

# Watton-at-Stone Parish Council Protocol for handling Problem-Hedges within the Parish

## Introduction

The need for this document has arisen because of discussions about our recent and past experiences when dealing with and/or becoming involved in problems associated with hedges within our village.

Some of the situations we found ourselves in have resulted in:

- the residents involved misunderstanding the problem and/or our position, and thus being unhappy
- individual Parish Councillors finding themselves in varying degrees of unpleasantness/being subject to verbal abuse unnecessarily.

It was agreed that we learn from these experiences and adopt a protocol which helps us to respond to future issues in a consistent way and to ensure that all parties have a clear understanding of the problem and what we are trying to achieve.

## Objective

Although we are not responsible for resolving highways issues we should react to problems brought to our attention and, if possible, resolve them at a local level in a friendly way.

Obviously, in cases where it is felt that this is not appropriate or cannot be achieved for any reason we would need to pass the matter directly to the Hertfordshire Highways authority.

This protocol has been put in place to ensure that all matters concerning problem-hedges are dealt with by us fairly and in the same manner.

## **Initial Actions**

In the first instance, any problems associated with a hedge (e.g. a hedge encroaching onto a footpath and causing a nuisance/hazard) shall be notified to the Chairman of the Environment sub-committee. If the problem is not received and routed by the Clerk, then the Clerk shall be made aware of it.

The Chairman of the Environment sub-committee shall, together with at least 2 other members of the sub-committee/Parish Councillors, make a site-visit to review the problem and then report back during the next meeting of the Parish Council. In the absence of the Chairman, the site meeting shall be attended by at least 3 members of the sub-committee/Parish Councillors.

If following the site-meeting it is felt that urgent action is needed, then the Chairman of the Environment sub-committee (or his/her delegate) can either e-mail the findings to all Parish Councillors and ask for approval of a proposed action or request an ad hoc meeting of the Council to discuss the matter further.

Unless determined otherwise, the **first contact** with the landowner/resident involved shall be **in writing**.

*Note:* If a councillor decides to personally address a specific issue in any other way, and without the approval of the Parish Council, it shall be at their own risk and may not receive the backing of the Council.

## **Initial Written-Communication with a Landowner/Resident**

All written communications with landowners/residents concerning problem-hedges shall be made using Parish-Council-headed paper and posted to them by the Clerk, using first-class mail. Whenever possible, and to achieve a consistent approach, the initial written communication shall be based on a template.

The suggested text for the initial written-communication concerning a hedge encroaching on a footpath is shown in Template 1.

## Template 1

Dear xxxxxxxx

*It has been brought to our attention that hedge-growth from your property is extending over the adjacent public footpath and causing a problem.*

*Although the Parish Council is not responsible for such matters, we would much prefer that this issue be handled at a local level rather than it being passed to the Hertfordshire Highways Authority (as is the normal practice); who do have the responsibility for public paths and highways.*

*So to this end and in accordance with protocol, we have looked at the hedge and agreed that it would be very helpful if you could arrange for some remedial work to be carried out to resolve the problem. (Add specifics as necessary)*

*We have no legal authority to insist on these works but do hope that you will appreciate that we are attempting to resolve this in the simplest manner and without having to pass it on to Hertfordshire Highways.*

*Your co-operation will be welcomed and in the meantime if you wish to discuss this matter further, please do get in touch with us.*

*Yours sincerely .....*

Clerk

Note: This template will not suit every situation and it is not intended to.

Obviously Template 1 can be 'tweaked' to suit the detail of a particular case, but additional templates may need to be built to address a different type of problem with a hedge/hedges. In all cases, the objective of this protocol shall be maintained together with the 'sense/feel' of the letter.

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