

It is also recommended that:

- flail mowers are mounted on the left hand side of the tractor so that the tractor can cut with the flow of the traffic.
- the work is undertaken in good visibility and in daylight.
- the work is undertaken when traffic flows are minimal, reducing congestion and delays.
- consideration is given to employing specialist /qualified contractors when undertaking work of this nature.
- those responsible for the work, or their contractor, have Public Liability Insurance cover suitable for working on the highway for a value of £5 million.
- equipment is well maintained and in good condition and does not throw debris into the path of traffic or other highway users.
- the highway, including footways, cycleways and drainage features, is left clean of debris.

If you wish to plant trees or shrubs in a highway verge please contact My Devon. The acting authority will grant a licence, if appropriate. They will need to assess the suitability of the location of your proposal and safety issues such as the effect on visibility for road users. Please remember you may be asked to be responsible for the future maintenance of what you plant.

Who to contact for further information

If you wish to obtain more information or have a question regarding the contents of this leaflet contact My Devon.

Want to report a problem on your road?

BT 0845 calls cost a maximum 5p per minute. Other providers may vary

The Devon Hedge Group is a forum of organisations and individuals that aims to foster support for hedge conservation in Devon through promoting management that optimises the value of hedges for farming, wildlife, landscape, archaeological and cultural purposes. The Hedge Group can be contacted via email: hedges@devon.gov.uk or look at the website: www.devon.gov.uk/hedges



Roadside hedge & tree management



General

Hedges are a unique part of the Devon environment. Established over many hundreds of years for agriculture, hedges are now greatly valued for their ecological, historical and amenity importance. They form part of the living history of the landscape and create a dense web of wildlife habitat. Roadside hedges and trees are particularly important, being the most visible to those travelling around Devon. From a practical viewpoint, they can help prevent problems such as soil erosion and proper management is important for road safety.

Consequently, this resource needs to be carefully maintained. This leaflet provides guidance on how this might be achieved.

Who is responsible for their maintenance?

Many hedges and trees grow on the edge of the highway and mark its boundary with private property. In such cases it is the responsibility of the adjacent landowner or occupier to properly maintain them. This also applies to trees that overhang the highway or those which may fall on to it.

The County Council will maintain all trees growing within the highway limits, with the exception of those planted under special licence.

Legal Requirements for Maintenance

The Highways Act 1980 (Section 154) empowers the County Council, as the Highway Authority, to protect the safety of highway users by ensuring that owners and occupiers carry out their legal duties in respect of roadside hedges and trees.

Owners and occupiers are required to:

- trim hedges and trees to ensure growth does not obscure the view of road signs.
- trim roadside hedges to maintain visibility for road users, particularly at junctions and on the inside of bends.
- trim any hedge that directly abuts a road, footway, cycleway or public right of way so that growth does not prevent the passage or affect the safety of the highway user, including cyclists and pedestrians.

- remove dead or decaying trees and other growth that may fall across the highway.
- remove branches and other growth that may prevent the passage of high sided vehicles or obstruct light from a public lamp (street light).
- ensure the highway (including the footway and drainage features) is left clear of debris from the cutting operations (Section 148, Highways Act 1980).

Who undertakes the work?

It is easier for all concerned if landowners/occupiers maintain their own trees and hedges to a good standard.

On major roads the County Council helps to enhance road safety by cutting hedges on the inside of bends and at junctions at the same time as cutting the grass verges. On the minor roads this is left to the landowner/ occupier in accordance with the Highways Act. The Council may also cut some hedges in advance of road treatment work, or in front of drainage features and road signs. Despite the Council doing this work owners and occupiers are not relieved of their responsibilities.

What if the landowner/occupier fails to undertake the work?

The County Council makes every effort to encourage owners and occupiers to cut their hedges, and will work closely with Parish Councils and local people to identify occupiers who neglect this work and to remind them of their responsibilities.

Where roadside growth is becoming a problem the County Council may serve a notice on the owner/occupier requiring the necessary work to be completed within a stated period. Failure to comply may result in the Council undertaking the work and claiming back the cost incurred.

