

Hedges & Vegetation Restricting Pavements & Highways



Ogwell Parish Council will be discussing a draft policy at it's August meeting. Although the vast majority of households maintain their hedges to ensure the highway and visibility are not restricted, there are a number of houses where the width of the pavement means that a push chair or wheelchair does not have a clear way to pass and can even mean pedestrians have to step onto the road..

In England (and similarly in Wales), householders have a legal responsibility to ensure that hedges, trees and shrubs on their property do not obstruct the public highway, including pavements. The main law is **Section 154 of the Highways Act 1980**.

If a hedge:

- Overhangs a pavement so pedestrians have to step into the road.
- Obstructs the passage of wheelchairs, mobility scooters or pushchairs.
- Blocks drivers' visibility at junctions or bends.
- Obscures road signs or street lighting.

then the local highway authority (usually the county council or unitary authority) can require the owner or occupier to cut it back.

The process is generally:

1. The council receives a complaint or identifies the problem.
2. They inspect the site.
3. If necessary, they serve a notice requiring the hedge to be cut back, normally giving **14 days** to carry out the work.
4. If the owner fails to comply, the council can arrange for the work to be done itself and recover the reasonable cost from the owner.

There is no single legal maximum width that a hedge may project over a pavement. The test is whether it creates an **obstruction or danger**.

Many highway authorities also publish guidance suggesting minimum clearances of approximately:

- **2.3 metres (7 ft 6 in)** above pavements.
- **5.2 metres (17 ft)** above roads for vehicle clearance. These figures are guidance commonly used by councils rather than limits set out in the Act itself.

What about bird nesting season?

The Wildlife and Countryside Act protects active bird nests, but this does **not** prevent essential safety work. If a hedge is obstructing a pavement or highway, it can still be trimmed, provided reasonable care is taken to avoid damaging active nests.