

29 March 2017

HIGHWAYS ACT 1980 – SECTION 116

PROPOSED CLOSURE OF DOCTOR LANE, DARNALL, SHEFFIELD

1.0 PURPOSE

To seek authority to process the Stopping-Up Order required closing the full length of Doctor Lane in the Darnall District of Sheffield.

2.0 BACKGROUND

- 2.1 The applicant, Richard Fletcher Metals Ltd, is seeking to close the area shown by hatching on the plan attached as Appendix A. The applicant contends that this area is no longer needed as public highway. A location plan is also included as Appendix B.
- 2.2 The Clement Street entrance has, for a number of years, been enclosed by gates (closed outside Fletchers' normal operating hours). The Darnall Road entrance is obstructed by overgrown vegetation and occasionally skips. Previous incidents of obstruction have been dealt with by the Highway Enforcement Officer. However no complaints have been received in the last five years regarding these or any other obstructions.
- 2.3 The applicant does not currently hold freehold title to all of the land currently within the subject area. Negotiations are underway to transfer ownership of relevant land from SCC, subject to the permanent Stopping-up Order being obtained.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers, the Emergency Services and other relevant bodies.
- 3.2 Northern Powergrid has equipment within the subject area but has not objected on the understanding that their current access arrangements do not change following Stopping-up.
- 3.3 Not all other consultees had responded at the time of writing this report but of those who have replied none have equipment within the proposed area of closure.

- 3.4 Previous correspondence from local MP Clive Betts supports the full closure of the highway which would give the applicant the opportunity to expand his operations in the future.

4.0 LEGAL IMPLICATIONS

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

5.0 HIGHWAY IMPLICATIONS

- 5.1 Doctor Lane is an unadopted all-purpose highway.
- 5.2 The subject area abuts land owned by the applicant and other businesses and in its present state serves no purpose to public highway users. As such it is considered that the proposed closure will not have a detrimental affect 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 There are no particular equal opportunities implications arising from the proposals in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 There are no environmental implications associated with this closure.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There will be no increase in liability on the Highway Maintenance revenue budget as a result of this highway closures.
- 8.2 All associated costs relating to the proposal will be met by the applicant.

9.0 CONCLUSION

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

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed closure of Doctor Lane, Darnall, Sheffield, as shown by hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected.

10.2 Authorise Legal Services 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 an Order to stop-up the said area of highway.

Mark Reeder
Engineer
Highway Records

29 March 2017

REPORT APPROVED BY HEAD OF STRATEGIC TRANSPORT AND
INFRASTRUCTURE

Signed

Date 29.03.17