

meeting **FOOTPATHS AND RIGHTS OF WAY COMMITTEE**

date **2 SEPTEMBER 2009**

Corporate Director (Communities)

agenda item number

7

REPORT ON TEMPORARY CLOSURES RELATING TO THE A46 NEWARK TO WIDMERPOOL IMPROVEMENT

Purpose of Report

1. To inform Members on the temporary closures to rights of way during the period of the A46 Newark to Widmerpool dualling construction.

Background

2. The proposals for the dualling of the A46 were approved by Cabinet in March 2006. The Highways Agency held a public inquiry through September 2007 from which the Inspectors report was published in February 2008. After a period of funding stagnancy the finances for the scheme were approved as part of the Governments fiscal stimulus package, with the scheme being brought forwards with a reduced construction period. Construction of the project is now well underway.
3. The Highways Agency's advanced construction programming has necessitated the closure of the affected rights of way along whole the length of the route, to protect the public during the construction phase

Summary

4. In total 34 rights of way are affected by the closure programme, in Rushcliffe and Newark & Sherwood Districts. In detail these are:-
 - 18 Footpaths = 3.7km
 - 9 Bridleways = 2.0km
 - 6 Restricted Byway = 1.25km
 - 1 Byway = 0.1km

Only two public footpaths will be wholly extinguished due to the A46 works, Shelford FP No 12 and Cropwell Butler FP No 18, both of which will be replaced by alternative routes.

Only the sections of the public rights of way affected by construction works under health and safety grounds have been closed

Closure duration

5. Appendix 1 is a copy of the relevant closure orders as published. Initially the orders are in force until the 15 December 2009. This will be extended through to the end of the construction period or until the Highways Agency contractors Balfour Beatty release the closed sections or allow passage to and over the relevant structures. Works are due to be completed by 2012.

Closure Costs

6. All accumulated costs to the Authority, including legal fees, advertising costs, staff time and the provision of notice boards has been met by the Highways Agency, through their contractor Balfour Beatty.

Statutory and Policy Implications

7. The report has been completed after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder, and users. Where such implications are material, they have been brought out in the text of the report.

Recommendations

8. It is RECOMMENDED that the report be noted.

TIM MALYNN
Corporate Director (Communities)

Comments of the Service Director – Finance

The contents of this report are duly noted, there should be no cost to the Authority.
[DJK – 11/08/09]

Legal Services' Comments

This report is for noting only. [SJE – 12/08/09]

Background Papers Available for Inspection

Appendix 1 Closure orders

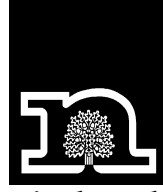
Electoral Division(s) and Member(s) Affected

Keyworth	-	Cllr John Cottee
Cotgrave	-	Cllr Richard Butler
Bingham	-	Cllr Martin Suthers
Radcliffe	-	Cllr Kay Cutts
Farndon & Muskham	-	Cllr Sue Saddington
Newark West	-	Cllr Keith Girling

Author of the report / Case Officer
Pete Jarman – Senior Recreational Routes Officer
0115 9773371

PSP.PJ/IY/ROW2
12 August 2009

APPENDIX 1



**Nottinghamshire
County Council**

THE NOTTINGHAMSHIRE COUNTY COUNCIL (VARIOUS HIGHWAYS) (TEMPORARY PROHIBITIONS) NO. 2 ORDER 2009

NOTICE IS HEREBY GIVEN that the Nottinghamshire County Council intends to make an Order, under Section 14 of the Road Traffic Act 1984, the effect of which will be in respect of highways at Stanton on the Wolds, Kinoulton, Owthorpe, Cotgrave, Cropwell Bishop, Cropwell Butler, Saxondale, Bingham, Shelford, East Bridgford, Car Colston, Screveton, Kneeton and Flintham in the Borough of Rushcliffe and highways at Farndon, Elston and Syerston in the District of Newark and Sherwood:-

(1) No person shall:-

- (a) proceed on foot,
- (b) cause any pedal cycle to proceed,
- (c) cause any horseback or leading a horse to proceed,
- (d) cause any horse drawn carts and carriages to proceed,
- (e) cause any vehicle to proceed and
- (f) cause any animal to proceed

in the following restricted byways:-

- (i) Owthorpe Restricted Byway No. 1 (also known as Herrywell Lane), from its junction with A46 Fosseway for a distance of 50 metres in a south-easterly direction.
- (ii) Cotgrave Restricted Byway No. 7, from its junction with A46 Fosseway for a distance of 50 metres in a north-westerly direction.
- (iii) East Bridgford Restricted Byway No. 33 (also known as Springdale Lane), from its junction with A46 Fosseway for a distance of 550 metres in a north-westerly direction.
- (iv) East Bridgford Restricted Byway No. 32 (also known as Closes Side Lane), from its junction with A46 Fosseway for a distance of 200 metres in a north-westerly direction.
- (v) Car Colston Restricted Byway No. 13 (also known as New Lane), from its junction with A46 Fosseway for a distance of 150 metres in a south-easterly direction.
- (vi) East Bridgford Restricted Byway No. 18 (also known as Occupation Lane), from its junction with A46 Fosseway for a distance of 250 metres in a north-westerly direction.

