

SUMMARY GOOD PRACTICE FOR MANAGEMENT OF HEDGEROWS AND SCRUB

Roadside and amenity hedge cutting

The aim of this guidance is to highlight legal requirements for local authority (LA) roadside and amenity hedge management (including highways, rights of way, public open space, school grounds and housing estates).

The adoption of good practice for managing hedgerows is necessary for all public bodies to help meet their duty to conserve and enhance biodiversity under the Natural Environment & Rural Communities Act (NERC) Act 2006¹. It is also necessary for anyone involved in hedge or tree maintenance to be aware of the legal protection of dormice, bats and nesting birds.

Managing hedgerows to conserve

wildlife: Hedgerows are key features in the landscape that can support numerous species, if managed sympathetically, and provide routes for wildlife to migrate to other habitats. Hedgerow flowers and berries provide food for insects, birds and dormice.

Ideally, hedges are cut when the ground is hard during **late November to mid February and preferably NOT every year as flowers and berries generally form on second year growth** on many key species such as hawthorn. ***If hedges are cut every year they are of little value for supporting wildlife.***

Where hedges need to be managed, aim to trim a proportion (eg one half or a third of hedgerow(s) per year), to avoid drastically reducing the supply of berries for birds and dormice. If possible, cut adjacent hedgerows on alternate years.

Where safe to do so, hedgerows can be managed to grow tall and thick to create bat navigation flight lines; sheltered microclimates for insects such as butterflies and safe nesting sites for birds.

These cutting regimes could save on costs.

Legal protection of nesting birds:

Nesting birds are protected under the **Wildlife and Countryside Act 1981 (as amended)**, which gives protection to all wild birds and makes it an offence to intentionally kill, injure or take any wild bird; take, damage or destroy the nest of any wild bird, whilst it is in use or being built; or take or destroy the egg of any wild bird (subject to certain exceptions).

Bird nesting season: The nesting season runs from about **mid February to the end of August (swallows can continue to nest in farm buildings to end of September):**

January			Manage hedgerow
February	Nesting Birds		
March			
April			
May			
June			
July			
August			
September			Birds feeding on berries
October			
November			
December		Manage hedgerow	

Local authority (LA) maintenance:

North Somerset Council has a health and safety obligation to control the growth of trees and shrubs on Council-owned road verges that are likely to encroach onto the public highway.

Wherever possible, routine maintenance should be timed outside of the bird-nesting season and the amount of growth likely over the following nesting season taken into account when assessing the amount of cutting required.

If cutting is necessary in Spring or Summer, trees and shrubs must be checked thoroughly by a suitably experienced person. If nests are found, that area of scrub should not be touched

to allow birds to rear their young and disperse². However, this is not ideal as the nest may be disturbed by the act of checking.

Landowner responsibility:

Maintenance of hedges along public rights of way and highways boundaries is almost always the responsibility of the adjacent landowner. It is recommended that landowners adopt the following practices:

Routine maintenance (winter):

Inspect hedges by highway or right of way in autumn and trim as near to the ideal time (mid November to mid February) as practicable.

Urgent maintenance (summer):

Where landowners are advised to undertake urgent maintenance on health and safety grounds, thorough checks for nests must be made. If nests are found, the LA should be contacted to determine if there is an immediate safety issue. In all cases of summer maintenance, undertake the minimal trim to achieve the desired outcome.

European protected species (EPS)

North Somerset is a stronghold for certain EPS, such as common or hazel dormice and bats. EPS and their roosts/resting/sheltering places are protected under [The Conservation of Habitats and Species Regulations 2010](#).

It is an offence for any person to: intentionally kill, injure or take a EPS; intentionally or recklessly damage or obstruct access to any place that a EPS uses for shelter or protection; intentionally or recklessly disturb a EPS while it is occupying a place that it uses for shelter or protection.

If bats are likely to be present, the Bat Conservation Trust should be contacted for advice³. If a EPS is known to be on site, Natural England's Wildlife Licensing Service should be contacted on 0845 601

4523, and allowed reasonable time to advise as to whether the work can be carried out, and if so, how.

Arboriculture/landscape maintenance:

checks need to be made before engaging landscape contractors and tree surgeons that they are aware of their legal obligations in respect of legally protected species. Suitably trained and experienced operators are needed to make the necessary checks for bats before commencing arboricultural work.

Bats rest, breed and hibernate in holes, crevices, under loose bark, and other sheltered spaces in trees. Such spaces occur most often in old trees, notably, oak, ash, beech and Scots pine.

Work on older trees is carried out ideally in autumn (Sept-Nov) to avoid the bird nesting season and to avoid periods when bats are particularly vulnerable: when non-flying young are present or during hibernation.

As lowering the height of tree lines or hedges to below 3-4m over a length of as little as 10m can force bats to find an alternative route or change roosts, this should be avoided if possible.

¹ Natural Environment & Rural Communities Act (NERC) 2006.

2. For specialist advice on bird nesting disturbance issues contact RSPB on 01767 693 690.

³ For further information on the law, refer to the Bat Conservation Trust website www.bats.org.uk /Adviceline: 08451300 228

References/suggested reading:

Action for Nature - The North Somerset Biodiversity Action Plan; www.n-somerset.gov.uk
Bats and trees – A guide to the management of trees. The Bat Conservation Trust, 1997.
Hedgerow management, biodiversity and dormice, English Nature Report 454,
http://www.ptes.org/files/284_dormouse_nat_eng_fact_sheet.pdf
SStangroom, Biodiversity Officer, North Somerset Council Updated 2011

