



Fact Sheet • February 2021

# Roadside hedge and tree management

Cornwall Council has a legal duty to prevent, as far as is reasonably possible, the obstruction of the highway. This includes ensuring that landowners and occupiers properly manage the growth of their trees and hedges on the roadside.

Cornwall's roads are bounded by hedges and trees which are often hundreds of years old.

They are important features in our landscape and provide a number of environmental benefits ranging from reduced flood risk and soil loss, to improved air quality and habitat for wildlife.

The stone and turf structure of Cornish hedges fosters an especially rich bio-diversity.

## Maintenance responsibilities

Very few trees and hedgerows on or near the highway are the responsibility of Cornwall Council. The vast majority of land alongside Cornwall's roads is privately owned and hedges and boundary trees are the responsibility of the landowner.

Cornwall Council is only responsible for the management and maintenance of these important features growing on its own land or those growing within the limits of the maintained highway.

## Working with landowners

We want to work with landowners and encourage them to play their part in helping to ensure all road users and pedestrians can travel and walk safely.

Landowners have a duty to cut their own hedges and trees where they are causing an obstruction or safety concern. However, if the owner is not willing to take action, the council has the power to issue formal notices to landowners and cut back any obstructive hedges or trees on their behalf. In these circumstances, the council will normally recover the costs from the landowner.

If trees or hedges are not properly managed, they can interfere with road safety, particularly at junctions or bends where they can compromise essential visibility. Even light growth can cause problems for pedestrians and cyclists

We would advise people to maintain their trees and hedges responsibly and to inspect them regularly during the growing season.

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We recommend that regular maintenance of hedgerows is carried out to prevent side growth and low-lying branches extending into the highway.

It is important that owners check trees for any signs of disease and that trees within falling distance of the highway are safe, particularly after strong winds and storm conditions. This includes trees rooted in Cornish hedges that form the boundary to the highway.

The months of March through to the end of August is the main breeding season for birds and as far as hedge cutting is considered is a closed season. Unless there are unavoidable health and safety concerns hedge cutting during this time should be avoided.

All cuttings should be removed to avoid endangering road users and enable footways and highway drainage features to continue to carry out their important functions.

 **We usually recommend trimming back hedges in January and February.** This is because:

- It reduces the chance of disturbing breeding birds which have legal protection
- Most plants won't have started flowering or seeding
- It allows berries and nuts to be available for 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

## How we manage trees and hedges along the highway

We manage trees and hedges on council-owned land to maintain the safe use of the highway and support the many and wide-ranging benefits they provide.

Our routine highway inspections include the general identification of tree defects within or adjacent to the highway which may be a hazard to road users.

Tree specialists (arboricultural officers) also undertake regular specialist inspection of trees within urban areas and along our busier rural roads.

When inspecting trees we assess the condition, any potential risks and hazards, the width and height clearance required for the road. We will check for signs of ill health, instability, decay fungi within the roots or on the tree and any structural defects including broken hanging branches.

Where dangerous trees or obstructions are identified we will take action. We either deal with issues on our highway land or notify private landowners of our concerns following our inspections.

If the highway is obstructed by fallen trees or other debris, we will work to clear the obstruction as

quickly as possible. If necessary, the road may be temporarily closed in the interests of public safety.

In order to protect the health, safety and amenity of trees we will normally only carry out works for reasons of good tree husbandry, or to resolve significant hazards.

Unfortunately, we do not deal with nuisance related issues, such as branches overhanging private property.

We may cut hedges from time to time in advance of road treatment work, or in front of drainage features and road signs. However, in doing this work, it does not relieve owners and occupiers of their responsibilities.

## Tree works on the highway

When carrying out cutting or trimming activities on the roadside, health and safety considerations must be a priority.

Before any work is carried out landowners need to ensure they have all the required permissions and consents and will need to check for [Tree Preservation Orders or Conservation Areas](#).

A [licence to work within the highway](#) might be required if any work affects road users, and where tree works involve the removal of more than 5 m<sup>3</sup> of timber a [felling licence](#) may also be needed.

Advice regarding tree safety, management, or development should always be given by a suitably experienced and qualified tree specialist.

## Top tips

Make sure you visit the Cornwall Council website for all the latest advice. Everything you need to know about managing trees and tree risks can be found on the [Managing your Trees](#) webpage.

It may sound obvious, but work should be carried out in good visibility and machinery which spits hedge debris onto the highway should be avoided.

If planting trees on land near to the highway think about where the tree is placed to minimise the risks to road users and also the obligation to carry out regular checks and maintenance.

Ensure that hedge maintenance contractors have adequate insurance as operators.

## Report an issue

If you wish to report an issue with overgrown hedges or overgrown or fallen trees causing a concern in the highway, please use this [link](#) to the report it page.

**Please notify Cornwall Council (0300 1234 222) if you need to undertake emergency tree works from within the highway or if highway users are affected.**