

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF TRANSPORT AND STRATEGIC INFRASTRUCTURE

19 FEBRUARY 2016

PROPOSED PERMANENT CLOSURE OF SCOTT STREET, GRIMESTHORPE, SHEFFIELD, WITH RETENTION OF A PUBLIC FOOTPATH ROUTE

1.0 PURPOSE

- 1.1 To seek authority to process a Stopping-up Order required to permanently close the full length of Scott Street, Grimesthorpe, Sheffield, whilst reserving a public footpath route.

2.0 BACKGROUND

- 2.1 An application has been received from MHH Contracting Ltd (formerly Hague Plant Ltd) , for the permanent closure of Scott Street, shown by hatching on the plan included as Appendix A. The applicant is of the view that the area of highway is no longer used by the public for vehicular purposes, and is therefore surplus to the needs of the highway network, subject to retention of a pedestrian route through to the Definitive Footpath numbered SHE\214, which leads through to Petre Street.
- 2.2 The applicant owns and runs a demolition business from a large site located on both sides of Scott Street.
- 2.3 Access to Scott Street has been restricted by large gates, installed by the applicant, for a number of years.
- 2.4 The Council's Highways Enforcement Officer advised MHH Contracting Ltd (at the time operating as Hague Plant Ltd) in writing that the gates formed an illegal obstruction of the highway and that they would be required to either remove the obstruction or apply for a permanent closure of the highway. An application to close the highway was subsequently made.
- 2.5 Should the application fail at any stage, the applicant will be instructed to remove the gates, with enforcement action if necessary.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers, Emergency Services, and the other relevant bodies. Not everyone consulted had responded at the time of writing this report. With the exception of National Grid Electric, no negative responses were received.
- 3.2 National Grid Electric initially objected to proposals on the grounds that their access and equipment would be affected. Following negotiations between both parties an easement agreement has been completed and the objection has now been removed.
- 3.3 The appropriate footpath user groups have been consulted and welcome the retention of a public footpath route through the site.

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services has been consulted and have advised that, assuming the 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 Scott Street is an all-purpose unadopted cul-de-sac public highway that serves the applicants' business and land, together with land and apparatus owned by National Grid PLC.
- 5.2 A public pedestrian route, linking with existing Public Footpath SHE\214, will be retained along the south side of Scott Street, as shown on the plan included as Appendix A. To implement the Order, the Council will be require the applicant to:
- a) provide suitable physical demarcation to segregate footpath users from vehicles and plant machinery; and
 - b) ensure that safe pedestrian usage of the path is unrestricted at all times of day

5.3 In view of the retention of a public pedestrian route through to Definitive Footpath SHE\214, the closure should not affect the public's enjoyment of this area, and the proposed closure 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 costs accruing to the Council (Highway Maintenance Division) in association with this 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 of Scott Street, Grimesthorpe, Sheffield, subject to retention of a public pedestrian route through to Definitive Footpath SHE\214, shown as a dashed blue line on the plan included as Appendix A.

10.0 RECOMMENDATIONS

10.1 No objections are raised to the proposed Stopping-up of Scott Street, Grimesthorpe, Sheffield as shown by hatching on the plan included as Appendix A, subject to

a.satisfactory arrangements being made with Statutory Undertakers with regards to their land, mains and services that may be affected

b. reservation of a safe and clearly marked public pedestrian route through to Definitive Footpath SHE\214.

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.

REPORT APPROVED BY DIRECTOR OF DEVELOPMENT SERVICES

Signed

Date 25/2/16 .

