

# DEVELOPMENT AND IMPLEMENTATION OF A ROADSIDE HEDGE CUTTING PILOT PROJECT

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## Final Project Report

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Tipperary County Council  
Civic Offices  
Nenagh  
County Tipperary



Document 15-091-FPR

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September 2020



Comhairle Contae Thiobraid Árann  
Tipperary County Council



comhairle chontae dhún na ngall  
donegal county council

**DOCUMENT AMENDMENT HISTORY**

<b>Client:</b>	<b>Tipperary County Council</b>
<b>Project:</b>	<b>Development and Implementation of a Roadside Hedge Cutting Pilot Project</b>
<b>Title:</b>	<b>Final Project Report</b>

<b>Date</b>	<b>Description</b>	<b>Origin</b>	<b>Checked</b>	<b>Approved</b>	<b>Issue</b>
<b>23.09.20</b>	<b>Final Project Report</b>	<b>MK</b>	<b>PB</b>	<b>MK</b>	<b>Final Report</b>

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## **1. INTRODUCTION AND OVERVIEW**

- 1.1 In accordance with Section 70 of the Roads Act 1993, owners and/or occupiers of lands abutting public roads are responsible for the maintenance of the roadside hedges. Each Local Authority possesses statutory powers authorising the Local Authority to require these landowners / occupiers to take action where a tree, shrub, hedge or other vegetation is a potential hazard.
- 1.2 The approach of different Local Authorities to increasing landowners' awareness of their responsibilities for hedge cutting and to enforcement of the powers of the Local Authority vary across the country. Perhaps in part due to this, the experiences of Local Authorities in terms of landowner compliance with their hedge cutting responsibilities is mixed.
- 1.3 As noted by some Public Representatives in different counties, many complaints about overgrown hedges relate to matters that include risks to pedestrians and cyclists, lack of visibility at access points and junctions, damage to vehicles and obstruction of signs.
- 1.4 Against this background, in 2015 Tipperary County Council and Donegal County Council (the "Pilot Counties") appointed Kilgallen & Partners to undertake a Roadside Hedge Cutting Pilot Project (the "project") that would:
  - Review hedge cutting practices and levels of enforcement in different Local Authorities
  - Identify a range of potential interventions to assist in the management of roadside vegetation in their respective Local Authority areas
  - Where necessary, implement measures to raise awareness levels among those legally responsible for cutting hedges, i.e. the landowners / occupiers of lands abutting public roads.
- 1.5 This *Final Project Report* was prepared with the following objectives:
  - (a) Provide details of the relevant legislation;
  - (b) Examine the main challenges experienced by Local Authorities and landowners relating to hedge cutting requirements;
  - (c) Describe the proposed Roadside Hedge Cutting Pilot Project and the proposed approach and methodology;
  - (d) Examine the various approaches taken by Local Authorities to hedge cutting and discuss the associated policies;
  - (e) Describe the findings and outcome of the pilot project.

## **2. RELEVANT LEGISLATION**

- 2.1 The current legislation relevant to the subject project derives from the Roads Act 1993, the Wildlife Act 1976 as amended by the Wildlife Act 2000 and the Heritage Act 2018.
- 2.2 Under **Section 70 of the 1993 Roads Act** the owner or occupier of land shall take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road. Where a tree, shrub, hedge or other vegetation is a hazard or potential hazard to persons using a public road or where it obstructs or interferes with the safe use of a public road or with the maintenance of a public road, a road authority may serve a notice in writing on the owner or occupier of the land on which such tree, shrub, hedge or other vegetation is situated requiring the preservation, felling, cutting, lopping, trimming or removal of such tree, shrub, hedge or other vegetation within the period stated in the notice. Subject to the right of appeal within 14 days to the District Court, it is an offence for an owner or occupier of land to fail to comply with a notice and, in such circumstances, allows the road authority to take the action specified in the notice or other such action as it thinks fit, and to recover any reasonable costs incurred from the owner or occupier as a simple contract debt in any court of competent jurisdiction.
- 2.3 Between the 1st March and 31st August each year it is an offence under Section 40 (1)(a) of the **Wildlife Act 1976 as amended by the Wildlife (Amendment) Act 2000 and the Heritage Act 2018** to cut, grub, burn or otherwise destroy any vegetation growing on any land not then cultivated or growing in any hedge or ditch. Exceptions exist in respect of certain works relating to agriculture, fisheries development works, forestry work, public safety, road and other construction works and noxious weeds.
- 2.4 The Heritage Act 2018 added provisions to allow for managed hedge cutting and burning at certain times within the existing closed period on a pilot two year basis. In accordance with Section 7 of the Heritage Act 2018, the Minister may make regulations to allow burning of vegetation during the month of March and/or to allow the cutting of vegetation growing in any roadside hedge or ditch during the month of August in parts of the State as specified in the regulations. Section 7 of the Heritage Act 2018 is to remain in force until the expiration of two years from

the date of the passing of the Act and may be continued in force from time to time by a resolution of each House of the Oireachtas, passed before its expiry, for such further period not to exceed three years as is specified in the resolution.

### **3. CHALLENGES ASSOCIATED WITH HEDGE CUTTING**

3.1 Low compliance levels by landowners / occupiers of land with hedge cutting responsibilities impacts on several areas of the community and the economy, including:

- Health & Safety of motorists, cyclists and pedestrians arising from:
  - Increased risk of traffic collisions with resulting personal and economic costs due to:
    - Blocked footpaths,
    - Obscured Road Signs,
    - Obscured view of the road ahead,
    - Poor visibility at junctions and property access points,
    - Uncut roadside hedges forcing drivers and other road users to move towards the road centre;
  - Injury from unsafe trees / branches falling on vehicles during storms or due to impact from high vehicles;
  - Eye / facial injury to cyclists / pedestrians due to overgrown hedges protruding onto roads;
- Increased motoring / transport costs due to damage to vehicles such as scratches to paintwork and damaged mirrors on buses and trucks;
- Impacts on tourists due to costs arising from loss of deposits with car rental companies due to vehicle damage caused by briars and tree limbs.

Compliance rates therefore need to be maximised, preferably voluntarily.

3.2 In the context of the safe use and the maintenance of a public road and the avoidance of hazards or potential hazards to persons using a public road, Section 70 of the 1993 Roads Act places the responsibility for hedge cutting on owners/occupiers. Hedge Cutting is not the responsibility of Local Authorities. However, Local Authorities have powers under Section 70 of the 1993 Roads Act to issue Notices and/or take immediate action if deemed necessary.

3.3 Each Local Authority provides resources to undertake certain duties in respect of hedges along public roads and to manage a system that generally includes:

- Monitoring of compliance by landowners with their hedge cutting responsibilities

- Issuing of requests to landowners to cut hedges
- Issuing of Section 70 Notices to errant landowners and subsequent associated monitoring
- Enforcement of Section 70 Notices, where necessary.

3.4 The main challenges experienced in respect of roadside hedge cutting revolve around the following issues:

- Restrictions on the resources available to Local Authorities:
  - In addition to fulfilling ongoing road safety duties, restrictions on resources make it difficult for Local Authorities to comprehensively manage inspection/monitoring programmes, to investigate complaints and to administer and manage the enforcement process.
  - The costs associated with pursuing enforcement through the courts are high. The degree of successful enforcement is varied and sometimes limited, particularly if the hedges are eventually cut just in advance of the court date leading to the landowner avoiding penalties and any negative media publicity.
- Public Relations:
  - In the absence of a positive response from a landowner/occupier of land to a request to carry out hedge cutting, the Local Authority is empowered to serve an enforcement notice. If the notice is not complied with, the Local Authority can proceed to cut the overgrown hedge and take steps to recoup the costs from the offending landowner/occupier. The serving of formal notices (either enforcement or related to recoupment of costs) can have a negative effect on public relations.
- Length and timing of the closed period for hedge cutting:
  - It is illegal to cut hedges during the closed period, which occurs between 1<sup>st</sup> March and 31<sup>st</sup> August each year except where regulations under the Heritage Act 2018 extend this period. The closed period coincides with the seasons of maximum annual growth. This is also the time of year when tourism related road usage, including cyclists and pedestrians, is often at its peak. This increases road safety concerns.



- The closed period restricts owners/occupiers to operating hedge cutting machinery in the winter, when the daylight period is reduced and land is at its softest. Where a farmer is involved in winter tillage, access to land can be restricted. Notwithstanding this, in the context of the 1993 Roads Act it is considered that the majority of hedge cutting could be carried out from the roadside.

#### **4. ROADSIDE HEDGE CUTTING PILOT PROJECT**

4.1 It was agreed by the Pilot Counties that the Roadside Hedge Cutting Pilot Project should be delivered in two phases in accordance with the following structure:

Phase 1:

- Scoping / Research
- Development

Phase 2:

- Implementation
- Evaluation
- Reporting

4.2 Phase 1 involved the following stages:

- i. A structured review of existing practices nationally. The structured review commenced with an initial 2015 desktop assessment of the various approaches taken by Local Authorities to hedge cutting within the legal framework presented by Section 70 of the Roads Act 1993 and Section 40 of the Wildlife Act 1976 (as amended by the Wildlife Act 2000). The desktop assessment focussed on reports from various Council Meetings by a number of Local Authorities. This was followed by the circulation of a targeted questionnaire in February 2016 to each of the thirty one Local Authorities by the Department of Transport, Tourism & Sport. Twenty seven responses were received and a detailed analysis of these was undertaken.
- ii. A survey of a random sample of Local and Regional Roads in Counties Tipperary and Donegal to establish a baseline of the status of hedge cutting at the end of the hedge cutting season in 2016;
- iii. Interrogation and examination of the survey data with a view to determining the condition of roadside hedges in the Pilot Counties;
- iv. Development of a range of interventions for implementation on a pilot basis.

4.3 The Phase 2 deliverables were as follows:

- i. Final implementation plan
- ii. Monitoring and evaluation report
- iii. Final report and presentation.

4.4 This Final Report describes the various stages of each phase and summarises the overall findings of the Roadside Hedge Cutting Pilot Project.

## 5. **PHASE 1 - SCOPING / RESEARCH**

5.1 The Scoping / Research stage of Phase 1 commenced in late 2015 with an initial desktop study. This indicated that while a number of counties had well developed hedge cutting policies addressing issues such as increasing landowner awareness and monitoring compliance, a common procedure was being followed nationwide that generally involved the following steps:

- i. Public advertisements placed in newspapers or on websites reminding landowners / occupiers of their responsibilities under the Roads Act
- ii. Inspections of roadside hedges carried out by Local Authority personnel
- iii. Where required, verbal requests by Local Authority personnel to errant landowners to cut hedges
- iv. Where necessary, formal Hedge Cutting Notices served by Local Authorities on non-compliant landowners / occupiers.

