

*Below is a Draft Briefing Note from Aberdeenshire Council following our last TCC meeting when we were discussing what could be done about some overgrown hedges encroaching onto pedestrian pavements? Ralph Singleton at Aberdeenshire Council kindly sent this as an interim measure prior to them producing a leaflet on the subject*

## **Draft Briefing Note**

### **Vegetation Overhanging and/or Obstructing Public Roads and Footways**

Concerns are expressed when lack of appropriate maintenance leads to vegetation (hedges, trees and shrubs) overhanging roads and footways to such an extent they the passage of pedestrians or vehicles is endangered or obstructed.

Under the Roads (Scotland) Act 1984 the owner/occupier of the land where the plants are growing has a responsibility to maintain their plants in such a manner that ensures that users of the roads and footways are not obstructed or endangered.

Where hedges, trees and shrubs have grown out over roads and footways the problems caused to vehicles and pedestrians include:

- Pedestrians having to walk close to or on the road to avoid obstructive growth
- Risk of injury from thorny fronds.
- Restrictions of drivers' visibility at junctions

In general the standard to be achieved is that a hedge should not project beyond the rear of the footway, or the roadside face of a wall or fence if there is one. There should be a clear height of 2.3m (7ft 6in) above a footway, or 5.5m (18ft) if the hedge or trees overhang a road.

While the roads authority can serve notice on owners/occupiers where there is a contravention of the Roads (Scotland) Act 1984 however Aberdeenshire Council prefers to encourage all householders, property owners and occupiers to check their roadside vegetation to see if it could be causing a problem, and to carry out any necessary trimming.

The cooperation of all owners and occupiers will be appreciated by the community and Aberdeenshire Council and will help to keep our communities attractive and safe.