Timing of the work

Hedge and tree maintenance can be a time consuming operation that needs to take into account ground conditions, agricultural land use, wildlife and highway safety. Where road safety is not jeopardised, landowners, occupiers and farmers are recommended to undertake trimming preferably in January and February for the following reasons:

- it reduces the chance of disturbance to breeding birds. Nesting birds and other species such as bats and dormice are given legal protection under the Wildlife and Countryside Act 1981.
- most plants will have finished flowering and seeding.
- it allows the availability of berries and nuts for feeding birds and other wildlife for as long as possible during the winter.
- it is likely that there will be less traffic on the roads, reducing congestion and delays.

Further advice on hedge maintenance

It is recommended that:

- where hedges are set back from the edge of the road and safety considerations allow, hedges should be cut on a two or three year (or longer) cycle.



- if the side of the hedge bordering the road has to be cut every year for visibility, drainage or other reasons, you should consider only cutting the top and field side of the hedge every two or three years (or less frequently).
- routinely cutting back to the same point is avoided. Encouraging new shoots and branching close to the base of the hedge helps to produce dense growth – ideal for stock control and wildlife.
- hedgebanks are not cut bare, otherwise they might dry out or be vulnerable to frost, and archaeological features and plant life may be lost or damaged.
- where a hedge is over-mature and losing vigour or gaps are appearing, it is layed or coppiced, but some trees should be retained.
- elsewhere, hedgerow saplings and trees are also left (or planted) at varying intervals and allowed to mature.
- herbicides are not used to control or remove general hedge growth.

Hedgerow removal

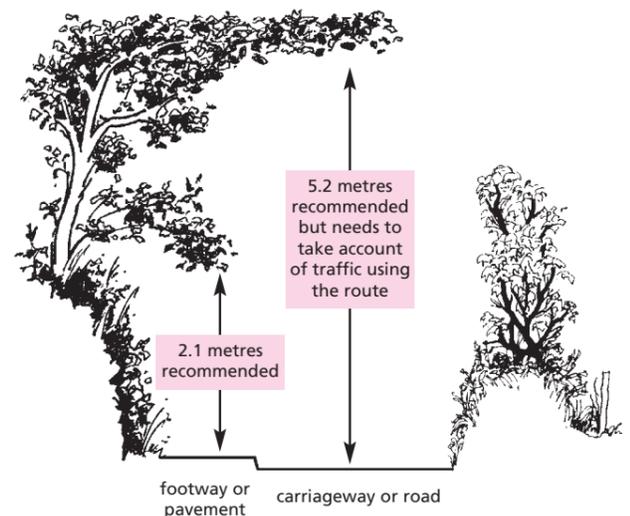
The Hedgerows Regulations 1997 control the removal of hedgerows through a system of notification. Under the Regulations it is an offence to remove a hedgerow or section of hedgerow without notifying the local planning authority. For more details contact the City, Borough or District Council or National Park Authority for your area.

Further advice on tree maintenance

It is recommended that:

- regular inspections of trees are commissioned by the owner/occupier and are undertaken by an expert if necessary.

- consultation is undertaken with the local City, District or Borough Council before pruning or tree felling starts as their consent may be required if the tree is protected or in a conservation area.
- consultation is undertaken with the Forestry Commission before felling as a licence maybe be required.
- dead or decaying limbs and trees that might otherwise fall across the highway are removed.
- where possible, hedgerow saplings are tagged and trees are left at varying intervals and allowed to mature. Such trees, if carefully selected and managed, will grow safely to enhance the general landscape.
- saws are used to remove well established woody growth and larger branches, for the formative pruning of trees, and for raising the canopy/crown of hedgerow trees.
- work to clear branches and ensure adequate clearance over carriageways, footways and cycleways should ideally be timed for January and February.



Further advice on safety at roadworks



All works on the highway (for example hedge cutting or ditching) should be undertaken safely and in accordance with the recommendations contained in Chapter 8 of the Traffic Signs Manual. The necessary warning signs must be in place before you start working on the highway, and must be removed on completion of the work. Signs should be put in place well in advance of the work and clearly visible on every approach to the affected areas. Usually the sign shown here (ref. 7001 with minimum height of 600mm) will be suitable for use on all minor single tracked rural roads. For more major roads please contact the My Devon Customer Service Centre to agree the size and positioning of signs. Signs are available from your local builders merchant or hire shop.