The desktop study revealed informative data regarding the approaches and challenges in Wicklow, Leitrim, Meath and Kerry Roads Authorities.

5.2 At an ordinary meeting of **Wicklow County Council** in May 2015, a Notice of Motion was put forward by an Elected Member proposing:

*"That Wicklow County Council reviews the roadside hedge-cutting policy as a matter of urgency to improve its efficiency and effectiveness."*

The response stated the following:

*"Under the Wildlife Acts, hedge cutting is forbidden between March 1st and August 31st. In early September each year, Wicklow County Council publishes a notice in the local paper reminding landowners of their responsibilities with regard to hedges and trees on their land. Reminders are also sent out to individual landowners in some cases, and this is followed up with a formal notice under the Roads Act where necessary"*.

In a subsequent discussion, the Elected Member advised that there appeared to be a problem with the levels of compliance of land owners and he would like to see the Council's policy of following up on noncompliance increased. Following further discussion, it was agreed that the Strategic Policy Committee would look at this issue with regard to national policy.

5.3 At meetings of **Leitrim County Council** in November 2014 and again in March 2015, the Director of Services stated that in accordance with the Council's Policy on hedge cutting, it is the responsibility of land owners to trim their hedges as required. However, the following annual works were stated to be carried out by the Council:

- On National Roads, all grass verges are trimmed and hedges cut at junctions and at other locations where necessitated by road safety concerns.
- On Regional Roads, verges and hedges are trimmed at junctions.
- On Local Roads, verges and hedges are trimmed where necessary for road safety reasons.
- All roads on the Road Works Programme are trimmed where required for construction purposes.

It was also outlined that Leitrim County Council advertises and advises landowners of their duties with regard to hedge cutting.

5.4 At a Council Meeting in September 2014, the Director of Services informed **Meath County Council** of the following: "*Meath County Council acknowledges that a significant number of landowners are aware of their obligations regarding hedge cutting. In advance of the hedge cutting season, overseers normally talk to landowners and encourage them to cut hedges where there are issues relating to overgrowth and overhanging branches. In addition, Meath County Council puts a notice in the local papers every year highlighting the obligation on landowners to cut hedges on their land where there is an impact on people using the adjoining roads*".

5.5 In November 2008, the following report was made to an Ordinary Meeting of **Kerry County Council** in response to a Notice of Motion that proposed a resolution to direct the County Manager and Director of Services to cut all roadside hedges in Kerry.

*"The responsibility for hedge cutting along the public road, under Part 6, Section 70 of the Roads Act, 1993, rests completely with the land owner. In 2008, the Roads Enforcement Officer issued letters to approximately 7,000 known landowners requesting them to cut their hedges. This was followed up by the issuing of a further 96 notices which were acted upon by the landowners. It is clear from these figures that the majority of landowners take their responsibilities seriously and comply with the law. However, if Members are aware of roads where the absence of hedge cutting is an issue, they should bring it to the attention of the*

*Roads/Transportation Section who will follow up the matter. There are 4,713 kilometres of road network in County Kerry. This figure equates to an estimated length of 9000 kilometres of hedgerow. At today's hire prices and under current Health and Safety requirements it is estimated that to cut this length of hedgerow would be in excess of €750,000. The current Road Maintenance allocation is inadequate at present to deal with the required standard of maintenance on our road network. Increasing the demand on this limited allocation for hedge cutting works, for which the County Council is not responsible, could not be considered and could be subject to audit review. Some limited hedge cutting is carried out by the Council at junctions in the interest of safety. It would be unwise, even if legal, to carry out even a limited hedge cutting programme as this would make it impossible to pursue those whose hedges are not being cut through the legal process. As Kerry County Council is not responsible for the activity of hedge cutting, the proposal to investigate each Engineering Area having its own machinery to do this work has not been considered'.*

The report made an important point regarding the duties and responsibilities of owners/occupiers to maintain/cut roadside hedges, pointing out that the Local Authority is not responsible.

In June 2015, it emerged at Kerry County Council's Special Operations Committee meeting that letters had been sent to 5,848 landowners / occupiers of land in the previous year. Of these, a total of 472 did not comply with the hedge cutting request and subsequently received 21-day notices to undertake the work. By June 2015, 108 of these cases were still under investigation. The Enforcement Officer stated that there was a high compliance level among the majority of landowners, but there had been problems with some who acted only as a last resort when a financial penalty was likely. He added that there were also difficulties with corporate bodies such as Coillte, the Parks and Wildlife Service along with investment companies and forestry investment funds.

Given the difficulties and costs experienced previously in bringing cases to Court, Kerry County Council amended their hedge cutting policy in 2014. The policy was reviewed again in early 2015 by the Operations Strategic Policy Committee and it was found that the provisions in the policy were adequate but that greater emphasis needed to be placed on implementation of the policy. It was also agreed that management should have a more pro-active approach to cutting hedges and recovering costs where landowners failed to comply with a direction given by the

Enforcement Officer. It was recognised that this might necessitate going to court for recovery of costs rather than using the Courts to enforce the provisions of the Roads Acts, which can take a considerable amount of time. However, Kerry County Council formed the view that such action might assist in the promotion of compliance.

Kerry County Council also undertook to develop a database of critical junctions and specific locations where the Council had previously set back boundary fences to improve sight visibility lines and to put an inspection regime in place to ensure that any hedge growth in these areas is adequately maintained. Revised procedures were also put in place to provide a follow up report on the outcome of any investigation – this would allow for effective monitoring of complaints received, identification of persistent offenders, measurement of performances and recovery of costs.

- 5.6 The desktop study also identified three Local Authorities that had implemented alternative approaches to hedge cutting. These were Clare, Cork and Wexford.

**Clare County Council** launched a pilot Community Hedge Cutting Grant Scheme in 2013, which was the first of its kind in Ireland, and which offered financial assistance of €50 per kilometre to communities and groups that undertake hedge cutting and the cutting of overhanging trees. In establishing the scheme, Clare County Council was hopeful that it would foster community spirit and would provide for a positive approach to dealing with the issue of hedge cutting by landowners.

**West Cork Municipal District** also launched a Community Hedge Cutting Grant Scheme in 2015 with similar assistance €50 per kilometre available to each successful applicant group and stipulating a five kilometre minimum length of road per application.

West Cork Municipal District also undertook to put a publicity awareness campaign in place based on:

- Placing notices in local newspapers each year in early September
- Running radio advertisements on local radio each September on farming programmes
- Placing information on the Council's website
- Involving the Road Safety Authority in the public awareness campaign
- Inviting farming representatives to discuss the issue.

**Wexford County Council**, similar to other Local Authorities, advises landowners of their duties and responsibilities by means of the Council's website.

As part of an overall biodiversity plan by **Wexford County Council** which would focus on a different theme every year, 2013 saw the launch of a pilot project in the area of biodiversity conservation and roadside management entitled "Life Lives on the Edge".

The concept of this project originated from the Roads Strategic Policy Committee and gained involvement and support from the Roads and Planning Departments of Wexford County Council.

The project was rolled out initially over four pilot study areas. The locations for the four pilot areas were selected with safety in mind. They were all on relatively straight stretches of National Roads, with few access points and with relatively wide verges.

The designated areas varied in length and their boundaries were defined by signposts at either end of the vegetated strips. The signposts were recognisable by the projects slogan "Life Lives on the Edge", which aimed to highlight the importance of road verges and hedgerows as crucial wildlife corridors for Wexford's flora and fauna.

The project concentrated on maintaining the roadside vegetation at the four pilot sites thereby achieving biodiversity goals without neglecting safety or infrastructural maintenance objectives. The areas were initially cut once in February/March and again in September.

- 5.7 Generally, the **Desktop Study** found that the majority of Local Authorities post information on their websites informing landowners of their responsibilities and of the enforcement options available to Local Authorities in the event of non-compliance. The study also indicated that while non-compliance was an ongoing challenge that presented a problem in many Local Authorities, no evidence of significant non-compliance was found.
- 5.8 Following completion of the desktop study, a detailed data gathering exercise commenced that focussed on:
- Existing Local Authority policy
  - Estimating awareness levels of landowners
  - The ability of Local Authority staff to identify landowners

- Measures taken by Local Authorities to increase awareness levels of landowners
- Approach to Voluntary Hedge Cutting by Local Authorities
- Complaints about overgrown roadside hedges
- Inspection and monitoring regime undertaken by Local Authorities
- Verbal and written requests issued by Local Authorities to errant landowners/occupiers
- Section 70 Notices and enforcement by Local Authorities
- Awareness of Invasive Plant Species
- Local availability of hedge cutting services
- Health & Safety practices.

5.9 The data was gathered by means of an indepth questionnaire co-ordinated by the Department of Transport, Tourism & Sport (DTTAS) and circulated in early 2016 to each of the thirty one Local Authorities by DTTAS. This targeted questionnaire sought information from each Local Authority on their approach to hedge cutting under the following general headings:

- Existing hedge cutting policy, if any;
- The level of awareness of landowners / occupiers of land regarding their statutory obligations under Section 70 of the Roads Act 1993 and Section 40 of the Wildlife Act 1976 (as amended by the Wildlife Act 2000);
- Approach of each Local Authority to:-
  - Raising awareness levels among landowners / occupiers of their statutory obligations,
  - Inspection of hedges and monitoring of their condition,
  - Enforcement by Local Authorities;
- Approach of each Local Authority to undertaking hedge cutting voluntarily with regard to:
  - Reasons why Local Authorities undertake voluntary hedge cutting,
  - Category of roads where such work is undertaken;



5.10 The questionnaire also gathered information regarding other related issues including:

- local availability of machinery and competent personnel,
- the level of complaints received from the public,
- invasive species.

5.11 Twenty seven Local Authorities out of a total of thirty one responded to the questionnaire. Detailed analysis and an overall general summary of the responses is discussed herein in Paragraphs 5.12 to 5.48.

#### Existing Hedge Cutting Policies

5.12 Waterford City & County Council made reference in their returned questionnaire to their County Development Plan, which contained policies and objectives concerning hedgerows. However, these related to protection and replacement of hedgerows and did not address landowner compliance and the related issues under discussion in this pilot project.

5.13 Of the remaining twenty six respondents, six Local Authorities have official stand-alone policies relating to roadside hedge cutting. These are summarised as follows:

- **Clare County Council (Dated June 2011):** Landowners are advised of their responsibilities and are requested to comply with the relevant requirements of Section 70 of the Roads Act 1993. Notwithstanding this, Clare County Council allocates an annual budget to carry out hedge and verge trimming on:-
  - Regional Roads,
  - Strategic Roads that link towns and villages to National & Regional Routes,
  - Approaches to towns and villages, and
  - Along School Bus and Clare Accessible Transport routes.

