



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

**Report of:** Director of Regeneration & Development Services

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**Date:** 26th AUGUST 2014

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**Subject:** PROPOSED CLOSURE OF FOOTPATHS AT GREENLAND DRIVE AND GREENLAND COURT, DARNALL, SHEFFIELD.

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**Author of Report:** Mark Reeder 0114 273 6125

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**Summary:** To seek authority to process the Highway Stopping-Up Order required to close public footpaths at Greenland Drive and Greenland Court, in the Darnall area of Sheffield.

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### Recommendations:

1. Raise no objections to the proposed formal closure of the footpaths shown hatched on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
  2. Authority be given to the Director of Legal Services
    - a. take all necessary action to close the footpaths shown hatched on the plan included as Appendix A, under the powers contained within Section 118 of the Highways Act 1980;
    - b. confirm the Order as an Unopposed Order, in the event of no objections being received or any objections received being resolved;
    - c. submit the order to the Secretary of State, for confirmation , in the event that objections are received which cannot be resolved.
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**Background Papers:** None

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**Category of Report:** \*Open/Closed \*(delete as appropriate)

## DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING  
AND HIGHWAYS COMMITTEE  
26th AUGUST 2014

### PROPOSED CLOSURE OF FOOTPATHS AT GREENLAND DRIVE AND GREENLAND COURT, DARNALL, SHEFFIELD

#### 1.0 PURPOSE

- 1.1 To seek authority to process the Highway Stopping-Up Order required to close public footpaths at Greenland Drive and Greenland Court, in the Darnall area of Sheffield.

#### 2.0 BACKGROUND

- 2.1 The City Council's Home Improvement Team has made an application requesting the closure of the footpaths shown by hatching on the plan included as Appendix A.
- 2.2 Several of the subject footpaths have been gated for a period in excess of eight years. No complaints from the general public were received during this time. These are indicated on the plan attached as Appendix B.
- 2.3 Full planning permission (14/00932/FUL) for the installation of a replacement door entry system crossing the subject paths was granted on 17<sup>th</sup> April 2014. Therefore, there is now a need to legally close the paths using the powers contained in Section 118 of the Highways Act 1980, in order to regularise the situation with the paths which have already been gated, and to facilitate the closure of those now additionally proposed to have gates.
- 2.4 Two of the subject paths are currently not gated, though given that the nature of these routes is to serve as access to stairwells and residents homes it is considered that they are not necessary for use as through routes by the general public. These routes are numbered 1 and 2 on the plan attached as Appendix B.
- 2.5 A location plan is included as Appendix C.

#### 3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies.
- 3.2 The footpath societies have been consulted and have raised no objections.
- 3.3 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received

- 3.4 If any further negative comments relating to the application are received, before the Planning and Highways Committee meeting, they will be reported verbally.

#### 4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal Services has been consulted and has advised that, assuming the areas of highway are unnecessary, it would be appropriate to process the closure using the powers contained within Section 118 of the Highways Act 1980.

#### 5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject footpaths are adopted public footpaths at Greenland Drive and Greenland Court in the Darnall area of Sheffield.
- 5.2 Reasonable alternative routes are available to members of the public wishing to walk through the estate. As a consequence it is considered that the closure of these routes will have no detrimental effect on the surrounding highway network and its users and closure will not affect the public's enjoyment of the area.

#### 6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposals in this report.

#### 7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 No particular environmental implications arise from the proposals in this report

#### 8.0 FINANCIAL IMPLICATIONS

- 8.1 All costs related to this closure will be met by the applicant.
- 8.2 If the application is successful an area of approximately 337m<sup>2</sup> will be de-accrued from the Highway Maintenance contract.

#### 9.0 CONCLUSION

- 9.1 Based on the above information, the proposed closure of the adopted public footpaths, shown by hatching on the plans included as Appendix A, is supported.

#### 10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed formal closure of the footpaths shown hatched on the plan included as Appendix A, subject to satisfactory

arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

10.2 Authority be given to the Director of Legal Services, to

- d. take all necessary action to close the footpaths shown hatched on the plan included as Appendix A, under the powers contained within Section 118 of the Highways Act 1980;
- e. confirm the Order as an Unopposed Order, in the event of no objections being received or any objections received being resolved;
- f. submit the order to the Secretary of State, for confirmation , in the event that objections are received which cannot be resolved.

Steve Robinson  
Head of Highway Maintenance

26<sup>th</sup> August 2014