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Our national Patron is Her Majesty the Queen.
Our Herefordshire President is Lawrence Banks, CBE

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Campaign to Protect
Rural England
HEREFORDSHIRE

A BRIEF GUIDE TO THE HEDGEROW REGULATIONS



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Rural England
HEREFORDSHIRE

for the
general public,
community groups
and Parish Councils

[first published June 1999, updated May 2004]

HOW CAN PARISH COUNCILS HELP?

The Hedgerow Regulations oblige Herefordshire Council to consult the Parish Council [or Councils] when they receive notice of a proposal to remove a hedge or hedges in the parish or parishes.

But the rules do not enable a Parish to ask for a Retention Notice simply because a hedge is important to the local community and they want to keep it. Under the Regulations, a hedge can only count as important if it meets any one several strict criteria set out in the Regulations [see page 6].

Where Parish Councils can help is by passing on any relevant historical or wildlife information about a hedge which they may have, but which may not be known to the Council. Often this has already been collected by people or groups in the Parish, e.g. farmers, the WI, local historians or naturalists. Parish Councils themselves might like to trace the hedgerows marked on the Parish Tithe Map [c.1840] onto a present day map to show which of today's hedges were there before 1845. Original maps can be found at the Hereford Record Office.

The Parish Council can urge the Council to issue a Retention Notice if a hedge does count as important under the Regulations. They might also be wise to make sure that Herefordshire Council does this in good time, well before the 42 days expire.

Lastly, if a hedge is valued by the local community, but does not count as important under the Regulations, Parish Council may well be able to persuade the hedge owner not to remove for this reason. Farmers are sometimes very willing to retain hedges and other landscape features once they realise how much their neighbours value them.

Important Hedgerows—the Criteria

The Regulations specify in detail how the criteria are met. This is a simplified guide. A Herefordshire hedgerow which has existed for 30 years or more will probably count as important if it meets any one of the following:

1. Marks a pre-1850 Parish or Township boundary.
2. Incorporates a formally recognised archaeological feature.
3. Is part of or associated with an archaeological site.
4. Marks the boundary of or is associated with a pre-1600 estate or manor.
5. Forms an integral part of a pre-Parliamentary enclosure field system.
6. Contains certain categories of species of birds, animals or plants listed in the Wildlife & Countryside Act or JNCC publications.
7. Includes, on average, in a 30m length
 - a] at least 7 woody species of tree or shrub from a specified list of 56
 - b] at least 6 woody species and at least 3 associated features from a list
 - c] at least 6 woody species including a black poplar tree, or large leaved lime or small leaved lime, or wild service tree
 - d] at least 5 woody species and at least 4 features.
8. Runs alongside a bridleway, footpath, road used as a public path, or a byway open to all traffic, and includes at least 4 woody species and at least 2 of the associated features.

ASSOCIATED FEATURES: a] a bank or wall supporting the hedge, b] less than 10% gaps, c] on average at least one tree per 50 m, d] at least 3 species from a list of 57 woodland [hedge bottom] plants, e] a ditch, f] a number of connections with other hedges, ponds or woodland (a point scoring system is used to evaluate these), g] a parallel hedge with 15m.

THE HEDGEROW REGULATIONS

Since June 1 1997 it has been against the law to remove most countryside hedges [or parts of them] without first

notifying Herefordshire Council
allowing 42 days to elapse before starting any work.

During the 42 days Herefordshire Council will:

- Notify the Parish Council
- Look at the species in the hedge
- Check whether the hedge is alongside a public right of way such as a footpath or bridleway
- See if the hedge is marked on a pre 1845 map
- Check other things such as if the hedge connects to woodland, or has a bank, ditch or trees.
- consider the reasons for removal.

If Herefordshire Council finds the hedge counts as important according to the Regulations criteria, it can prohibit the removal of the hedge by issuing a hedgerow retention notice.

THE PARISH COUNCIL MUST BE CONSULTED

A hedgerow removal notification is not a planning application, and a Parish cannot simply object. But it can do a lot more than just rubber stamp it.

- Herefordshire Council will survey the hedge, but the Parish may have important knowledge which would help decide if the hedge is important. For example, the Parish Council may have made a map of all the pre-1845 hedges in the Parish.
- The Parish Council can urge the Herefordshire Council to issue Retention Notices for important Parish hedges.
- If the Regulations do not class a hedge as important, the Parish Council can still try to persuade the owners not to remove hedges which are valued by the local community.
- Hedgerow removal notices do not have to be advertised like planning applications, so the Parish Council should make sure everybody in the Parish knows about them—and quickly!

YOUR PARISH AND ITS HEDGEROWS

WHAT CAN YOUR COMMUNITY DO TO HELP UNDERSTAND AND PROTECT LOCAL HEDGES?

PARISH MAPS

Parish Councils often encourage local people to make parish maps on which they mark things of special importance to them, such as ponds or particular trees, hedges, buildings, flowery banks etc. Parishes which have made such maps find them useful in bringing together a wealth of facts about local treasures, knowledge that old established residents often carry in their heads but which newcomers and developers may not know. Parish Councils also find such maps helpful in guiding decisions about development and ensuring that things which their community value are known and safeguarded.

HEDGEROW MAINTENANCE

Many hedges are neglected, and sometimes disappear completely for lack of management. Parish Councils can encourage landowners to seek grant aid for their management and in some places the Parish Council and the community may be able to set up a local volunteer force to help maintain them.

HEDGEROW SURVEYS

Some Parish Councils, with the co-operation of landowners, organise a survey of all the hedges in the Parish. Volunteers record the hedgerow species and other characteristics, such as history and whether marked on a pre-1845 map, and a co-ordinator puts all the information together into a complete picture of the parish hedgerows. This is a splendid way of helping local societies piece together their Parish history, and helps the Parish council evaluate which hedges in their Parish are likely to be the most interesting or ancient.

HEDGEROW SURVEY GUIDANCE

A new Hedgerow Survey Handbook has been published and can be obtained by writing to DEFRA, Conservation Management Division, Area 4D, Ergon House, 17 Smith Square, London SW1P 3JR. The booklet is also viewable and downloadable from www.english-nature.org.uk CPRE Herefordshire have been carrying out hedgerow surveys for a number of years and are willing to help individuals or groups who wish to carry out a hedgerow survey.

HEDGEROW CHARACTERISTICS

Countryside planning looks increasingly at local landscape character to guide decision making. Sometimes this type of local knowledge is overlooked because it is not available at the time the decision is made or there is no one on hand at that moment to do the survey work. Therefore it is important to find out and record such local landscape characteristics before the development or the request to remove the hedge is made.

There have been hedges in England for thousands of years. Less than 5% of Herefordshire was affected by 18th and 19th century Parliamentary Enclosures because it was hedged already. Hedges in Herefordshire are often several centuries old. Many Herefordshire woodlands and some Herefordshire hedges will be older than the Parish Church.

In 1984 England had 302,500 miles of hedgerow.

By 1993 there were 204,000 miles left.

We do not know the up to date figures but hedges are still being lost to the countryside.

It is important that we recognise and save important ones.