Unless required on grounds of safety, the restrictions of Section 40 of the Wildlife Act 1976 are observed and no hedge cutting is undertaken within five kilometres of Special Areas of Conservation (SAC) bat sites during the winter months.

- **Donegal County Council (May 2003):** The 2003 Donegal County Council policy contained the following Policy Statement:

*"The Council will endeavour to ensure that the Owner or Occupier of land shall take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road in accordance with Subsection 70(2) (a) of the 1993 Roads Act."*

The 2003 Donegal Hedge Cutting Policy also stated that, in supporting the policy, Donegal County Council will take the following steps in an effort to gain compliance with its policy and that every effort will be made to achieve this through cooperation with landowners and occupiers:

- i. Council will place public advertisements in the months of January and September each year reminding landowners / occupiers of their responsibilities with regard to hedge cutting;*
- ii. Council will endeavour to increase landowner awareness through consultation with farming organisations such as the Irish Farmers Association, posting notices at farming co-ops, marts etc;*
- iii. Council will inspect hedges along roads with a view to identifying hedges that need to be cut;*
- iv. Council will place emphasis on Verbal requests, early in the cutting season, to landowners to cut overgrown hedges. Monitoring Reports will be kept on these requests and follow-up action pursued;*
- v. Council will serve a formal Hedge Cutting Notice in cases of non-compliance with Verbal Request;*
- vi. Council will lead by example by carrying out hedge cutting early in the season on lands that they have responsibility for along public roads;*
- vii. Council will as a matter of last resort (but this does not lessen its significance nor the Council's determination), prosecute landowners / occupiers who do not comply with Hedge Cutting Notices;*
- viii. Under exceptional circumstances where the Council determines that a landowner or occupier does not have any means financially, physically or otherwise to comply with the Roads Act in cutting their hedges and it is obvious that prosecuting such persons through the courts would not result in getting the hedges cut, the Council will take a sympathetic*

*view towards getting the work done. For purposes of this policy, it is assumed that this might apply to less than 5 individuals in each Electoral Area each year."*

- **Kerry County Council (Reviewed 2015):** Similar to Donegal County Council, the 2015 policy of Kerry County Council is aligned with Section 70 (2) (a) of the Roads Act 1993 which makes landowners responsible for the proper maintenance of vegetation that grows on roadside property that is owned or controlled by them. The Council has a database of 5,848 landowners (2016 figure) who own land that abuts public roads in the County. In recent years, it has become the policy to issue Hedge Cutting Letters to all landowners on the database and to publish notices in the local press informing landowners of their statutory responsibilities. Where the Roads Enforcement Officer becomes aware of a situation requiring action, the Hedge Cutting Letter is followed up by a Hedge Cutting Notice. There is generally a high level of compliance by the majority of landowners. In accordance with the 2015 policy, where landowners in Kerry do not cut hedges that have been notified under Section 70 of the Roads Act 1993, Kerry County Council undertakes the work and seeks to recover the associated costs.
- **Longford County Council (as outlined for a 2010 Strategic Policy Committee Meeting):** In order to remind landowners of their legal obligations under the 1993 Roads Act and the 1976 Wildlife Act, the 2010 policy of Longford County Council undertook to place advisory notices in the local press and to advertise on local radio. Each year, the Roads Department carries out hedge and grass cutting on a priority basis at junctions, signs and bends on all roads, except Local Roads where only minimal interventions are undertaken on a case by case basis.
- **Mayo County Council:** In 2016, Mayo County Council was in the process of preparing a revised policy to include a Grant type incentive. The then current policy of Mayo County Council was to:-
  - Implement the provisions of the 1993 Roads Act and adhere to the provisions of the 1976 Wildlife Act.
  - Deal with noxious weeds in accordance with the relevant National Roads Authority (NRA) memorandum. The policy noted that the NRA made a

special maintenance grant available in 2008 for the control of noxious weeds (ragwort) along National Roads verges.

- Make provision in the Roads Works Scheme budget for priority hedge cutting for which the Council is responsible (€150,000 in 2008).
- Liaise through each Area Office with statutory undertakers and other bodies who carry out hedge cutting with a view to optimising resources where feasible.

The policy also noted that Councillors may allocate moneys for hedge cutting from their Notice of Motion moneys. Provision is also made for such work in the Community Involvement Scheme.

➤ **Monaghan County Council (as outlined for a 2015 Strategic Policy Committee Meeting):** In implementing the legislative requirements relating to hedge cutting, the 2015 policy of Monaghan County Council is summarised as follows:

- In the first instance, contact is made either verbally or by letter with the owner/occupier of any land requesting removal of the hazard or other appropriate action.
- If the verbal request is unsuccessful, a letter is issued to the owner/occupier of any land requesting the works to be carried out within a specific timeframe, usually two weeks.
- If the action is not carried out within the specified timeframe, a Notice is served under Section 70 of the Roads Act 1993 specifying that the required works are to be carried out within a period of two weeks and warning of the implications of non-compliance with the terms of the Notice.
- There is a follow-up procedure in place to ensure the works are carried out.

Compliance in County Monaghan was stated to be generally quite high with only a very small number of “failures”.

LEVEL OF AWARENESS OF LANDOWNERS/OCCUPIERS OF STATUTORY OBLIGATIONS & ABILITY OF LOCAL AUTHORITY TO IDENTIFY LANDOWNERS / OCCUPIERS

- 5.14 As previously stated in Paragraph 5.9, the Department of Transport, Tourism & Sport (DTTAS) co-ordinated the circulation of a detailed questionnaire in early 2016 to each of the thirty one Local Authorities.

5.15 Table 5.1 summarises the responses to the 2016 questionnaire regarding “Levels of Awareness”.

**Table 5.1**

<b>Local Authority</b>	<b>Is Landowner/Occupier Awareness Identified as a specific difficulty in achieving compliance with Relevant Legislation?</b>	<b>Is identification of Landowner/Occupier a problem for the Local Authority</b>
<b>Carlow County Council</b>	Yes	Yes
<b>Cavan County Council</b>	Yes	Yes
<b>Clare County Council</b>	Yes – compliance awareness levels are improving, although the general attitude of landowners continues to be one of resistance.	Yes
<b>Cork County Council</b>	No	Yes
<b>Donegal County Council</b>	Yes	Yes
<b>Dublin City Council</b>	No	No
<b>Dún Laoghaire-Rathdown County Council</b>	No	No
<b>Fingal County Council</b>	No	Resource Problem
<b>Galway County Council</b>	Yes	Yes
<b>Galway City Council</b>	No	Yes
<b>Kerry County Council</b>	No	Yes
<b>Kilkenny County Council</b>	Yes	Yes
<b>Laois County Council</b>	Yes	No
<b>Leitrim County Council</b>	Yes	Yes
<b>Limerick City and County Council</b>	Yes	Sometimes
<b>Longford County Council</b>	Yes	No
<b>Louth County Council</b>	No	Yes
<b>Mayo County Council</b>	Yes	Yes
<b>Meath County Council</b>	Yes	Yes
<b>Monaghan County Council</b>	Yes	No
<b>Offaly County Council</b>	Yes	Yes
<b>Sligo County Council</b>	Yes	Yes
<b>South Dublin County Council</b>	Yes	No
<b>Tipperary County Council</b>	Yes	Yes
<b>Waterford City &amp; County Council</b>	No	Yes
<b>Westmeath County Council</b>	Yes	Yes
<b>Wexford County Council</b>	Yes, but noted that many are aware, but ignore their responsibilities due to the costs involved.	No

- 5.16 Nineteen of the twenty seven respondents (70%) reported that identification of landowners / occupiers is a problem for their Local Authorities.
- 5.17 Nineteen of the twenty seven respondents also considered that lack of landowner awareness contributes to the difficulties experienced by Local Authorities in getting landowners/occupiers to comply with their statutory hedge cutting responsibilities. Awareness levels were stated to be improving within Clare and, while it was reported that the general attitude of landowners continued to be one of resistance, lack of landowner awareness was still seen as a problem. In Wexford, it was reported that many landowners were aware of their responsibilities but choose to ignore them because of the costs involved.
- 5.18 The remaining eight Local Authorities did not consider lack of landowner awareness to be a contributing factor. Four of these Local Authorities are mainly urban in character.
- 5.19 The questionnaire listed certain measures that might increase levels of awareness among landowners. Each Local Authority was asked to identify any of these measures that it implemented and regarded as effective in 2016.
- 5.20 The measures described in the questionnaire are listed in Table 5.2 and the numbers of Local Authorities (out of the twenty seven respondents) that consider them to be effective are also shown.

**Table 5.2**

<b>Measures Taken By Local Authority</b>	<b>Effective</b>
Public Advertisements via Local Newspapers	18
Place public advertisements annually reminding landowners/occupiers of their hedge cutting responsibilities	16
Place public advertisements biannually (e.g. January and September) reminding landowners/occupiers of their hedge cutting responsibilities	11
Public Advertisements via Local Radio	9
Consultation with representative bodies or other stakeholders (e.g. Irish Farmers Association (IFA), Irish Creamery Milk Suppliers Association (ICMSA), Bus Éireann, School Bus Operators, etc.)	6 (IFA & ICMSA)
Local Authority cuts hedges early in the cutting season along road boundaries that the Local Authority is responsible for, thus leading by example	7
Other types of advertisement	3 (Web & Twitter)
Local Authority involves the Road Safety Authority	1
Public Advertisements via Strategically Placed Notices e.g. Marts, Creameries etc.	0

APPROACH TO VOLUNTARY HEDGE CUTTING BY LOCAL AUTHORITIES

- 5.21 Appendix C provides a summary of the information gathered in the 2016 questionnaires regarding the following:
- i. Total lengths of each category of road in each Local Authority
  - ii. Lengths of hedges voluntarily cut by each Local Authority. Voluntary hedge cutting refers to hedge cutting undertaken by a Local Authority from its own financial resources where costs are not recouped from the landowner/occupier.
- 5.22 Although the information provided was difficult to accurately interpret owing to the fact that the distinction between verge cutting (grass) and hedge cutting may not be clear, it appeared that the majority of Local Authorities carry out voluntary hedge cutting. It was reported that much of this work related to cutting near signs and junctions and other limited specific locations where the impact of reduced visibility on safety was particularly significant.

