

QUESTION 4

COUNTY COUNCIL MEETING – 19 MAY 2022

Question to Cllr Tagg Cabinet Member for Environment, Infrastructure and Climate Change

By Cllr Charlotte Atkins

Question

What does the County Council do (a) to respond to residents who report the destruction of hedgerows on private land during the nesting season, and (b) to monitor the state of hedgerows and encourage their protection?

Reply

(a) There are two issues within this – firstly the destruction of the hedgerow and secondly the potential destruction of active bird nests. Some, but not all, hedgerows fall within the remit of the Hedgerow Regulations 1997, and these would fall under the remit of the local planning authority i.e., the relevant district or borough council. As such, we would generally refer people to the relevant council to check whether any permission had been granted or whether an offence may have occurred and to follow this up via enforcement.

In relation to nesting birds, destruction of nests could constitute a wildlife crime and would be the remit of the police. However, it should be noted that any action would depend on good evidence that an offence had occurred, which is often difficult to provide.

Neither of these issues are the remit of the County Council and we generally sign post enquirers to the relevant body.

(b) The County Council supports protection of hedgerows in relation to its own planning function in line with policy / legislative requirements, and in the ecological and landscape advice it offers through arrangements with some district and borough councils to support their planning roles. We manage the hedgerows on our own countryside estate, for example our recent work with local school children to plant hedgerow trees at Apedale Country Park – teaching children about climate change and nature recovery.

More proactive work to support hedgerows is generally through our environmental partnership initiatives, such as through the Cannock Chase AONB's Farming in Protected Landscapes Programme, or through Lottery-funded initiatives such as Transforming the Trent Valley.

With regards to highways unless there are specific agreements to the contrary the maintenance of highway boundary hedges is usually the responsibility of the adjoining landowner. Where hedges are the responsibility of the Highway Authority trimming is carried out annually during late winter to avoid bird nesting and to support local ecology. If a hedge requires cutting between 1st April and 31st August, this will generally only be for safety reasons and following an ecological survey.