

HIGHWAYS ACT 1980 SECTION 118 PROPOSED STOPPING UP OF PUBLIC
FOOTPATH STO\11 AT ELLEN CLIFFE FARM, DEEPCAR, SHEFFIELD S36

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Closure Order required for closing part of the definitive public footpath STO\11 at Ellen Cliffe Farm, Deepcar, Sheffield.

2.0 BACKGROUND

- 2.1 An application has been made to close part of the footpath STO\11, at Ellen Cliffe Farm, Deepcar, Sheffield S36, as shown on the plan included as Appendix A. The applicant contends that it is no longer required for public use and can be considered surplus to the requirements of the Highway Authority.
- 2.2 This part of footpath STO\11 commences at the intersection with footpath STO\10 (shown as 'A' on the plan) then crosses land at Ellen Cliffe Farm before ascending a steep incline (shown as 'B' on the plan) and continues uphill until it meets the A616 (Stocksbridge Bypass) at a point shown as 'C' on the plan.
- 2.3 Due to work carried out by persons unknown (thought to be a previous occupier of Ellen Cliffe Farm) this section of the route has not been used for some years. As an alternative the current land owner provided a permissive route shown as points 'D' to 'E' on the plan, though due to issues regarding livestock the route was subsequently closed.
- 2.4 The City Council's Public Rights of Way Office (PROW) requested that, on account of the permissive route not being available, the legal route should be reinstated. However, to reinstate this part of STO\11 would require engineering works that the land owner feels would be costly and detrimental to their property. Given the availability of an alternative public route available to pedestrians in the immediate vicinity shown as points 'F' to 'G' on the plan) the landowner has asked that the Council as Local Highway Authority consider a permanent stopping up application on the grounds that it is not necessary for public use. PROW have considered this, and following further discussions with user groups and the land owner, believe that permanently stopping up this part of footpath STO\11 would be in the best interests of all concerned.

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 to close this part of the route.
- 3.4 Stocksbridge Town Council has been consulted, though at the time of writing no comments have been received from them in response.
- 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 part of path STO\11 is part of the definitive public footpath network in the Stocksbridge area of Sheffield.
- 5.2 This part of footpath STO\11 provides a link between footpath STO\10 and the Stocksbridge Bypass, and the continuation of STO\11 on up the hill towards Park Lane.
- 5.3 In view of the alternative route described in 2.4 above, 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 process and any other associated costs will be met by the applicant.

9.0 CONCLUSION

9.1 Based on the above information, the proposed closure of part of definitive public footpath STO\11, 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 part of definitive public footpath STO\11, 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

- 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.

Paul Billington
Director Culture and Environment

22nd May 2018