COMPLAINTS, INSPECTION AND MONITORING OF HEDGES BY LOCAL AUTHORITIES

- 5.23 With the exception of Laois where no information regarding complaint numbers was available, all of the respondent Local Authorities received complaints concerning uncut hedges, with the majority relating to Local Roads. The main exceptions were Cavan where 39% of complaints related to Local Roads and 46% to Regional Roads, Galway where 50% related to Local Roads and 30% to Regional Roads and Waterford where 50% related to Local Roads and 50% to Regional Roads.
- 5.24 Table 5.3 presents a summary of the annual average numbers of complaints received over the period 2013-2015 and the road category to which they related. It is presented in descending numerical order in terms of complaints received.

**Table 5.3**

Local Authority	Number of Complaints Received from Public	Percentage Relating to National Primary Roads	Percentage Relating to National Secondary Roads	Percentage Relating to Regional Roads	Percentage Relating to Local Roads
Kerry County Council	402	0%	0%	12%	88%
Cork County Council	326	5%	10%	25%	60%
Donegal County Council	250	0%	2%	10%	88%
Galway County Council	185	10%	10%	30%	50%
Mayo County Council	166	0%	5%	15%	80%
Longford County Council	153	5%	5%	15%	75%
Clare County Council	150	0%	0%	5%	95%
Monaghan County Council	116	0%	0%	20%	80%
South Dublin County Council	112	0	5%	10%	85%
Kilkenny County Council	109	0	2%	8%	90%
Leitrim County Council	100	0%	0%	20%	80%
Offaly County Council	95	0%	9%	23%	68%
Tipperary County Council	87	3%	7%	25%	65%
Westmeath County Council	40 to 75	0%	0%	5%	95%
Meath County Council	68	2%	5%	13%	80%
Waterford City & County Council	50	0%	0%	50%	50%
Cavan County Council	43	3%	12%	46%	39%
Dublin City Council	30	0%	0%	10%	90%
Fingal County Council	30	0%	0%	25%	75%
Sligo County Council	20	0%	0%	0%	100%
Wexford County Council	20	0%	0%	10%	90%
Carlow County Council	<20	0%	10%	20%	70%
Dún Laoghaire-Rathdown County Council	10 to 20	10%	0%	30%	60%
Limerick City and County Council	11	0%	0%	0%	100%
Galway City Council	7	0%	0%	0%	100%
Louth County Council	1	0%	0%	0%	100%
Laois County Council	No Information				



5.25 Table 5.4 presents an outline summary of the approaches reported by the twenty seven respondents under various headings relating to relevant activities of Local Authorities such as inspections, investigations, monitoring / recording of landowner compliance, inspections of the condition of hedges and the recording of complaints. The table quantifies the number of Local Authorities out of the twenty seven respondents that adopt the various approaches listed. A detailed summary is included in Appendix A.

It is of note that only six respondents reported operating a landowner register while the questionnaires document that 70% of respondents reported that identification of landowners / occupiers was a problem, as noted herein in Paragraph 5.15 and in Table 5.1.

**Table 5.4**

General Inspection Regime / Inspection of Known Critical Locations	Procedures for Recording Details of Inspections	Procedures for Recording Complaints	Procedures for Recording Details of Investigations	Procedures for Identifying Landowners / Occupiers	Procedures for Maintaining Landowner/ Occupier Register	Procedures for Monitoring Landowner Performance	Procedures for Recording Non-Compliant Landowners
17	15	25	21	20	<ul style="list-style-type: none"> <li>• 6 have a Register.</li> <li>• 1 with an ad hoc system.</li> <li>• 1 in the process of setting up a database.</li> </ul>	<ul style="list-style-type: none"> <li>• 10 with procedures in place.</li> <li>• 3 rely on routine inspections.</li> <li>• 1 Local Authority carries out monitoring 21 days after issuing Section 70 Notice.</li> </ul>	12

5.26 Complaints were received by 96% of the respondent Local Authorities, with 93% having procedures in place to record these complaints. Procedures to record details of subsequent investigations were reported by 78% of respondents. However, only 63% of respondents reported having an inspection regime in place that would help to pro-actively monitor the condition of hedges.

5.27 37% of the respondents reported having procedures other than routine inspections to monitor the performance of landowners, while 44% stated that they had procedures for monitoring non-compliant landowners i.e. after such landowners have been identified.

VERBAL & WRITTEN REQUESTS

- 5.28 The data submitted in the questionnaires portrayed a wide disparity in compliance levels following verbal and written requests from the Local Authorities to landowners / occupiers of land to address their hedge cutting responsibilities.
- 5.29 The reported levels of compliance achieved following **written** requests ranged from 33% in Wexford to 100% in both Leitrim and Cavan. Some counties reported that they did not issue written requests and a number of counties either provided no information or reported that they did not rely on either written or verbal requests.
- 5.30 Table 5.5 summarises the available data relating to verbal and written requests and is presented in descending numerical order of the annual average number of verbal requests issued over the period 2013-2015. A number of respondents reported no relevant data and are therefore not included.

**Table 5.5**

<b>Local Authority</b>	<b>Annual Average Number of Complaints Received from Public in the Period 2013 to 2015</b>	<b>Annual Average Number of Verbal Requests Issued by Local Authority to Cut Hedges in the Period 2013 to 2015</b>	<b>Average Percentage of Verbal Requests that Result in Positive Response in the Period 2013 to 2015</b>	<b>Annual Average Number of Written Requests Issued by Local Authority to Cut Hedges in the Period 2013 to 2015</b>	<b>Average Percentage of Written Requests that Result in Positive Response in the Period 2013 to 2015</b>
<b>Westmeath County Council</b>	40-75	500	90%	0	N/A
<b>Cork County Council</b>	326	326	0.6%	151	78%
<b>Carlow County Council</b>	<20	200	50%	20	50%
<b>Kilkenny County Council</b>	109	53	70%	0	N/A
<b>Meath County Council</b>	68	42	52%	0	N/A
<b>Cavan County Council</b>	43	40	76%	33	100%
<b>Longford County Council</b>	153	30	60%	23	80%
<b>Offaly County Council</b>	95	30	80%	0	N/A
<b>Fingal County Council</b>	30	20	49%	4	75%
<b>Wexford County Council</b>	20	20	25%	15	33%
<b>Galway County Council</b>	185	10	50%	2	50%
<b>Sligo County Council</b>	20	8	100%	0	N/A
<b>Leitrim County Council</b>	100	2	100%	80	100%
<b>Louth County Council</b>	1	1	100%	0	N/A
<b>Clare County Council</b>	150	0	N/A	750	58%
<b>Kerry County Council</b>	402	0	N/A	402	95%
<b>Dún Laoghaire-Rathdown County Council</b>	10 to 20	0	N/A	0	N/A
<b>Monaghan County Council</b>	116	0	N/A	61	83%
<b>Galway City Council</b>	7	0	N/A	0	N/A

SECTION 70 NOTICES

5.31 Available data from the questionnaires indicated that eighteen of the twenty seven respondents issued Section 70 Notices during the period 2013-2015. Compliance levels with such notices was generally reported to be high. Westmeath County Council served the highest number of Section 70 Notices (3,350) and reported 95% compliance. Cavan County Council served the next highest number (657) and reported 78% compliance. Kerry County Council reported that seventy Notices had been issued since July 2015, with 100% compliance. Since then a further twenty Notices, three of which had been complied with and the balance were under investigation when the questionnaire was returned in late March 2016.

ENFORCEMENT BY LOCAL AUTHORITIES

- 5.32 Table 5.6 presents an outline summary of average annual activity reported by respondents over the years 2013, 2014 and 2015. The table provides a summary over the three year period of the average annual numbers of complaints received and of verbal and written requests issued by Local Authorities to landowners.
- 5.33 Table 5.6 also lists the total numbers (rather than the average) of Section 70 Notices issued and the total numbers that were enforced against non-compliant landowners over the three year period. A detailed summary of the information presented in Table 5.6 is included in Appendix B.
- 5.34 Where data was provided, the average number of complaints over the 3-Years in the period 2013-2015 ranged from 402 in Kerry to 1 in Louth. Some counties noted for tourism appear to attract higher numbers, but no definite pattern is apparent in this regard.

**Table 5.6**

Local Authority	Average Number of Complaints Received from Public	Average Number of Verbal Requests Issued by Local Authority to Cut Hedges	Average Percentage of Verbal Requests that Result in Positive Response	Average Number of Written Requests Issued by Local Authority to Cut Hedges	Average Percentage of Written Requests that Result in Positive Response	Total Number of Section 70 Notices Issued by Local Authority	Percentage of Section 70 Notices that Result in Positive Response	Total Number of Section 70 Notices Enforced (2013 to 2015)
Kerry County Council	402	0	N/A	402	95%	97	82%	Follow-up ongoing
Cork County Council	326	326	0.6%	151	78%	0	N/A	N/A
Donegal County Council	250	0	N/A	0	N/A	0	N/A	N/A
Galway County Council	185	10	50%	2	50%	5	0%	0
Mayo County Council	166	No Data	No Data	No Data	No Data	No Data	No Data	No Data

**Table 5.6 (Continued)**

<b>Longford County Council</b>	153	30	60%	23	80%	0	N/A	N/A
<b>Clare County Council</b>	150	0	N/A	750	58%	1	100%	0
<b>Monaghan County Council</b>	116	0	N/A	61	83%	31	100%	N/A
<b>South Dublin County Council</b>	112	No Data	No Data	No Data	No Data	No Data	No Data	No Data
<b>Kilkenny County Council.</b>	109	53	70%	0	N/A	617	91%	0
<b>Leitrim County Council</b>	100	2	100%	80	100%	0	N/A	N/A
<b>Offaly County Council</b>	95	30	80%	0	N/A	599	80%	1 - Not Pursued
<b>Tipperary County Council</b>	87	N/A	N/A	N/A	N/A	287	80%	2
<b>Westmeath County Council</b>	40 - 75	500	90%	0	N/A	3350	95%	0
<b>Meath County Council</b>	68	42	52%	0	N/A	139	93%	1 - Not Pursued
<b>Waterford City &amp; County Council</b>	50	No Data	No Data	112	90%	31	100%	N/A
<b>Cavan County Council</b>	43	40	76%	33	100%	657	78%	0
<b>Dublin City Council</b>	30	No Data	No Data	No Data	No Data	No Data	No Data	No Data
<b>Fingal County Council</b>	30	20	49%	4	75%	0	N/A	N/A
<b>Sligo County Council</b>	20	8	100%	0	N/A	14	100%	0
<b>Carlow County Council</b>	<20	200	50%	20	50%	240	94%	0
<b>Wexford County Council</b>	20	20	25%	15	33%	15	40%	0
<b>Dún Laoghaire Rathdown County Council</b>	10 to 20	0	N/A	0	N/A	479	No Data	0
<b>Limerick City and County Council</b>	11	No Data	N/A	269	No Data	9	89%	0
<b>Galway City Council</b>	7	0	N/A	0	N/A	0	N/A	N/A
<b>Louth County Council</b>	1	1	100%	0	N/A	3	100%	N/A
<b>Laos County Council</b>	No data	No data	No data	0	N/A	69	100%	0

- 5.35 Available data relating to the total numbers of Section 70 Notices issued over the three year period 2013-2015, which is included in Appendix B, is further summarised in Table 5.7 and is presented in descending numerical order in terms of Section 70 Notices issued. It is of particular note that the majority of respondents reported that they do not issue enforcement proceedings in respect of Section 70 Notices that are not complied with. During the period 2013-2015, Tipperary County Council enforced two Section 70 Notices. Both Offaly County Council and Meath County Council commenced proceedings in one case each. Neither was pursued.
- 5.36 Enforcement of Section 70 Notices is not undertaken in other respondent counties.

