

HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PART OF
PUBLIC FOOTPATH STO\65 AT UNDERBANK, STOCKSBRIDGE, SHEFFIELD
S36

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required altering the course of definitive public footpath STO\65, at Underbank, Stocksbridge, Sheffield S36.

2.0 BACKGROUND

- 2.1 The City Council has received an application requesting the diversion of part of definitive public footpath STO\65, at the Underbank Outdoor Centre, Stocksbridge, as shown on the plan included as Appendix A (hereby referred to as 'the plan').
- 2.2 Footpath STO\65 has a recorded width of 1.5 metres over a length of 901 metres, commencing at Oaks Lane and heading in a generally northerly direction until it meets the Underbank Activity Centre, it then heads in a generally south easterly direction terminating at Smithy Moor Lane.
- 2.3 This proposal will permanently stop up the 206 metre section shown as points A to B to C on the plan and provide a 160 metre direct alternative route between points A and C.
- 2.4 The current route passes through the activity centre and immediately adjacent to activity apparatus (climbing tower and zip wire). As such, the applicants feel that moving the path away will be beneficial, in terms of public safety, but also their own security and privacy.

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 divert this part of the route.

3.4 Stocksbridge Town Council has been consulted, though at the time of writing no comments have been made.

3.6 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 diversion using the powers contained within Section 119 of the Highways Act 1980. These powers provide for a public footpath to be diverted if it is expedient in the interests of the landowner, lessee or occupier of land and if the Council believes that the proposed alternative will be substantially as convenient to the public as the existing path.

5.0 HIGHWAY IMPLICATIONS

5.1 The subject path STO\65 is part of the definitive public footpath network in the Stocksbridge area of Sheffield.

5.2 The proposed alternative route will be finished in crushed stone, pass through pleasant woodland, be 46 metres shorter in length and have a gradient and width similar to the existing course.

5.3 The proposed diversion should therefore 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 Diversion Order process and the provision of the new path will be met by the applicant.
- 8.2 If the application is successful then the new path, once satisfactorily provided by the applicant, will be maintained by the Council's Public Rights of Way team, in lieu of the old path. The new path is 46m shorter; therefore there will be a slight overall saving to the Public Rights of Way maintenance budget.

9.0 CONCLUSION

- 9.1 Based on the above information, the proposed diversion of definitive public footpath STO\65, as shown on the plan included as Appendix A, is supported by Officers.

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed diversion of definitive public footpath STO\65, 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 divert the footpath under the powers contained within Section 119 of the Highways Act 1980;
 - b. confirm the Order as an Unopposed Order, in the event of no objections

Paul Billington
Director Culture and Environment
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