

TEAM MANAGER,
NEW WORKS AND RECORDS,
HIGHWAY MAINTENANCE DIVISION

TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE 7 JULY 2016

HIGHWAYS ACT 1980 – SECTION 116
PART OF CHARTER SQUARE, SHEFFIELD S1 – PROPOSED PERMANENT
CLOSURE OF PEDESTRIAN SUBWAYS, AND EXTINGUISHMENT OF VEHICULAR
RIGHTS AT GROUND LEVEL

1.0 PURPOSE

- 1.1 To seek authority to apply for the Stopping-Up Order required for closing the pedestrian subways, and extinguishing ground-level public vehicular rights, in part of Charter Square, Sheffield City Centre.

2.0 BACKGROUND

- 2.1 Following commitments in the City Centre Master Plan to improve provision for pedestrians and cyclists, Sheffield City Council is seeking to progress a Highway improvement scheme at Charter Square, with a major change to the road layout which will:

(a). replace the Charter Row/Furnival Gate dual carriageway with a two-way single carriageway road between Rockingham Street and Pinstone Street;

and

(b). remove the Charter Square roundabout.

- 2.2 A layout plan of the scheme is attached for information at Appendix A to this report. Full details of the scheme are currently available on the Council's website at:

<https://www.sheffield.gov.uk/roads/works/schemes/charter-square.html>

- 2.3 In particular, the scheme will replace the subways currently in Charter Square with a signalised crossing of the new link road at ground level, and provide direct ground level pedestrian/cycle links through Charter Square to Wellington Street.

- 2.4 Traffic Regulation Orders (TRO) are being progressed to facilitate the scheme, in particular to prohibit motor vehicle movements in Charter Square to and from Wellington Street. In summary, the TROs comprise:

- (a) no motor vehicular movements to and from Wellington Street;
(b) removal of the roundabout;
(c) introduction of the signalised crossing of the new link road at ground level;
and

(d) the new provision of direct ground-level pedestrian/cycle links through Charter Square to Wellington Street.

- 2.5 Consequently, it is considered that the pedestrian subways are no longer necessary, and are proposed to be permanently closed by Legal Order, as shown by black-hatching on the plan at Appendix B.
- 2.6 For the same reasons, public motor vehicular rights are no longer necessary in the Square north of the new link road, and are proposed to be extinguished by the same Order, albeit reserving public bridleway rights to allow it to remain as public highway for use by pedestrians and cyclists, as shown by black stipple on the plan at Appendix B.
- 2.7 At the time of writing this report, the full highway proposals, which include the necessary Traffic Regulation Orders, are being formally consulted on. The outcome of that consultation will be the subject of a separate report which is expected to be placed before the appropriate Council Cabinet Member(s) for approval in August. Therefore, this report now only seeks approval for the Highways Act legal order process as described. If approved now, that process will proceed subject to any matters which subsequently arise out of the TRO and scheme approval report.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers, the Emergency Services, Ward Councillors, 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 objected. (Although not objecting, some utilities do have equipment within the area. The information received from them has been passed to the scheme designers who, in any case, have already been in discussions with affected utilities. The cost of any utility safeguarding or diversion works required will be covered by the scheme).

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services have been consulted and have said that, in the particular circumstances of this case, it will be possible to apply to Sheffield Magistrates' Court for an Order using the powers contained within Section 116 of the Highways Act 1980.

5.0 HIGHWAY IMPLICATIONS

- 5.1 Charter Square is an adopted all-purpose public highway.
- 5.2 Section 2 of this report describes the Highway scheme now proposed for the Square. As a result of the scheme, it is considered that the pedestrian subways, and the ground level public motor vehicular rights north of the new link road, will

be unnecessary, and their removal will not have a detrimental effect on users of the surrounding highway network, or affect the public's enjoyment of the area.

- 5.3 Sheffield City Council is the freehold owner of all the land and buildings abutting the areas of highway which would be subject to the Order. All occupants of the building fronting onto the north-east side of the Square (the former Grosvenor Hotel) have now vacated it. All ground-floor units of the building on the north-west side (formerly known as Telephone House) which front onto the Square are also vacant; other occupants of the building access it from Wellington Street, the highway status of which is not affected by this proposed Order. In any case, neither of these buildings take vehicular access from their Charter Square frontages, so will not be adversely affected by the proposed extinguishment of public motor vehicular rights on that part of the Square. (Public pedestrian access to these frontages will be retained).

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 particular environmental implications arising from the proposals in this report.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There will be no increase in financial liability on the Highway Maintenance Division of the Council as a result of this highway legal order.
- 8.2 Any increase in ongoing Highway maintenance costs as a result of the scheme will be covered by a commuted sum. That, and any other costs relating to the proposals, will be paid by the scheme budget.