**Table 5.7**

<b>Local Authority</b>	<b>Number of Section 70 Notices Issued by Local Authority in Period 2013-2015</b>	<b>Number of Section 70 Notices Enforced</b>
<b>Westmeath County Council</b>	3,350	0
<b>Cavan County Council</b>	657	0
<b>Kilkenny County Council</b>	617	0
<b>Dún Laoghaire Rathdown County Council</b>	479	0
<b>Tipperary County Council</b>	287	2
<b>Carlow County Council.</b>	240	0
<b>Offaly County Council</b>	599	1 (Not Pursued)
<b>Meath County Council</b>	139	1 (Not Pursued)
<b>Kerry County Council</b>	97	Follow-up monitoring ongoing
<b>Laois County Council</b>	69	0
<b>Monaghan County Council</b>	31	N/A
<b>Waterford City &amp; County Council</b>	31	N/A
<b>Wexford County Council</b>	15	0
<b>Sligo County Council</b>	14	0
<b>Limerick City and County Council</b>	9	No Data
<b>Galway County Council</b>	5	0
<b>Louth County Council</b>	3	N/A
<b>Clare County Council</b>	1	0

INVASIVE SPECIES

- 5.37 The questionnaire asked each Local Authority if a policy existed within their organisation for dealing with invasive species in roadside vegetation and for any additional comments on this issue. The majority of the respondents demonstrated an awareness of the issue and had procedures in place.

LOCAL AVAILABILITY OF MACHINERY & COMPETENT OPERATORS

- 5.38 The questionnaire asked each Local Authority if a reasonable availability of hedge cutting machinery and competent operators capable of carrying out hedge cutting operations exists within their area. Twenty five of the twenty seven respondents affirmed the availability of adequate local resources.
- 5.39 Tipperary County Council also commented that contractors engaged for hedge cutting are required to:
- i. Have a valid Safe Pass Certificate.
  - ii. Have completed a Hedgerow Maintenance Course.
  - iii. Use only machinery that is appropriately certified and in good working order.

**Phase 1 – Scoping / Research – Summary of Findings**

- 5.40 An excellent level of response was received to the questionnaires, with twenty seven responding out of a total of thirty one Local Authorities.
- 5.41 The results of the initial desktop assessment combined with the subsequent indepth research indicated that a broadly similar approach was generally being taken by many Local Authorities to the issue of hedge cutting within the legal framework of Section 70 of the Roads Act 1993 and Section 40 of the Wildlife Act 1976 (as amended by the Wildlife Act 2000).
- 5.42 The research also indicated that, while only six counties had specific hedge cutting policies in place in 2016 addressing issues such as increasing levels of landowner awareness and compliance monitoring, the majority of the twenty seven Local Authorities that responded to the questionnaire appeared to follow a common procedure that generally involves some or all of the following steps:
- a. Placing public advertisements in newspapers or on websites reminding landowners/occupiers of their responsibilities under the Roads Act.

- b. Inspecting hedges, either routinely or as part of a specific regime. The questionnaires showed that 17 counties (63% of respondents) have an inspection regime in place.
  - c. Issuing verbal requests to landowners/occupiers to cut hedges. Out of the twenty seven respondents, fourteen counties (52%) had issued verbal requests over the previous three years. Positive responses were reported in respect of approximately 56% of the number of verbal requests issued in total by these fourteen counties.
  - d. Issuing written requests (as distinct from Section 70 Notices) - thirteen counties (48% of respondents) had issued written requests over the previous three years. Positive responses were reported in respect of approximately 64% of the number of written requests issued in total by these thirteen counties.
  - e. Serving Section 70 Notices on non-compliant landowners / occupiers – twenty four counties (89% of respondents) provided data on the numbers of Section 70 Notices that had been served over the previous three years. Six of those counties had issued none. Positive responses are reported in respect of 90% of the number of Section 70 Notices issued in total by the eighteen counties.
- 5.43 It is of particular note that the majority of respondents reported that they did not issue enforcement proceedings in respect of Section 70 Notices that are not complied with. With regard to the period 2013-2015, Kerry County Council reported in March 2016 that some were being followed up. Tipperary County Council enforced two Section 70 Notices during the period, while both Meath County Council and Offaly County Council commenced proceedings in one case each, with neither subsequently pursued. No other Local Authority reported taking enforcement proceedings on foot of Section 70 Notices.
- 5.44 70% of respondents considered that low levels of landowner/occupier awareness contributed to the difficulties presented by Local Authorities in getting them to comply with their statutory hedge cutting responsibilities.
- 5.45 As shown in Table 5.2, only nine of the respondents (i.e. 33%) that reported taking measures to raise awareness levels among landowners used Local Radio effectively as a means of doing so.
- 5.46 70% of respondents reported that identification of landowners / occupiers was a problem for their Local Authorities.
- 5.47 Over 96% of the twenty seven respondents reported receiving complaints concerning uncut hedges during the period 2013-2015. Laois had no relevant



information available in this regard. The complaints were recorded by 93% of the recipient Local Authorities and, while 78% reported having procedures in place to record details of subsequent investigations, only 63% reported having an inspection regime in place that would help to pro-actively monitor the condition of hedges.

- 5.48 37% of the respondents reported having procedures in place to monitor the performance of landowners, while 44% stated that they had procedures for monitoring non-compliant landowners i.e. after such landowners have been identified.

## **6. PHASE 1 – DEVELOPMENT**

- 6.1 The Development Stage of Phase 1 involved data collection on site. As determined by the Pilot Counties, this involved a baseline survey of hedges along a random sample of Regional and Local Roads in Counties Tipperary and Donegal to assist in the assessment of compliance by landowners / occupiers with their responsibilities under the Roads Act.
- 6.2 Tipperary and Donegal County Councils have approximately 5,500 km and 6,000 km respectively of Regional and Local Roads. Based on this quantity, the overall lengths of the roads randomly selected for inspection measured approx. 360km in each county based on providing the required confidence level of 95% with a confidence interval of 5%.
- 6.3 A visual survey of the condition of the hedges was carried out in March 2016 on these randomly selected lengths of road using dash-mounted camera equipment linked to *Ubipix Software*, which is a platform for collating, processing and publishing GIS compatible video and map data.
- 6.4 Under Section 70 of the 1993 Roads Act the owner or occupier of land must take all reasonable steps to ensure that a tree, shrub, hedge or other vegetation on the land is not a hazard or potential hazard to persons using a public road and that it does not obstruct or interfere with the safe use of a public road or the maintenance of a public road.
- 6.5 The March 2016 survey of roads in the Pilot Counties was interrogated and examined with a view to determining the condition of the surveyed roadside hedges. Where hedges were considered to present a hazard, the corresponding sections of road were tagged for future identification on the *Ubipix Software*.
- 6.6 In County Tipperary, 382.5 km of roads were surveyed and only 2.1 km were tagged. In County Donegal, 366 km of roads were surveyed and only 1 km was tagged. Thus, the road survey indicated that sections of roads where hedges presented a hazard comprised less than 1% of total surveyed road length.
- 6.7 It had been originally agreed with the Pilot Counties that a Phase 2 repeat road survey would be carried out in Counties Donegal and Tipperary to measure the effectiveness of targeted interventions, designed to improve compliance rates with relevant legislation by relevant landowners / occupiers. As stated in Paragraph 6.6, the Phase 1 road survey indicated the existence of hazards on less than 1% of the total surveyed road lengths. The study group presented by such a low percentage

would be too small to allow an accurate and meaningful assessment of targeted local interventions to be undertaken, as was originally envisaged for this pilot project.

### **Phase 1 – Scoping / Research – Summary of Findings**

- 6.8 As already outlined in Section 5, Paragraph 5.41 of this report (*Phase 1- Scoping/Research - Summary of Findings*), the questionnaires reported positive responses from landowners / occupiers during the period 2013-2015 in respect of:
- i. Approximately 56% of the total number of verbal requests issued;
  - ii. Approximately 64% of the total number of written requests issued;
  - iii. Approximately 90% of the total number of Section 70 Notices issued.
- 6.9 In addition high compliance was reported in Kerry in 2008 and again in 2015. In Meath, it was reported in 2014 that a significant number of landowners were aware of their responsibilities. In Monaghan, it was reported at a 2015 Strategic Policy Committee meeting that compliance *is generally quite high with only a very small number of "failures"*.
- 6.10 Notwithstanding that there is evidence of landowners not complying with the requirements of Section 70 of the 1993 Roads Act, the results of the 2016 road survey revealed that only approximately 1% of the surveyed roadside hedges represented a hazard, thus demonstrating that non-compliance with Section 70 of the 1993 Roads Act appeared to be limited, rather than representing a widespread problem.
- 6.11 Because of this finding, it would not be possible to differentiate between alternative outcomes from specifically targeted local interventions in the Pilot Counties involved in the project.
- 6.12 The Project Implementation Plan produced after completion of the Scoping, Research and Development stages of Phase 1 recommended a number of approaches to encourage compliance and raise awareness among the apparently small cohort of non-compliant landowners. While it is necessary to demonstrate that such behavior will not be tolerated, the approaches should aim towards a culture of support and information (particularly regarding the dangers of Japanese Knotweed) rather than becoming a shaming campaign that could have the potential to vilify farmers and landowners generally, instead of maintaining the focus on the small non-compliant cohort.

6.13 The recommended approaches are discussed under seven different headings.

*i. **Raising Awareness***

70% of respondents consider that low levels of landowner/occupier awareness contributes to the difficulties experienced by Local Authorities in getting them to comply with their statutory hedge cutting responsibilities.

Staff from Donegal and Tipperary County Councils met with the Road Safety Authority in February 2017 to explore the option of running a national awareness / information campaign on the road safety issues arising from overgrown roadside vegetation. As a follow-up to that meeting, indicative costings for such a campaign were estimated at approximately €270,000.

