

Things to be aware of when cutting back hedges, trees and vegetation

Birds' nests

All wild bird species, their eggs and nests are protected by law. Care must be taken to avoid damaging or destroying a wild bird's nest while it is being built or is in use. It is also an offence under the Wildlife and Countryside Act 1980 to disturb 'schedule 1 birds' while they're nesting, building a nest, in or near a nest that contains their young, or to disturb their dependent young. Further information at: <https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences>.

Protected trees

Where trees are protected by a Tree Preservation Order (TPO) or Conservation Area controls, the cutting back of trees to comply with the Highways Act 1980 can still be carried out. Providing the clearance heights and guidance given in this leaflet are adhered to. If you need further advice, please contact the Royal Borough's tree team on 01628 796134 or email: trees@rbwm.gov.uk.

What will happen if I don't cut the hedges/trees/vegetation back?

If you do not keep your hedges, trees or vegetation clear of the footpath, formal enforcement will be taken by the Royal Borough of Windsor & Maidenhead. If the hedge/tree/vegetation is still not cut back after a formal request from the Royal Borough, a letter will be served to cut back the hedge/tree/vegetation within 14 days. If after 14 days the work has not been completed, then the Royal Borough will arrange to carry out the work and recover the cost of doing so from the landowner or occupier.

If in the meantime an incident happens which is attributable to the overhanging hedge/tree/vegetation, the landowner or occupier could face a substantial claim from an injured or damaged party.

I don't think my hedge/tree/vegetation needs cutting back

Most disputes about the cutting back of hedges, trees and vegetation, arise from establishing land ownership.

The beneficial owner of any land on which a hedge, tree or vegetation is planted, must ensure that any growth which affects a public footpath or highway is cut back in accordance with the diagrams overleaf.

How to report overhanging vegetation

If you are aware of any overhanging hedges, trees or vegetation that you feel presents a safety concern, please report it at:

<https://www.rbwm.gov.uk/home/transport-and-streets/report-problem-overhanging-trees-and-shrubs>.

You can also report the following on our website:

- missed bin
- abandoned vehicle
- pot holes
- streetlights
- graffiti & flytipping
- noise

Contact information

If you want confirmation of why you got this leaflet please contact:

Email: highways@rbwm.gov.uk

Website: www.rbwm.gov.uk

Keeping our footpaths and highways clear and safe to use



Help us keep our footpaths and
highways free from obstruction

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Keeping hedges, trees and vegetation cut back regularly helps to make sure that our public footpaths and highways are safe and accessible for everyone to use. It's important that anyone using footpaths or highways is not hindered and that footpaths are kept clear for those with pushchairs or wheelchairs.

We are working with the Royal Borough of Windsor & Maidenhead to reduce the need to issue formal enforcement requests by identifying potential problem areas and to encourage the landowner or occupier to resolve any issues quickly and before formal intervention is needed.

This leaflet has been posted through your letterbox as you have a hedges, trees and vegetation next to the highway that will need cutting back.

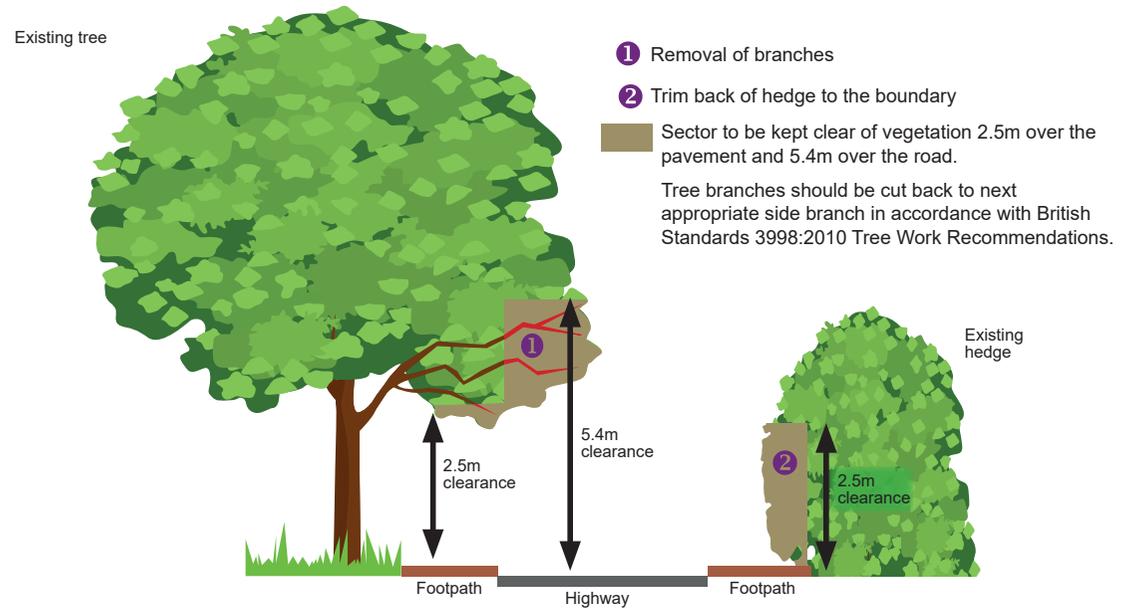
As shown in the following diagrams, this generally means that they should not overhang or encroach onto public footpaths or highways.

How do I know if any hedge/tree/vegetation I am responsible for need cutting back?

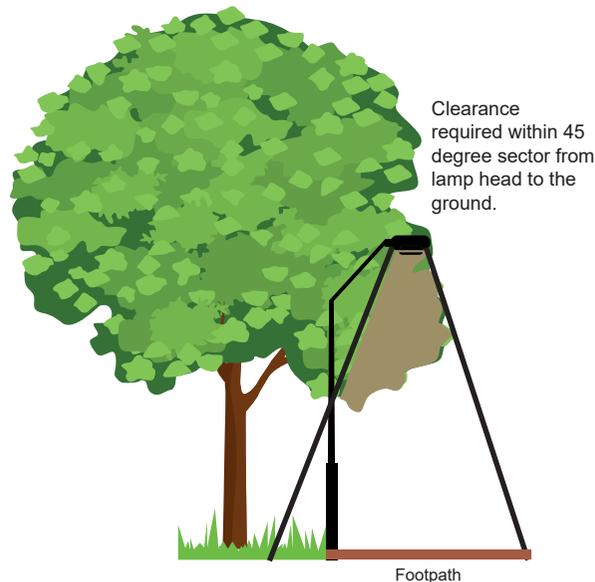
The cutting back of hedge/tree/vegetation is the responsibility of the landowner or occupier of the land on which the hedges, trees and vegetation are growing. To help ensure footpaths and highways are kept clear, you should regularly trim and cut back any hedges, trees or vegetation that could interfere with the safe use of public footpaths and highways, or that could obscure street lights or road signs.

The diagrams in this leaflet show examples of overhanging trees, hedges and vegetation and give guidance on how any trees, hedges and vegetation that you are responsible for, may need to be cut back to keep footpaths and highways clear. It only takes a single overhanging bramble or branch to inflict serious injury to a person's eye or deflect them into the path of passing vehicle. Please work with us to make our footpaths and highways safer.

Carriageway and footway clearance of vegetation



Street lamps



Street signs