9.0 CONCLUSION

- 9.1 Based on the above information, I have no objections to the proposed order as shown on the plans included at Appendix B.

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed closure of the pedestrian subways, and extinguishment of public motor vehicular rights at ground level, as shown on the plans included at Appendix B, subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected.

10.2 Authorise the Director of Legal & 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.

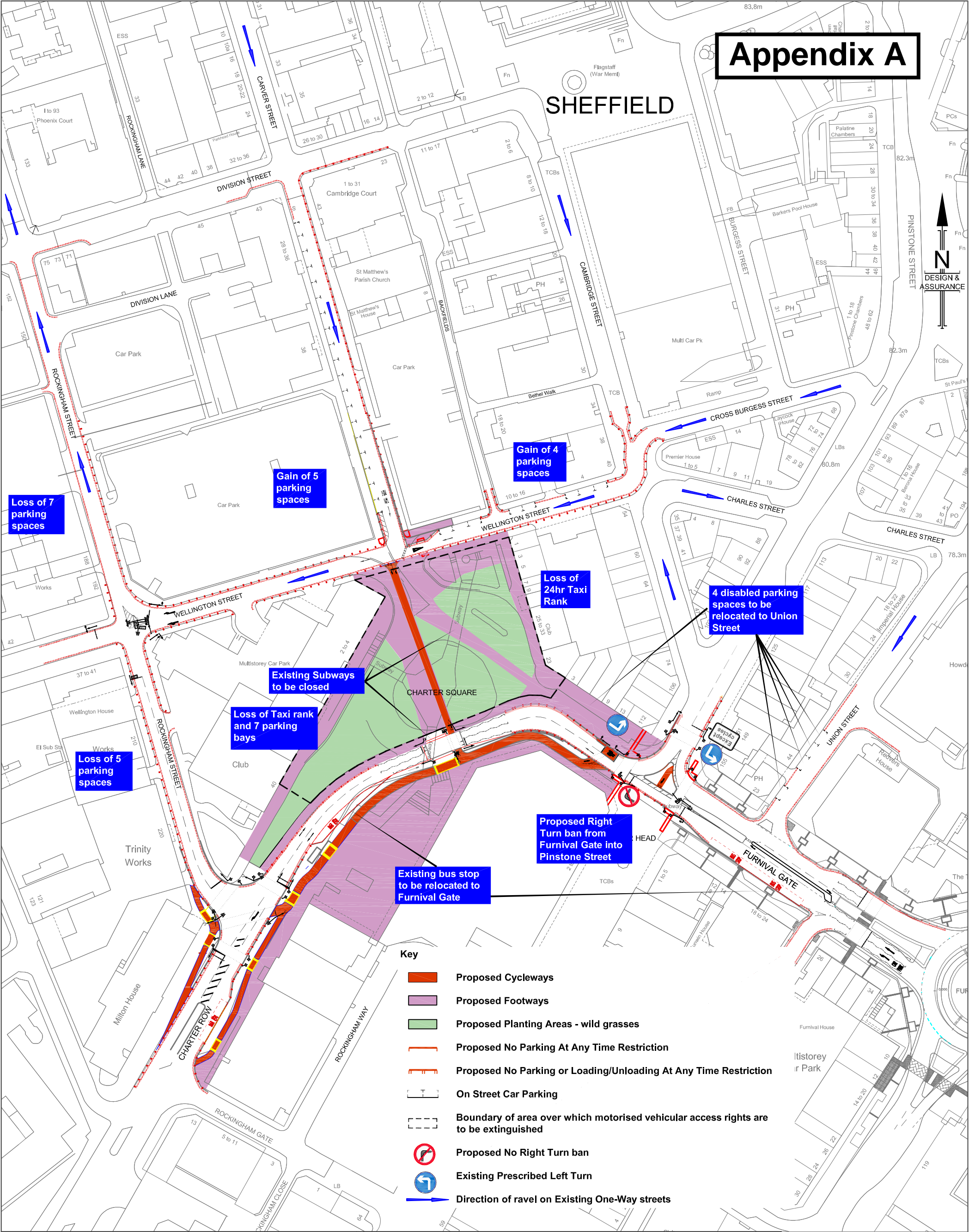
Richard Day
Principal Engineer
Highway Records
Highway Maintenance Division

7 July 2016

REPORT APPROVED BY
HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

Signed.....

Date.....