A strong business case for such a campaign is not supported by the metrics arising from the Phase 1 Research and Development stages of the pilot project. It was concluded that this level of expenditure would likely be disproportionate to the level of non-compliance and would not guarantee any increase in compliance levels with Section 70 of the 1993 Roads Act.

It is therefore recommended that engagement with farming representative bodies to achieve targeted information notifications might be a better use of the limited available resources.

It has also been reported that erection of suitable signs on sections of roads where hedges present a hazard has shown past success in raising awareness and achieving compliance.

*ii. **Identifying Landowners / Occupiers***

Nineteen of the twenty seven respondents (70%) report that identification of landowners / occupiers is a problem for their Local Authorities and a factor affecting their ability to address issues associated with roadside vegetation.

The majority of respondents do not have a relevant database of landowners / occupiers. However, almost 75% use the land registry or other means to identify non-compliant landowners / occupiers.

In situations of non-compliance where a landowner cannot be identified, it may be necessary for the Local Authority to maintain the non-compliant roadside hedge on grounds of safety.

*iii. **Complaints / Inspections***

Complaints are recorded by 93% of the respondents and while 78% have procedures in place to record details of subsequent investigations, only 63% have an inspection regime that would help to pro-actively monitor the condition of hedges. Annual average complaint numbers as high as 402 are recorded and the majority of respondents average at least one complaint per week. However, these numbers appear to be somewhat at odds with findings on the ground, with other findings of the research carried out as part of this project and with the low levels of enforcement reported throughout the country.

Details of the nature of the complaints is not known, and it is considered possible that many complaints might relate to untidiness of hedges rather than issues that represent actual safety hazards within the meaning of the 1993 Roads Act.

37% of the respondents have procedures in place to monitor the performance of landowners, while 44% state that they have procedures for monitoring non-compliant landowners i.e. after such landowners have been identified.

A systematic procedure of inspections and investigations needs to be adopted by each Local Authority together with a suitable system that records these actions and their outcomes. It is anticipated that the adoption and enforcement of uniform policies and procedures by each local authority would serve to raise compliance levels and thus reduce the numbers of complaints received annually.

Aside from the usual mechanisms for the public to report safety issues by phone or by email either directly to the Local Authority or to Elected Representatives, mapping technologies should be investigated.

The Northern Ireland Department of Transport provides a platform where complaints can be reported by means of web-based mapping (<https://www.nidirect.gov.uk/services/roadside-grass-cutting>). This approach could be further investigated with the Road Safety Authority and / or the Department of Transport, Tourism & Sport.

***iv. Enforcement***

63% of respondents reported having a hedge inspection regime in place.

Over the three years prior to 2016, 52% of respondents issued verbal requests seeking to get hedges cut. Positive responses were reported in respect of approximately 56% of these.

Over the same period, 48% of respondents issued written requests, with positive responses reported in respect of approximately 64% of these.

Twenty four respondents (89%) provided data on the numbers of Section 70 Notices issued over the over the previous three years, including six that had not issued any. The reported data demonstrated that positive responses ensued in respect of approximately 90% of the Section 70 Notices issued by the eighteen counties. However, the structured review showed that enforcement of Section 70 Notices through the Courts is not pursued in most cases.

The procedures relating to serving of Section 70 Notices should ensure that prior to notification, photographic evidence should be recorded of the safety issue involved. In order to adequately address the safety issue, but ensuring as much protection of biodiversity as is possible, notifications should:

- Indicate the precise location of the issue to be addressed (ideally a map should be supplied). It may be that only 50m of a 300m length of hedge is the problem. It is not sufficient to provide the road number or townland name alone and more precise details are required.
- Indicate the precise nature of the issue to be addressed such as vertical growth / lateral growth / overhanging tree limb / brambles, briars, etc.
- State the precise nature of the required remedial work to be carried out by the landowner/occupier. It is not always sufficient to make a general statement such as – ‘cut hedges’.
- Include guidance on biodiversity considerations and procedures regarding invasive species.

Timing of Section 70 notices should, where at all possible, allow the landowner/occupier to address the problem during the open period for hedge cutting.

The main option open to a Local Authority in terms of direct enforcement of Section 70 Notices is to carry out remedial work itself and recover *any reasonable costs incurred by it from the owner or occupier as a simple contract debt*. It is recommended that, having previously issued a written request that was ignored prior to the Section 70 Notice, Local Authorities should consider proceeding with the work if the landowner fails to comply within the period stated in the Notice (assuming no successful appeal by the landowner/occupier of any land to the District Court) and pursue the landowner/occupier of any land for the costs. It is considered that this approach would raise awareness among the non-compliant community, if adopted unilaterally as part of a policy by all Local Authorities.

**v. Hedge Cutting During Closed Season**

Where cutting of roadside vegetation becomes necessary for safety purposes during the closed period, it should be the policy of each Local Authority to provide for the following:

- a. A suitable visual record should be made of the area, precisely identifying the safety issue (photographs or video);
- b. The minimum amount of work required to rectify the safety issue should be identified and specified. This should be sufficient to ensure continued safety until the commencement of the open season for hedge-cutting.
- c. Work should only be carried out by appropriately qualified contractors / operators using machinery that has the least impact on biodiversity. The flail cutter is damaging to wildlife in a hedge during the growing season. Reciprocating bar cutters or Multi-Disc Saw Blades are more benign but involve clearing up.
- d. On completion, an appropriate visual record should be made of the area.

**vi. Safety**

In the interests of safety and appropriate management, all operators using machinery to manage roadside vegetation should be appropriately accredited. Appropriate certification of machinery and operators should be a mandatory requirement for all such works on public roads.

Teagasc offers accredited training to hedge cutting contractors. This training covers health & safety requirements, machine maintenance and best

practice management. Local Authorities should consider employing only suitably qualified hedgerow / verge management contractors.

***vii. Community Initiatives***

Community initiatives have been adopted in a number of counties. However, the responses to the questionnaires did not indicate their success or otherwise, and the benefit or otherwise of either expanding these initiatives to other counties or abandoning them altogether should be further explored.



**7. PHASE 2 – ROADSIDE HEDGE CUTTING PILOT PROJECT**

- 7.1 The Phase 2 list of deliverables consists of the following:-
- a. Final Implementation Plan;
  - b. Monitoring & Evaluation Report;
  - c. Final Project Report & PowerPoint Presentation.
- 7.2 Following the findings of Phase 1 Development stage, it was concluded that it would be impossible to differentiate between alternative outcomes from specifically targeted interventions and it would therefore not be possible to devise such interventions with outcomes that would be measurable by means of a repeat of the road surveys in the Pilot Counties.

## **8. CONCLUSIONS**

- 8.1 It is considered that any hedge cutting initiative should strive to meet multiple objectives in a balanced and cost effective way that ensures that road safety objectives do not unnecessarily compromise biodiversity. Successful solutions to the national approach to hedge cutting must therefore meet the following three combined objectives:-
- a. A safe road system,
  - b. Protection of roadside nature and biodiversity,
  - c. Cost effective management and delivery.
- 8.2 A lack of landowner awareness contributes to the difficulties encountered by Local Authorities in getting owners / occupiers to comply with their statutory hedge cutting responsibilities.
- 8.3 It was concluded however, that the expenditure associated with a national awareness / information campaign would be disproportionate to the likely benefits from such a campaign and would not guarantee any increase in compliance levels with Section 70 of the 1993 Roads Act.
- 8.4 Based on the results of the 2016 road survey in the Pilot Counties, levels of non-compliance with the requirements of Section 70 of the 1993 Roads Act were found to be very low in these counties.
- 8.5 The very low numbers of enforcement proceedings taken nationally suggest that the relatively small minority of non-compliant landowners / occupiers are allowed in many instances to ignore their responsibilities at the expense of compliant landowners, who form the majority by far. As with all legislation, enforcement is a key driver in achieving compliance. However, enforcement should be seen as a means of last resort when all other avenues of information and support have been explored.
- 8.6 It is recommended that Local Authorities should focus in the first instance on raising awareness of the legislative duties of landowners / occupiers and aim towards a culture of support and information, particularly regarding the dangers of Japanese Knotweed. Increased engagement with *Teagasc Agriculture and Food Development Authority* and farming representative bodies will help develop a targeted information source that strengthens existing work already undertaken in this regard.

8.7 Only six Local Authorities out of the overall twenty seven respondents to the 2016 questionnaire reported having formal policies in place relating to roadside hedge cutting. Different approaches are therefore taken across the country and it is considered that a uniform approach could be adopted that would address all of the road safety and biodiversity issues encapsulated in the relevant legislation. It is therefore recommended that each Local Authority be encouraged to develop a Hedge Cutting policy through their Roads Strategic Policy Committees. To assist in the nationwide promotion of a consistent approach, a non-exhaustive list of the main considerations for such a policy is provided in the following Addendum to Paragraph 8.7.

**ADDENDUM TO PARAGRAPH 8.7**  
**CONSIDERATIONS FOR INCLUSION IN HEDGE CUTTING POLICY**

Based on the data gathered and analysed in Phase 1 of this Pilot Project, the following issues have been shown to be closely linked with levels of compliance with the requirements of the Roads Act 1993, the Wildlife Act 1976 as amended by the Wildlife Act 2000 and the Heritage Act 2018. It is therefore considered that these should form the basis of policies pertaining to Hedge Cutting:-

- a. Raising awareness of the legislative duties of landowners / occupiers. It is recommended that efforts are increased to further enhance engagement with *Teagasc Agriculture and Food Development Authority* and farming representative bodies to develop a targeted information source that strengthens existing work already undertaken in this regard. While it is necessary to demonstrate that non-compliant behaviour will not be tolerated, the awareness campaigns and approaches should aim towards a culture of support and information, particularly regarding the dangers of Japanese Knotweed.
- b. Identifying the relevant landowners / occupiers of lands.
- c. Developing procedures for dealing with complaints.
- d. Developing a systematic procedure for hedge inspections and issuing related verbal / written requests where necessary.
- e. Monitoring.
- f. Enforcement.

