



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Street Scene and Regulation

Date: 30th April 2024

Subject:

PROPOSED CLOSURE OF PARTS OF PUBLIC FOOTPATHS SHE/217 & SHE/301 AT SKYE EDGE, SHEFFIELD 2.

Author of Report: Mark Reeder 0114 474 2509

Summary:

To seek authority to make a Public Path Order under Section 118 of the Highways Act 1980 that is required to close those parts of definitive public footpaths SHE/217 and SHE/301 shown as solid black lines on the plan included as Appendix A at Skye Edge, Sheffield

Reasons for Recommendations

Based on the information within this report, officers support:

- the proposed closure of parts of definitive public footpaths SHE/217 and SHE/301, as shown on the plan included as Appendix A, on the basis that they are no longer needed for public use.

Recommendations:

1. Members raise no objections to the proposed closure of parts of definitive public footpaths SHE/217 and SHE/301, 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.
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as an Unopposed Order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the order being confirmed.

Background Papers:

Category of Report: OPEN

DIRECTOR OF STREETSCENE AND REGULATION

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
30th April 2024

PROPOSED CLOSURE OF PARTS OF PUBLIC FOOTPATHS SHE/217 & SHE/301
AT SKYE EDGE, SHEFFIELD 2.

1.0 PURPOSE

- 1.1 To seek authority to make a Public Path Order under Section 118 of the Highways Act 1980 that is required to close those parts of definitive public footpaths SHE/217 and SHE/301 shown as solid black lines on the plan included as Appendix A at Skye Edge, Sheffield 2.

2.0 BACKGROUND

- 2.1 The Highway Authority has received a request from the Public Rights of Way Team requesting that parts of footpaths SHE/217 and SHE/301 are closed as shown by solid black lines on the plan included as Appendix A, hereby referred to as “the plan”.
- 2.2 Footpath SHE/217 connects Skye Edge Fields with Whites Lane, Wybourn, Sheffield 2.
- 2.3 Footpath SHE/301 links the subject part of footpath SHE/217 with Nuttall Place, Wybourn, Sheffield 2.

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 Ward Councillors have been consulted and have raised no objections.
- 3.3 The Peak and Northern Footpath Society and the Ramblers have raised no objections to this proposal.
- 3.4 Not all the consultees had responded at the time of writing this report. Those that have responded have raised no objections.
- 3.5 If any 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 If the Committee was minded to agree to this proposal, it would be appropriate for the Council to process the closures using the power contained within Section 118 of the Highways Act 1980. This power provides that a public footpath may be closed where the Council considers it expedient to create a legal order on the basis that the path is no longer needed for public use.

5.0 HIGHWAY IMPLICATIONS

- 5.1 Public footpaths SHE/217 and SHE/301 are definitive public footpaths in the Wybourn/Skye Edge area of Sheffield. They are regarded as definitive because they have been formally recorded on the Council's definitive map and statement of public rights of way.
- 5.2 There are several paths that serve the area of public open space between Manor Laithe Road and Manor Oaks Road. These paths have varying status and comprise adopted, definitive (formal) and informal park paths. Together they provide more convenient links to the surrounding highway network than the paths that are subject to this proposal.
- 5.3 In addition, a new public right of way has been created which links Bassett Place with the unaffected part of footpath SHE/217. This is shown as a black dotted line on the plan. It is not a direct replacement for the subject paths but it does provide another alternative public route across the playing fields site.
- 5.4 To be clear – the mere existence of alternative routes is not a reason to close a path. However, if it becomes evident that a path is no longer needed for public use (e.g. because it is no longer being used) then it can be considered for closure on that basis.
- 5.5 That is the case here: the subject parts of SHE/217 and SHE/301 have become neglected by the public, resulting in them becoming overgrown and inaccessible. The Public Rights of Way team have received no complaints regarding the condition of these public paths, further indicating that they are no longer needed for public use.
- 5.6 It is therefore considered that the proposed closure is expedient, as it will 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 proposals in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

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

8.0 FINANCIAL IMPLICATIONS

8.1 The cost of the closure application and advertising of the Order has been met from the Public Rights of Way 2023/24 allocation of the Local Transport Plan

8.2 Any future costs relating to this decision will be contained within existing resources.

9.0 CONCLUSION

9.1 Based on the above information, Officers support the proposed closure of parts of definitive public footpath SHE/217 and SHE/301, as shown on the plan included as Appendix A.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed closure of parts of definitive public footpaths SHE/217 and SHE/301, 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 General Counsel for Legal Services 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.