(2) No person shall:-

- (a) cause any pedal cycle to proceed,
- (b) cause any horseback or leading a horse to proceed,
- (c) cause any horse drawn carts and carriages to proceed,
- (d) cause any vehicle to proceed and
- (e) cause vehicle to proceed

in the following byway:-

Syerston Byway No. 9 (also known as Longhedge Lane), from its junction with A46 Fosseway for a distance of 100 metres in a south-easterly direction.

(3) No person shall:-

- (a) proceed on foot,
- (b) cause any pedal cycle to proceed,
- (c) cause any horse to proceed,
- (d) cause any vehicle to proceed and
- (e) cause any animal to proceed

in the following lengths of bridleway:-

- (i) Stanton on the Wolds Bridleway No. 9, from its junction with A46 Fosseway for a distance of 200 metres in a westerly direction.
- (ii) Kinoulton Bridleway No. 11, from its junction with A46 Fosseway for a distance of 150 metres in an easterly direction.
- (iii) Owthorpe Bridleway No. 3A, from its junction with A46 Fosseway for a distance of 100 metres in an easterly direction.
- (iv) Owthorpe Bridleway No. 3, from its junction with A46 Fosseway for a distance of 150 metres in a south-easterly direction.
- (v) Cotgrave Bridleway No. 4, from its junction with A46 Fosseway for a distance of 100 metres in a westerly direction.
- (vi) Cropwell Butler Bridleway No. 3, from its junction with A46 Fosseway for a distance of 150 metres in an easterly direction.
- (vii) Saxondale Bridleway No. 20, from its junction with A46 Fosseway for a distance of 150 metres in a north-westerly direction.
- (viii) Bingham Bridleway No. 23, from its junction with A46 Fosseway for a distance of 200 metres in a south-easterly direction.
- (ix) East Bridgford Bridleway No. 28, from its junction with A46 Fosseway for a distance of 800 metres in a north-westerly direction.

(4) No person shall proceed on foot in the following lengths of footpath:-

- (a) Stanton on the Wolds Footpath No. 8, between its junctions with Stanton on the Wolds Footpath No. 7 and A46 Fosseway.
- (b) Owthorpe Footpath No. 2, from its junction with A46 Fosseway for a distance of 100 metres in a north-easterly direction.
- (c) Owthorpe Footpath No. 10, from its junction with A46 Fosseway for a distance of 150 metres in a south-easterly direction.
- (d) Cropwell Bishop Footpath No. 15, from its junction with A46 Fosseway for a distance of 200 metres in a north-easterly direction.
- (e) Cropwell Bishop Footpath No. 14, from its junction with A46 Fosseway for a distance of 150 metres in a south-easterly direction.
- (f) Cropwell Bishop Footpath No. 13, from its junction with A46 Fosseway for a distance of 150 metres in a north-easterly direction.

- (g) Shelford Footpath No. 8, from its junction with A46 Fosseway for a distance of 100 metres in a north-westerly direction.
 - (h) Shelford Footpath No. 12, between its junctions with Newton Lane and A46 Fosseway.
 - (i) East Bridgford Footpath No. 25, from its junction with East Bridgford Footpath No. 24A for a distance of 100 metres in a north-westerly direction.
 - (j) East Bridgford Footpath No. 24A, from its junction A46 Fosseway for a distance of 500 metres in a north-westerly direction.
 - (k) East Bridgford Footpath No. 21, from its junction with A46 Fosseway for a distance of 250 metres in a north-westerly direction.
 - (l) Screveton Footpath No. 6, from its junction with A46 Fosseway for a distance of 100 metres in a south-easterly direction.
 - (m) Kneeton Footpath No. 6, from its junction with A46 Fosseway for a distance of 50 metres in a north-westerly direction.
 - (n) Flintham Footpath No. 6, from its junction with A46 Fosseway for a distance of 50 metres in an easterly direction.
 - (o) Elston Footpath No. 5, from its junction with Lodge Lane for a distance of 300 metres in a south-westerly direction.
 - (p) Farndon Footpath No. 11, from its junction with Thorpe Footpath No. 1 for a distance of 250 metres in a northerly direction.
 - (q) Cropwell Butler Footpath No. 18, between its junctions with A46 Fosseway and The A52 Road (near Saxondale village).
 - (r) Saxondale Footpath No. 1, from its junction with A46 Fosseway for a distance of 150 metres in a north-westerly direction.
- (5) The existing temporary Order will be revoked.

IT IS INTENDED that the prohibition will apply as follows:-

From Tuesday, 28th July 2009 until Tuesday, 15th December 2009 inclusive.

The prohibition shall apply to enable works to be carried out or in respect of the likelihood of danger to the public and damage to the **highways**. If the works are not completed within 6 months, the Order may be extended by the Secretary of State.

The prohibitions are required to carry out the A46 Road building.

THIS NOTICE IS DATED THIS 10TH DAY OF JULY 2009

Jayne Francis,
Service Director Legal and Democratic Services,
Nottinghamshire County Council,
County Hall,
West Bridgford,
Nottingham
NG2 7QP

For more information contact the Customer Service Centre on 08449 80 80 80.