**APPENDIX A**  
**SUMMARY OF INSPECTIONS & MONITORING IN LOCAL AUTHORITIES**

## PILOT HEDGE CUTTING PROJECT

LOCAL AUTHORITY (LA)	General Inspection Regime	Inspection Regime of Known Critical Locations	Procedures for Recording Details of Inspections	Procedures for Recording Complaints	Procedures for Recording Details of Investigations	Procedures for Identifying Landowners / Occupiers	Register of Landowners / Occupiers	Procedures for Monitoring Landowner Performance	Procedures for Recordings Non-Compliant Landowners	Comments
Carlow County Council	Yes	No	No	Yes - Complaints Log Book	Yes - Complaints Log Book Close-Out	General Services Supervisor (GSS) Enquiry followed by Land Registry Search	No	Routine GSS Inspections as part of day to day functions	Log Book Entry	None
Cavan County Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
Clare County Council	Yes	Yes	Yes	Yes	Yes	Yes (when in Breach)	No	No	Yes	None
Cork County Council	No	Yes-informally by Area Engineer	No	Yes - All Complaints Recorded on CRM System	Yes - All Complaints Recorded on CRM System	Yes - online using Property Registration Authority	No	No	No	LA initially sends letter on foot of any complaints - if not acted upon with 30 days, Authorised Person is authorised by Director's Order to issue S.70 Notice. If hedge remains uncut, Authorised Person reports to Director, who instructs Solicitor to institute proceedings.
Donegal County Council	No	No	No	Yes	Yes	No	No	No	No	Many practices are ad hoc and not part of a formal procedure
Dublin City Council	Yes	No	Yes	Yes	Yes	Yes	No	No	No	Urban Area-hedge cutting not a significant issue-some limited complaints relating to footways.
Dún Laoghaire-Rathdown County Council	No	No	No	No Response	Yes	No	No	No	No	DLRCC hires hedgecutting machinery between May and November for use on the N11 and rural roads.
Fingal County Council	No	Passive	No	Yes - CRM Complaint Tracking System	CRM	Land Registry Search or local knowledge	No	No	No	None
Galway County Council	National Roads only	National Roads only	NRA Geo APP	Emails / Phone / Fix My Street	No	No	No	No	No	None
Galway City Council	No	No	No	Yes	No	No	No	No	No	None
Kerry County Council	Yes - Roads Enforcement Officer & Operations Staff	Yes - Roads Enforcement Officer & Operations Staff	Yes	Yes - database maintained by Operations Department	Yes	Yes - database maintained by Operations Department	Yes - database maintained by Operations Department	Yes	Yes	If Landowner refuses, LA cuts the hedges and endeavours to recover the costs.
Kilkenny County Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None

## QUESTIONNAIRE RESPONSE SUMMARY

## PILOT HEDGECUTTING PROJECT

LOCAL AUTHORITY (LA)	General Inspection Regime	Inspection Regime of Known Critical Locations	Procedures for Recording Details of Inspections	Procedures for Recording Complaints	Procedures for Recording Details of Investigations	Procedures for Identifying Landowners / Occupiers	Register of Landowners / Occupiers	Procedures for Monitoring Landowner Performance	Procedures for Recordings Non-Compliant Landowners	Comments
Laois County Council	Yes (Visual Inspection By Overseer)	Yes (Visual Inspection By Overseer)	No	Yes - Staff in Roads Department inform Area Staff	Yes - Referred to Area Engineer	Yes - Land Registry	No	No	No	None
Leitrim County Council	No	No	No	Yes	Yes	Yes	No	No	No	None
Limerick City and County Council	Yes	Yes	National Roads Only	Yes	Yes	Yes	Yes	Yes	Yes	None
Longford County Council	Yes (Area Engineer)	Yes (Area Engineer)	Recorded by Area Clerk	Yes - Complaints Register	Yes - Complaints Register	Land Registry / local knowledge	No	Yes (Area Engineer)	No	Hedge cutting and related procedures managed by Area Engineers / Staff.
Louth County Council	No	No	No	Yes - LA Complaints System (SUGAR)	No	Yes - Land Registry	No	Routine Inspections	No	None
Mayo County Council	Yes	Yes	No	Yes	Yes	No	No	No	No	None
Meath County Council	Yes - Routine GSS Observation during daily operations	Yes - Routine GSS Spot Checks at known critical locations	No specific procedure, other than records contained in GSS Diaries	SUGAR System - no separate system for hedge related complaints	SUGAR System - no separate system for hedge related complaints	Land Registry / local knowledge	Ad Hoc local registers	Nothing formal - Routine GSS Inspections	Nothing formal	None
Monaghan County Council	No	No	Yes	Yes	Yes	No	No	Yes	Yes	Complaints recorded on spreadsheet. This is then used to record all subsequent action / procedures.
Offaly County Council	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Mostly informal procedures in place. Following receipt of a complaint, an inspection is made, Land Direct is used to verify the owner / occupier and a verbal request is usually issued. Section 70 notice is issued where non-compliance continues.
Sligo County Council	Yes	Yes	No	No	No	No	No	No	Yes	Random inspections carried out by Area Engineers and GSS. If hedges on Local Roads are hazardous, a request is issued to trim them. If this fails, the Council does the work using funds from Councillors' proposals / own resources.

## QUESTIONNAIRE RESPONSE SUMMARY



## PILOT HEDGE CUTTING PROJECT

LOCAL AUTHORITY (LA)	General Inspection Regime	Inspection Regime of Known Critical Locations	Procedures for Recording Details of Inspections	Procedures for Recording Complaints	Procedures for Recording Details of Investigations	Procedures for Identifying Landowners / Occupiers	Register of Landowners / Occupiers	Procedures for Monitoring Landowner Performance	Procedures for Recordings Non-Compliant Landowners	Comments
South Dublin County Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	None
Tipperary County Council	GSS inspects and prepares list of offenders for issue of Notices	Yes - monitored by GSS	Yes - recorded on database in Area Office	Yes - Recorded on CRM	Yes - logged onto CRM and assigned to GSS for inspection and follow-up.	GSS knowledge, Land Registry and Planning database	Database containing landowner data related to hedge cutting created in Area Office	Site Inspections carried out 21 days after issue of S. 70 Notice.	Yes	If S.70 Notice is not complied with after expiry of 21 days, District (Area) Office advises Senior Engineer / Roads Administration to proceed to legal action.
Waterford City & County Council	Yes	Yes	Yes	Yes	Yes	Yes	In the process of setting up Register for Regional Roads	Yes	Yes	None
Westmeath County Council	No	Yes-By GSS	Record of uncut hedges kept	Yes - CCMS	Close-out of CCMS	Land Registry / local knowledge	None	GSS Inspections	Issue Hedge Cutting Notice	
Wexford County Council	No	Yes	No	Yes-Complaints Log	No	Yes-Usually Local Knowledge	No	No	No	None

## QUESTIONNAIRE RESPONSE SUMMARY

**APPENDIX B**  
**SUMMARY OF COMPLAINTS AND ENFORCEMENT REGIME IN LOCAL AUTHORITIES DURING**  
**2013-2015**

## PILOT HEDGE CUTTING PROJECT

LOCAL AUTHORITY	YEAR	Numbers of Complaints Received from Public	Number of Verbal Requests Issued by Local Authority to Cut Hedges	Percentage of Verbal Requests that Result in Positive Response	Number of Written Requests Issued by Local Authority to Cut Hedges	Percentage of Written Requests that Result in Positive Response	Number of Section 70 Notices Issued by Local Authority to Cut Hedges	Percentage of Section 70 Notices that Result in Positive Response	Numbers of Section 70 Notices Not Enforced	Numbers of Section 70 Notices Enforced	Costs Associated with Section 70 Notices
Carlow County Council	2013	Less Than 20	200	50%	20	50%	80	94%	5	0	N/A
	2014	Less Than 20	200	50%	20	50%	80	94%	5	0	N/A
	2015	Less Than 20	200	50%	20	50%	80	94%	5	0	N/A
Cavan County Council	2013	46	40	75%	20	100%	170	76%	41	0	N/A
	2014	40	40	75%	40	100%	258	84%	40	0	N/A
	2015	42	40	78%	40	100%	229	72%	65	0	N/A
Clare County Council	2013	200	0	N/A	750	50%	0	N/A	N/A	N/A	N/A
	2014	150	0	N/A	750	60%	1	100%	0	N/A	" 200
	2015	100	0	N/A	750	65%	0	N/A	N/A	N/A	N/A
Cork County Council	2013	303	303	0.7%	95	74%	0	N/A	N/A	N/A	N/A
	2014	365	365	0.6%	98	72%	0	N/A	N/A	N/A	N/A
	2015	311	311	0.6%	260	82%	0	N/A	N/A	N/A	N/A
Donegal County Council	2013	250	No Records Maintained		No Records Maintained		0	N/A	N/A	N/A	
	2014	250	No Records Maintained		No Records Maintained		0	N/A	N/A	N/A	
	2015	250	No Records Available		No Records Available		0	N/A	N/A	N/A	
Dublin City Council	2013	30	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided
	2014	30	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided
	2015	30	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided
Dún Laoghaire - Rathdown County Council	2013	10 to 20	0	N/A	0	N/A	114	No Information Provided	N/A	0	" 0
	2014	10 to 20	0	N/A	0	N/A	183	No Information Provided	N/A	0	" 0
	2015	10 to 20	0	N/A	0	N/A	182	No Information Provided	N/A	0	" 0
Fingal County Council	2013	30	20	49%	4	75%	0	0%	N/A	N/A	N/A
	2014	30	20	49%	4	75%	0	0%	N/A	N/A	N/A
	2015	30	20	49%	4	75%	0	0%	N/A	N/A	N/A
Galway County Council	2013	185	10	50%	2	50%	2	0%	2	0	N/A
	2014	175	10	50%	2	50%	1	0%	1	0	N/A
	2015	195	10	50%	2	50%	2	0%	2	0	N/A
Galway City Council	2013	7	0	N/A	0	N/A	0	N/A	N/A	N/A	N/A
	2014	7	0	N/A	0	N/A	0	N/A	N/A	N/A	N/A
	2015	7	0	N/A	0	N/A	0	N/A	N/A	N/A	N/A
Kerry County Council	2013	318	0	N/A	318	95%	No Information Provided	No Information Provided			
	2014	441	0	N/A	441	95%	No Information Provided	No Information Provided			
	2015	448	0	N/A	472	95%	97	82%	Ongoing at time of Survey	Ongoing at time of Survey	Ongoing at time of Survey
Kilkenny City and County Council	2013	117	56	64%	0	N/A	229	92%	18	0	N/A
	2014	119	53	74%	0	N/A	227	90%	23	0	N/A
	2015	92	49	73%	0	N/A	161	92%	13	0	N/A
Laois County Council	2013	Unknown	Unknown	Unknown	0	N/A	8	Generally Complied	0	0	
	2014	Unknown	Unknown	Unknown	0	N/A	24	Generally Complied	0	0	
	2015	Unknown	Unknown	Unknown	0	N/A	37	Generally Complied	0	0	

