

8 February 2018

HIGHWAYS ACT 1980 – SECTION 116

PROPOSAL TO STOP UP PART OF FOX VALLEY WAY AND PART OF
FOOTPATH/CYCLETRACK AT FOX VALLEY, STOCKSBRIDGE, SHEFFIELD.

1.0 PURPOSE

To seek authority to process the Stopping-Up Order required for closing part of Fox Valley Way and part of the footpath/cycle track at Fox Valley, Stocksbridge.

2.0 BACKGROUND

- 2.1 The applicant is seeking to close the areas shown by black hatching on the plan attached as Appendix A. The applicant contends that this area is no longer needed as public highway.
- 2.2 The subject area is within land owned by the applicant and no neighbouring land owners will be affected.
- 2.3 This part of Fox Valley Way forms part of the entrance to the Fox Valley Retail Park. A gate has been erected within the highway to restrict vehicular movements outside the operating times of the retail park. Clearly it is not acceptable for such a gate to be in the public highway. However, on the grounds that no complaints have been received and that this part of the highway serves only to access the retail park, it is the view of the Highway Authority that the area affected by the gate is not necessary as highway, and that it would be in the interest of all parties if it was stopped-up.
- 2.4 The section of footpath/cycle track to be closed has been obstructed by a planted area and feature. No complaints have been received and an adopted alternative is already available adjacent to the subject route. Consequently it is the view of the Highway Authority that the subject path is not necessary as public highway and can therefore be stopped-up.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers, the Emergency Services and other relevant bodies.
- 3.2 Not all 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.

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services have been consulted and have advised that, assuming the subject areas of highway are 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 Fox Valley Way is an adopted all-purpose highway.
- 5.2 The footpath/cycle track is adopted.
- 5.3 For seasons described in Section 2 above, removal of the subject areas from the public highway will not have a detrimental effect on users of the surrounding highway network, or 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 a slight reduction in liability on the Highway Maintenance Revenue Budget as a result of this highway closure.
- 8.2 All costs relating to the proposals 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

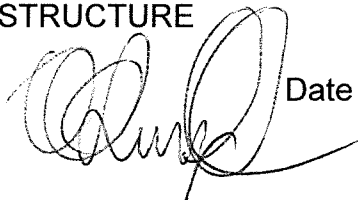
- 10.1 Raise no objections to the proposed closure of part of Fox Valley Way and part of the footpath/cycle track at Fox Valley, Stocksbridge, Sheffield, as shown by hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers with regards to 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 areas of highway.

Mark Reeder
Engineer
Highway Records

8 February 2018

REPORT APPROVED BY HEAD OF STRATEGIC TRANSPORT AND
INFRASTRUCTURE

Signed



Date

8 February 2018.



Highway Records
Highway Maintenance Division
Culture and Environment
Howden House
Union Street
Sheffield
S1 2SH

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