

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE
26th JULY 2023

PROPOSED STOPPING UP OF PART OF EUROPA LINK, TINSLEY, SHEFFIELD 9.

1.0 PURPOSE

- 1.1 To seek authority to process the Stopping-Up Order required for closing parts of Europa Link in the Tinsley area of Sheffield, as shown hatched black on the plan included as Appendix A. hereby referred to as 'the plan'.

2.0 BACKGROUND

- 2.1 The City Council has received a request to close parts of Europa Link as shown by black hatching on the plan. It is the view of the applicant that these parts of the highway are not required by the public.
- 2.2 The affected part of Europa Link forms part of a wide highway verge that has a maximum width of 11m with an overall length of 302m. This proposal will reduce the width to an average of 3m over a length of 283m as shown on the plan.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers and other relevant bodies including the Emergency Services. We have received no objections to the proposal, though not all consultees had responded at the time of writing this report.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal Services has been consulted and has advised that, assuming the subject area of highway is unnecessary, it would be appropriate to process a closure using the powers contained within Section 116 of the Highways Act 1980.

5.0 HIGHWAY IMPLICATIONS

- 5.1 Europa Link is a classified (C760), adopted all-purpose highway, in the Tinsley area of Sheffield.
- 5.2 The subject highway forms part of a wide highway verge that has a maximum width of 11m over a length of 302m. This proposal will reduce the width to an average of 3m over a length of 283m as shown on the plan.
- 5.3 Part of the proposed area was previously subject to an Order under Section 247 of the Town and Country Planning Act. However, that Order did not address the full amount of closure necessary to facilitate that development, leaving several areas of highway remaining between the closure area and the development. In addition, the applicant (for that Order) mistakenly named Rotherham Metropolitan Borough Council as the Highway Authority. As a result, no consultation was made with the City Council, the correct Highway Authority for that part of Europa Link. Consequently, we were unable to comment on the application at that time or make the applicant aware that the Order did not fully address the full amount of highway requiring closure. A copy of the earlier Order and plan is included as Appendix B.
- 5.4 The developer was unaware of the issues around the previous Order and had set out their site boundary in accordance with the made Order plan. enclosing not only the parts that were subject to the Order, but also those that were not included.
- 5.5 The pragmatic way of dealing with this issue is to seek an Order that not only addresses this issue but that will also regularize the highway boundary along this part of Europa Link. Therefore, this proposal includes those areas subject to the previous Order, the areas that were omitted from that Order and areas of verge at the back of the carriageway. This will result in a more regular highway verge with an average width of 3m at the rear of the footway.
- 5.6 It is therefore considered that the highway is unnecessary for public use. The proposed closure will not have a detrimental effect on the surrounding highway network and its users and 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 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 costs associated with this application will be met by the applicant.
- 8.3 There will be a small reduction of approximately £257 per annum to the Highway Maintenance Revenue Budget because of this highway closure.

9.0 CONCLUSION

- 9.1 Based on the above information, I have no objections to the proposed closure, as shown on the plan included as Appendix A.

10.0 RECOMMENDATIONS

- 10.1 Raise no objection to the proposed Stopping Up, required to close part of Europa Link in the Tinsley area of Sheffield, as shown by black hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers with regards to any of their mains and services that may be affected.
- 10.2 Authorise the Director of Legal and Governance to take all necessary action on the matter under the powers contained within Section 116 of the Highways Act 1980 and to apply to the Magistrates' Court for the Order.

