



<b>Committee</b>	Planning & Transport
<b>Month</b>	October 2021
<b>Report Title</b>	1980 Highways Act Section 154
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### Summary

Over the summer months Cllr Roberts has been looking at hedgerows and foliage which overhang onto the pavement and public right of way in Saffron Walden, effecting pedestrian safety.

Any overhanging hedges should be cut back to the owner or occupant's property line, per the 1980 Highways Act Section 154, extract below (found [here](#))

*Cutting or felling etc. trees etc. that overhang or are a danger to roads or footpaths.*

*Where a hedge, tree or shrub overhangs a highway or any other road or footpath to which the public has access so as to endanger or obstruct the passage of vehicles or pedestrians, or obstructs or interferes with the view of drivers of vehicles or the light from a public lamp, or overhangs a highway so as to endanger or obstruct the passage of horse-riders,]a competent authority may, by notice either to the owner of the hedge, tree or shrub or to the occupier of the land on which it is growing, require him within 14 days from the date of service of the notice so to lop or cut it as to remove the cause of the danger, obstruction or interference. For the purposes of this section the following are competent authorities—*

- (a) in relation to a highway for which the Minister is the highway authority and which is in a district or London borough, the Minister and also the council of the district or, as the case may be, borough;*
- (b) in relation to a highway for which a local highway authority are the highway authority, that authority and also if the highway is situated in a non-metropolitan district, the council of that district;*
- (c) in relation to a road or footpath that is not a highway, the local authority in whose area the road or footpath is situated; and "hedge, tree or shrub" includes vegetation of any description.*

Particular problem areas picked up by Cllr Roberts are along Debden Road and The Avenue, illustrated in the below photos. Demonstrating how the overhanging hedgerows are impeding on visibility.



## Recommendation

Committee are asked to consider how we can approach repeating issues.

Possible options:

- Reminder in the press (newspapers and social media) asking residents to ensure hedges are cut back to comply with legislation.
- SWTC to write to particular residents.
- Should further action be required, ask Essex County Council Highways to write to residents.