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<div>This drawing is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100018816. 2016</div>		<div>Scheme</div> <div>CHARTER SQUARE</div> <div>PEDESTRIAN & CYCLE IMPROVEMENTS</div>		<div>Scale:</div> <div>NTS</div>	
<div>AUTHOR</div> <div>CJG</div>		<div>Drawing Title</div> <div>PRELIMINARY DESIGN</div> <div>TRO & CONSULTATION PLAN</div>		<div>Date:</div> <div>JUNE 2016</div>	
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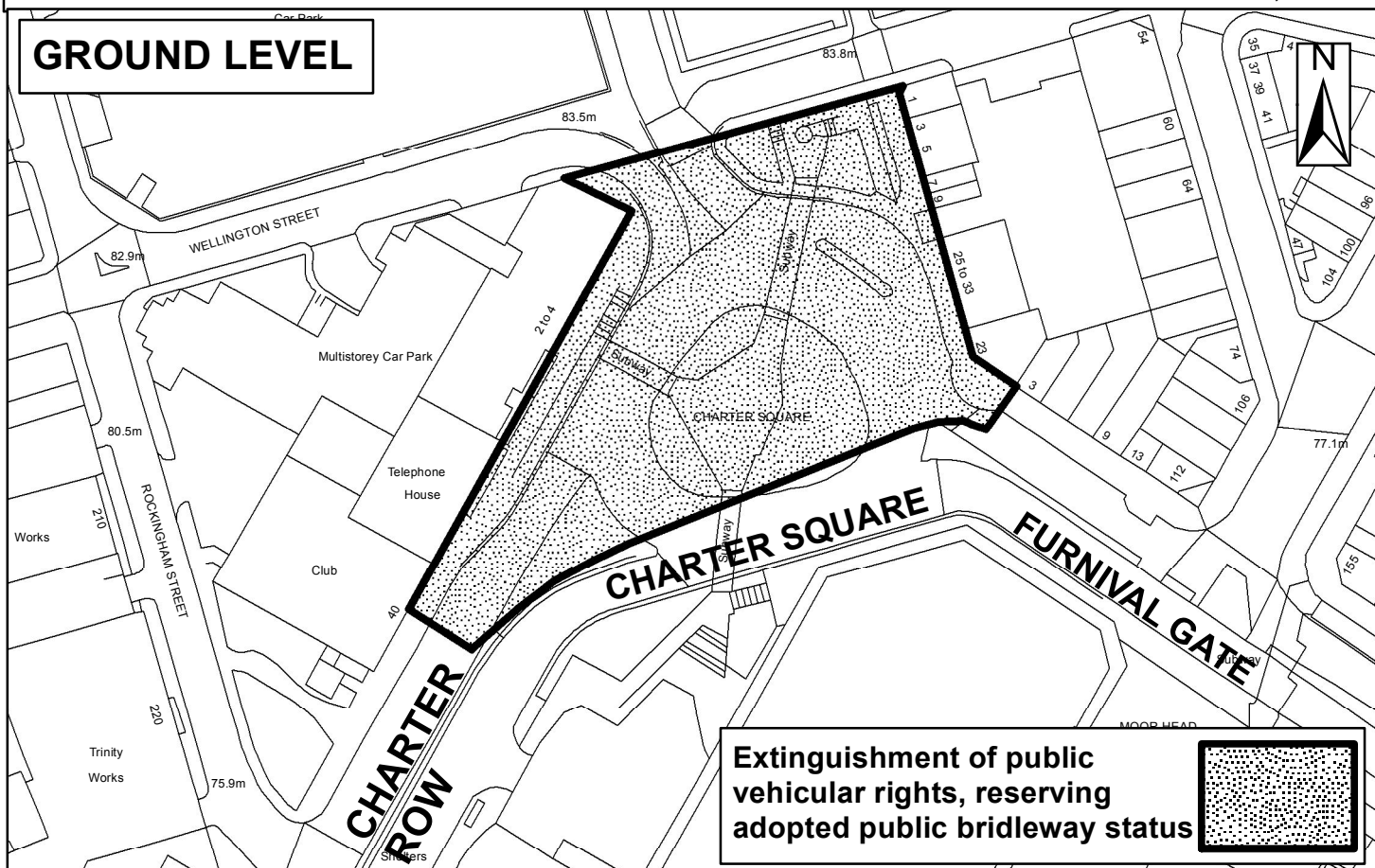


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APPENDIX B: Highways Act 1980 Section 116
Proposed extinguishment of public vehicular rights
(reserving adopted Public Bridleway status)
and Stopping Up of associated pedestrian
subways at Charter Square in the City of Sheffield
Ref.: HR/3994

Scale: 1:1,250

GROUND LEVEL



FOOTWAYS AT SUB-GROUND LEVEL