Mark Reeder
Team Manager
Highway Records
Highway Maintenance Division

26th July 2023

REPORT APPROVED BY TOM FINNEGAN-SMITH
HEAD OF STRATEGIC TRANSPORT, SUSTAINABILITY AND INFRASTRUCTURE

Signed

Date 26th July 2023

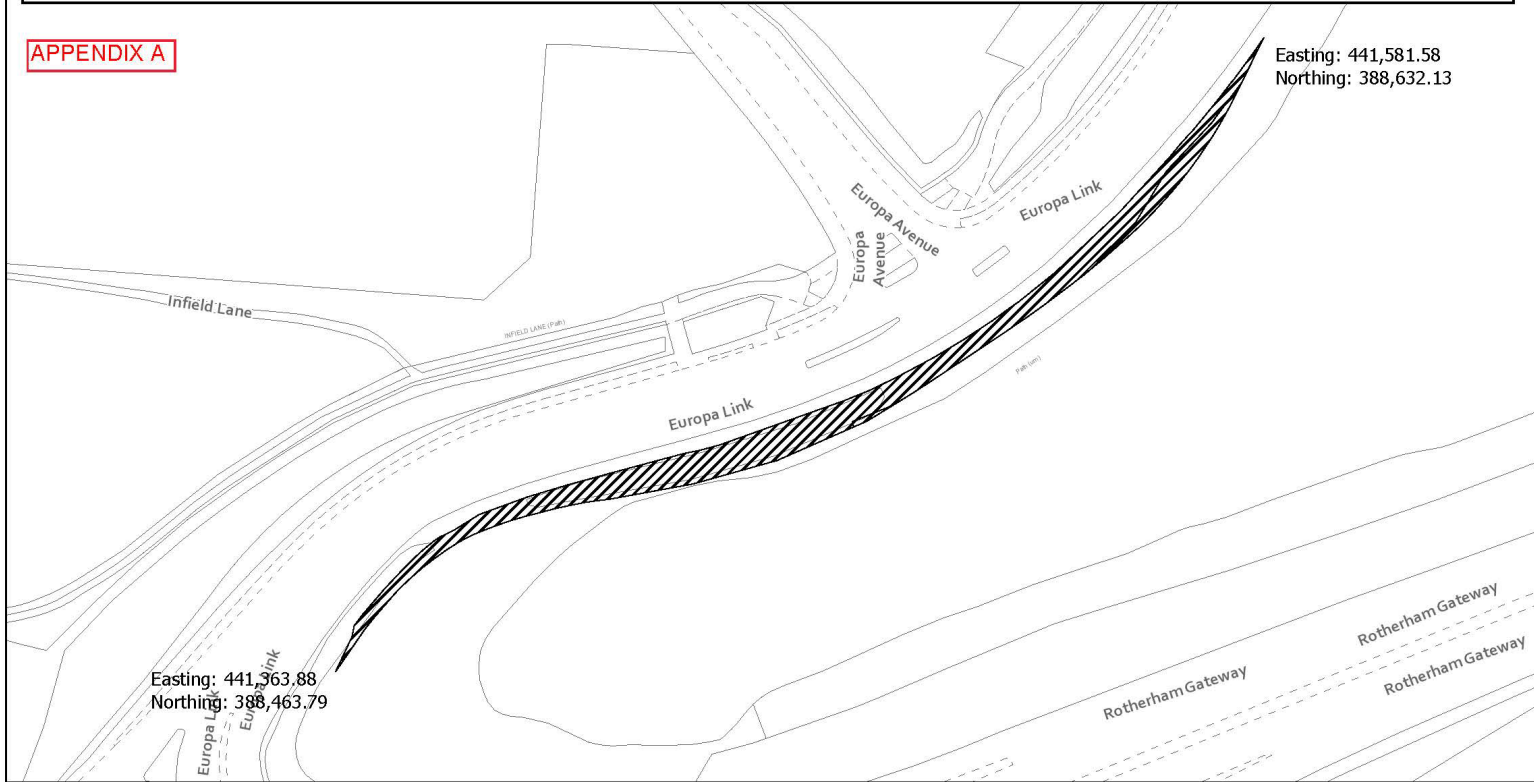


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HIGHWAYS ACT 1980 SECTION 116
CLOSURE OF HIGHWAY AT EUROPA LINK,
SHEFFIELD 9.

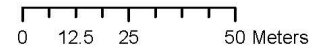



APPENDIX A



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Scale: 1:1,250 @A4



 Extent of highway to be stopped up

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (YORKSHIRE AND THE HUMBER) (NO.8) ORDER 2022

The Secretary of State makes this Order in exercise of powers under section 247 of the Town and Country Planning Act 1990 ("the Act").

1. The Secretary of State authorises the stopping up of the highways described in the Schedule to this Order and shown on the plan numbered NATTRAN/Y&H/S247/4928, to enable development to be carried out in accordance with the planning permission granted by Rotherham Metropolitan Borough Council, under references RB2021/1403 and RB2018/1988.
2. Where immediately before the date of this Order there is any apparatus of statutory undertakers under, in, on, over, along or across any highway authorised to be stopped up pursuant to this Order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that highway is stopped up as they had immediately beforehand.
3. This Order shall come into force on 10 June 2022



Signed by authority of
the Secretary of State
19 May 2022

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport

THE SCHEDULE

Description of highways to be stopped up

The highways to be stopped up are at Catcliffe in the Metropolitan Borough of Rotherham, shown on the plan as:

1. An irregular shaped area of highway verge. Commencing at grid reference E:441368 N:388491, it extends in a north easterly direction for a maximum distance of 225 metres. It has a maximum width of 5.5 metres. It is marked 1 on the plan (A-B).
2. An irregular shaped area of highway verge. Commencing at grid reference E:441604 N:388765, it extends in a generally northerly direction for a maximum distance of 25.1 metres. It has a maximum width of 2 metres. It is marked 2 on the plan (C-D).

