



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

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**Report of:** Director of Culture and Environment

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**Date:** 5<sup>th</sup> December 2017

**Subject:**

HIGHWAYS ACT 1980 SECTION 118. PROPOSED CLOSURE OF PUBLIC FOOTPATH SHE\460 AT NORTON, SHEFFIELD 8

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**Author of Report:** Mark Reeder 0114 2736125

**Summary:**

To seek authority to process the Public Path Closure Order required for closing the definitive public footpath SHE\460 between Hackthorn Road and Cherry Bank Road in the Norton area of Sheffield.

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**Reasons for Recommendations**

Based on the above information, the proposed closure of definitive public footpath SHE\460, as shown on the plan included as Appendix A, is supported by Officers.

**Recommendations:**

Raise no objections to the proposed closure of definitive public footpath SHE\460, as shown 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.

Authority be given to the Director of Legal and Governance to

- a. take all necessary action to close the footpath 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;

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**Background Papers:**

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**Category of Report:** OPEN

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HIGHWAYS ACT 1980 SECTION 118. PROPOSED CLOSURE OF PUBLIC  
FOOTPATH SHE\460 AT NORTON, SHEFFIELD 8

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Closure Order required for closing the definitive public footpath SHE\460 between Hackthorn Road and Cherry Bank Road in the Norton area of Sheffield.

2.0 BACKGROUND

- 2.1 The City Council is making an application to close the footpath SHE\460, linking Hackthorn Road and Cherry Bank Road in the Norton area of Sheffield, as shown on the plan included as Appendix A.
- 2.2 This application is on behalf of the City Council's Principal Public Rights of Way Officer who contends that it is no longer required for public use and can be considered surplus to the requirements of the Highway Authority.
- 2.3 Footpath SHE\460 has a recorded length of 25 yards and commences at Hackthorn Road, heading north between numbers 85 and 87 until it meets the unadopted part of Cherry Bank Road.
- 2.4 During a site visit I was unable to find any physical or historical evidence showing the route of the path and concluded that it was probably informally extinguished some years ago by persons unknown. Photos attached as Appendix B show the location of the footpath.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 3.2 Not all the consultees had responded at the time of writing this report. But of those that have responded, no objections have been received.
- 3.3 The Ramblers' Association and Peak and Northern Footpath Society have responded positively to the proposal.

3.4 The affected residents of 85 and 87 Hackthorn Road have also been consulted and support this proposal. They are also aware that they may be required to reinstate the footpath should the application be unsuccessful.

3.5 If any 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 & Governance has been consulted and has advised that if the Council was minded to agree to this application it would be appropriate to process the closure using the powers contained within Section 118 of the Highways Act 1980. These powers provide for a public footpath to be closed on the grounds that it is not needed for public use.

#### 5.0 HIGHWAY IMPLICATIONS

5.1 The subject path SHE460 is part of the definitive public footpath network in the Norton area of Sheffield.

5.2 Footpath SHE460 has been informally extinguished for many years, during which time no complaints have been received.

5.3 The proposed closure should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.

#### 6.0 EQUAL OPPORTUNITY IMPLICATIONS

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

#### 7.0 ENVIRONMENTAL IMPLICATIONS

7.1 No particular environmental implications arise from the proposal in this report.

#### 8.0 FINANCIAL IMPLICATIONS

8.1 All the costs of the Closure Order application (in this case £3,150), and any other associated costs will be met from the Public Rights of Way maintenance budget.

8.2 Once closed there will be no future maintenance liability to the PROW group.

## 9.0 CONCLUSION

- 9.1 Based on the above information, the proposed closure of definitive public footpath SHE\460, as shown on the plan included as Appendix A, is supported by Officers.

## 10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed closure of definitive public footpath SHE\460, as shown 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 & Governance to

- c. take all necessary action to close the footpath under the powers contained within Section 118 of the Highways Act 1980;
- d. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

Philip Beecroft  
Head of Highway Maintenance

23rd November 2017