate and respond to any reported criminal activity such as public order offences under s.4 of the Public Order Act 1986; harassment under s.2 of the Protection from Harassment Act 1997; common assault and criminal damage; and any religiously aggravated offences under ss.29-32 Crime and Disorder Act 1998.

As already discussed, the Police have not seen any behaviour to reach this threshold in either 2023 or 2024, so this is unlikely to be an option available in this case.

11 Byelaws: local authorities can make byelaws (as an alternative to PSPOs) under s.235 of the Local Government Act 1972 and the Byelaws (Alternative Procedure) (England) Regulations 2016/165. This is unlikely to be preferable to making a PSPO, not least because the Secretary of State must approve any proposed byelaw.

12 Make a PSPO: As discussed and to be decided.

Please do check my notes are an accurate record of our discussion and please do add anything you may wish.