Mohamed Edroos

Head of Highway Maintenance

30th April 2024

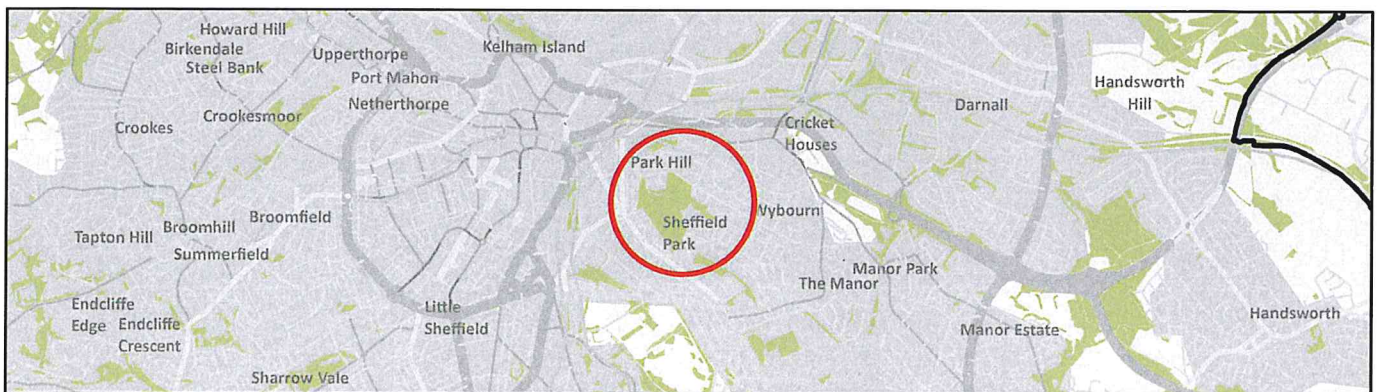
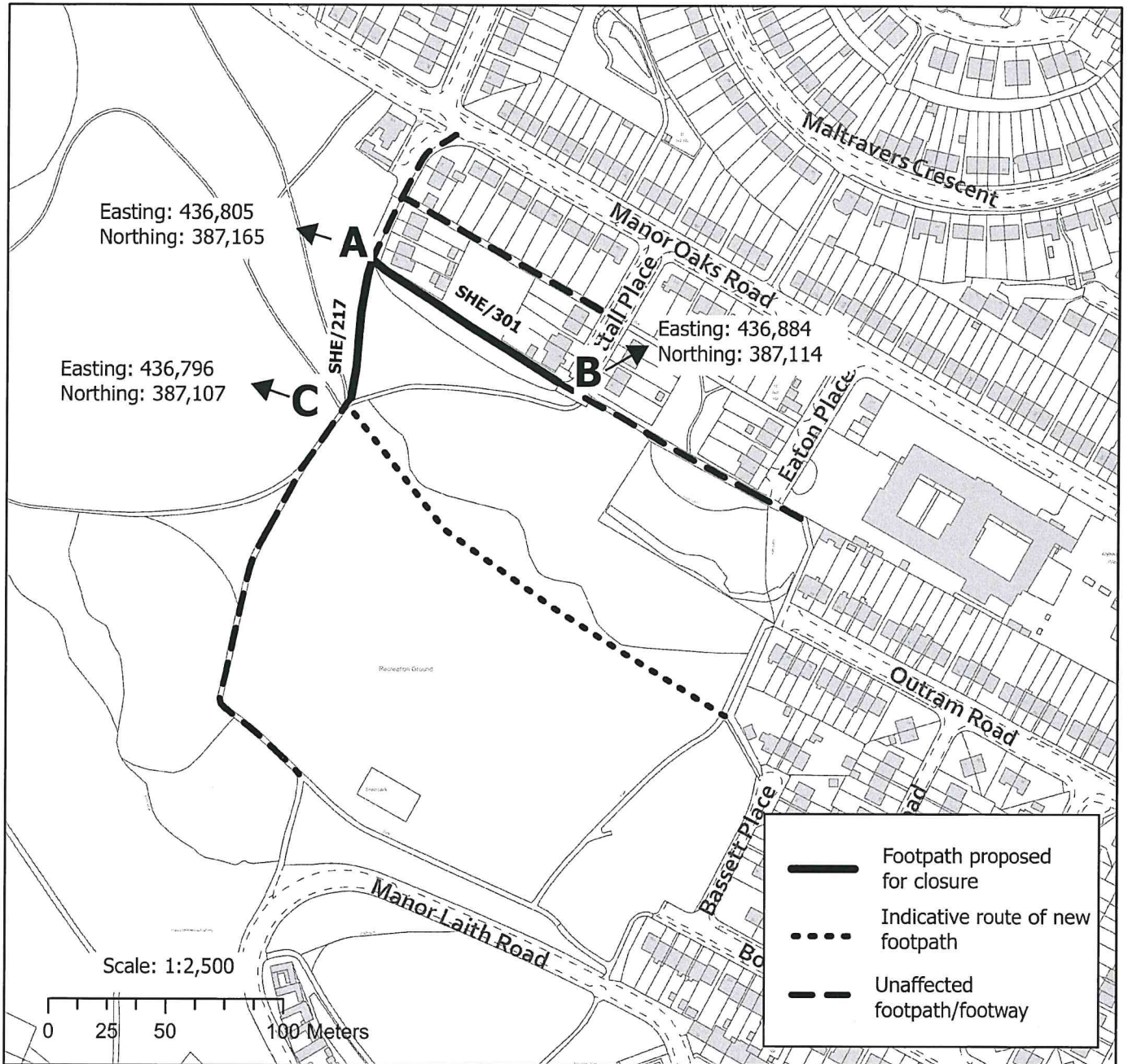


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HIGHWAYS ACT 1980 SECTION 118
 PROPOSED CLOSURE OF PARTS OF
 FOOTPATHS SHE/217 AND SHE/301 AT
 SKYE EDGE, SHEFFIELD 2



APPENDIX A



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