

Coney Weston Parish Council

Policy and Procedure for dealing with highways (and footways) obstructed by hedges and trees

The issue of hedges and trees overhanging and obstructing the highway (which includes the footway or pavement as it is more commonly known) is one that regularly gives rise to complaints to the Parish Council from residents and this policy describes what the Parish Council will do, on its own instigation or on receipt of a complaint.

It is the responsibility of those households/landowners with trees and hedges adjacent to the highway or footway to keep them cut back so as not to obstruct others' rights of way and to give maximum vision for road safety.

The Parish Council will take action should householders/landowners decline to take appropriate measures themselves, in a reasonable time scale.

The Highways Act 1980 obliges owners of hedges and trees not to obstruct the highway and whilst the Parish Council has no legal powers to enforce the issue, the County Council as the Highways Authority, does.

The Parish Council firmly believes that it is preferable for issues such as this to be resolved at a local level and enforcement action by the Highways Authority will be the last resort.

To that end, the Parish Council's Policy is:

- To promote awareness of the issue, through various forms of publicity including the website and a leaflet (see leaflet)
- On receipt of a justified complaint, the Parish Clerk will send 'Letter 1' to the householder/landowner requesting that remedial action be taken within 14 days.
- If remedial action is not taken and no contact is received from the householder/landowner, the 'Letter 2' will be sent by the Parish Clerk which sets out the consequences of failure to comply and giving a further 14 days to act.
- If remedial action is not forthcoming, the Parish Clerk will refer the matter to the Highways Authority for enforcement action and a letter would be sent to the householder/landowner informing them that the Highways Authority has been notified.

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