## QUESTIONNAIRE RESPONSE SUMMARY

## PILOT HEDGE CUTTING PROJECT

LOCAL AUTHORITY	YEAR	Numbers of Complaints Received from Public	Number of Verbal Requests Issued by Local Authority to Cut Hedges	Percentage of Verbal Requests that Result in Positive Response	Number of Written Requests Issued by Local Authority to Cut Hedges	Percentage of Written Requests that Result in Positive Response	Number of Section 70 Notices Issued by Local Authority to Cut Hedges	Percentage of Section 70 Notices that Result in Positive Response	Numbers of Section 70 Notices Not Enforced	Numbers of Section 70 Notices Enforced	Costs Associated with Section 70 Notices
Leitrim County Council	2013	100	0	N/A	0	N/A	0	N/A	N/A	N/A	N/A
	2014	100	0	N/A	0	N/A	0	N/A	N/A	N/A	N/A
	2015	100	5	100%	80	100%	0	N/A	N/A	N/A	N/A
Limerick City and County Council	2013	2	No Information Provided	N/A	267	No Information Provided	0	N/A	N/A	0	N/A
	2014	12	No Information Provided	N/A	259	No Information Provided	1	Information Provided	Information Provided	Information Provided	Information Provided
	2015	19	No Information Provided	N/A	281	No Information Provided	8	100%	0	0	N/A
Longford County Council	2013	130	20	60%	20	80%	0	N/A	N/A	N/A	N/A
	2014	150	30	60%	25	80%	0	N/A	N/A	N/A	N/A
	2015	180	40	60%	25	80%	0	N/A	N/A	N/A	N/A
Louth County Council	2013	0	0	0%	0	N/A	0	N/A	N/A	0	N/A
	2014	1	1	100%	0	N/A	1	100%	0	0	N/A
	2015	2	2	100%	0	N/A	2	100%	0	0	N/A
Mayo County Council	2013	166	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided			
	2014	166	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided			
	2015	166	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided			
Meath County Council	2013	62	22	64%	0	N/A	9	100%	No Record	0	
	2014	59	26	65%	0	N/A	19	100%	No Record	0	
	2015	82	77	44%	0	N/A	111	91%	No Record	1	Not Pursued
Monaghan County Council	2013	93	0	N/A	61	87%	8	100%	N/A	0	N/A
	2014	115	0	N/A	57	79%	12	100%	N/A	0	N/A
	2015	141	0	N/A	65	83%	11	100%	N/A	0	N/A
Offaly County Council	2013	95	30	80%	0	N/A	234	80%	47	0	N/A
	2014	96	30	80%	0	N/A	290	80%	58	0	N/A
	2015	95	30	80%	0	N/A	75	80%	N/A	1	Nil to date
Sligo County Council	2013	20	10	100%	0	N/A	8	100%	N/A	0	N/A
	2014	20	10	100%	0	N/A	6	100%	N/A	0	N/A
	2015	20	5	100%	0	N/A	0	100%	N/A	0	N/A
South Dublin County Council	2013	105	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided		0	
	2014	139	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided		0	
	2015	91	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided	No Information Provided		2	
Tipperary County Council	2013	0	N/A	N/A	N/A	N/A	0	N/A		0	No Information Provided
	2014	72	N/A	N/A	N/A	N/A	76	80%		0	No Information Provided
	2015	190	N/A	N/A	N/A	N/A	211	80%		2	No Information Provided
Waterford City & County Council	2013	50	Not Known	Not Known	102	90%	10	100%		0	N/A
	2014	50	Not Known	Not Known	119	90%	12	100%		0	N/A
	2015	50	Not Known	Not Known	116	90%	9	100%		0	N/A
Westmeath County Council	2013	40 - 75	500	90%	0	N/A	750	95%	35	0	N/A
	2014	40 - 75	500	90%	0	N/A	1050	95%	53	0	N/A
	2015	40 - 75	500	90%	0	N/A	1550	95%	78	0	N/A
Wexford County Council	2013	20	20	25%	15	33%	5	40%	3	0	N/A
	2014	20	20	25%	15	33%	5	40%	3	0	N/A
	2015	20	20	25%	15	33%	5	40%	3	0	N/A

## QUESTIONNAIRE RESPONSE SUMMARY

**APPENDIX C**  
**SUMMARY OF ROAD LENGTHS AND RATES OF COMPLAINTS ON DIFFERENT ROAD CATEGORIES**  
**DURING 2013-2015**

**PILOT HEDGE CUTTING PROJECT**

LOCAL AUTHORITY (LA)		Total Road Lengths in Local Authority Area (kilometres)			
		Hedge Lengths Voluntarily Cut by LA (km)			
		Percentage of Complaints Received from Public that Relate to Different Road Types			
		NATIONAL PRIMARY Roads	NATIONAL SECONDARY Roads	REGIONAL Roads	LOCAL Roads
Carlow County Council	Total Road Lengths in LA Area	0	54	186	1008
	Hedge Lengths Voluntarily Cut By LA	0	34	173	1008
	Complaints Percentage Relative to Road Types	0%	10%	20%	70%
Cavan County Council	Total Road Lengths in LA Area	67	62	399	2470
	Hedge Lengths Voluntarily Cut By LA	0	0	0	0
	Complaints Percentage Relative to Road Types	3%	12%	46%	39%
Clare County Council	Total Road Lengths in LA Area	55	188	631	3402
	Hedge Lengths Voluntarily Cut By LA	0	160	400	100
	Complaints Percentage Relative to Road Types	0%	0%	5%	95%
Cork County Council	Total Road Lengths in LA Area	235	258	1380	10755
	Hedge Lengths Voluntarily Cut By LA	5	20	30	10
	Complaints Percentage Relative to Road Types	5%	10%	25%	60%
Donegal County Council	Total Road Lengths in LA Area	152	156	784	5354
	Hedge Lengths Voluntarily Cut By LA	152	156	784	5354
	Complaints Percentage Relative to Road Types	0%	2%	10%	88%
Dublin City Council	Total Road Lengths in LA Area	1	0	215	985
	Hedge Lengths Voluntarily Cut By LA	0	0	0	0
	Complaints Percentage Relative to Road Types	0%	0%	10%	90%
Dún Laoghaire - Rathdown County Council	Total Road Lengths in LA Area	25	0	100	600
	Hedge Lengths Voluntarily Cut By LA	20	0	50	200
	Complaints Percentage Relative to Road Types	10%	0%	30%	60%
Fingal County Council	Total Road Lengths in LA Area	0	0	265	1050
	Hedge Lengths Voluntarily Cut By LA [Restricted to hedges in LA ownership only]	0	0	10	10
	Complaints Percentage Relative to Road Types	0%	0%	25%	75%
Galway County Council	Total Road Lengths in LA Area	84	290	839	5464
	Hedge Lengths Voluntarily Cut By LA	63	181	245	1463
	Complaints Percentage Relative to Road Types	10%	10%	30%	50%
Galway City Council	Total Road Lengths in LA Area	13	8	35	245
	Hedge Lengths Voluntarily Cut By LA [Restricted to hedges in LA ownership only]	5	2	13	42
	Complaints Percentage Relative to Road Types	0%	0%	0%	100%
Kerry County Council	Total Road Lengths in LA Area	98	337	537	3909
	Hedge Lengths Voluntarily Cut By LA	98	150	5	5
	Complaints Percentage Relative to Road Types	0%	0%	12%	88%
Kilkenny City and County Council	Total Road Lengths in LA Area	61	67	423	2540
	Hedge Lengths Voluntarily Cut By LA [Restricted to hedges in LA ownership only]	16	50	43	0
	Complaints Percentage Relative to Road Types	0%	2%	8%	90%
Laois County Council	Total Road Lengths in LA Area	0	100	348	1845
	Hedge Lengths Voluntarily Cut By LA	0	10	34	37
	Complaints Percentage Relative to Road Types	0%	Information not Gathered	Information not Gathered	Information not Gathered
Leitrim County Council	Total Road Lengths in LA Area	57	0	336	1771
	Hedge Lengths Voluntarily Cut By LA	57	0	At Junctions	0
	Complaints Percentage Relative to Road Types	0%	0%	20%	80%

**PILOT HEDGE CUTTING PROJECT**

LOCAL AUTHORITY (LA)		Total Road Lengths in Local Authority Area (kilometres)			
		Hedge Lengths Voluntarily Cut by LA (km)			
		Percentage of Complaints Received from Public that Relate to Different Road Types			
		NATIONAL PRIMARY Roads	NATIONAL SECONDARY Roads	REGIONAL Roads	LOCAL Roads
Limerick City & County Council	Total Road Lengths in LA Area	145	53	536	3082
	Hedge Length (Voluntary LA Cut)	98	53	11	17
	Complaints Percentage Relative to Road Types	0%	0%	0%	100%
Longford County Council	Total Road Lengths in LA Area	46	52	153	1365
	Hedge Length (Voluntary LA Cut)	4	3	6	27
	Complaints Percentage Relative to Road Types	5%	5%	15%	75%
Louth County Council	Total Road Lengths in LA Area	96	47	256	1205
	Hedge Lengths Voluntarily Cut By LA	0	0	5	19
	Complaints Percentage Relative to Road Types	0%	0%	0%	100%
Mayo County Council	Total Road Lengths in LA Area	133	267	622	5468
	Hedge Lengths Voluntarily Cut By LA	Length Not Provided	Length Not Provided	Length Not Provided	Length Not Provided
	Complaints Percentage Relative to Road Types	0%	5%	15%	80%
Meath County Council	Total Road Lengths in LA Area	50	75	601	2630
	Hedge Lengths Voluntarily Cut By LA	0	0.5	8	8
	Complaints Percentage Relative to Road Types	2%	5%	13%	80%
Monaghan County Council	Total Road Lengths in LA Area	74	30	298	2144
	Hedge Lengths Voluntarily Cut By LA	0	0	0	0
	Complaints Percentage Relative to Road Types	0%	0%	20%	80%
Offaly County Council	Total Road Lengths in LA Area	15	106	389	1640
	Hedge Lengths Voluntarily Cut By LA	0	65	100	160
	Complaints Percentage Relative to Road Types	0%	9%	23%	68%
Sligo County Council	Total Road Lengths in LA Area	106	47	228	2400
	Hedge Lengths Voluntarily Cut By LA	106	47	228	200%
	Complaints Percentage Relative to Road Types	0%	0%	0%	100%
South Dublin County Council	Total Road Lengths in LA Area	50	13	116	783
	Hedge Lengths Voluntarily Cut By LA	0	18	60	60
	Complaints Percentage Relative to Road Types	0%	5%	10%	85%
Tipperary County Council	Total Road Lengths in LA Area	65	145	903	4590
	Hedge Lengths Voluntarily Cut By LA	Length Not Provided	Length Not Provided	Length Not Provided	Length Not Provided
	Complaints Percentage Relative to Road Types	3%	7%	25%	65%
Waterford City & County Council	Total Road Lengths in LA Area	73	35	382	2035
	Hedge Lengths Voluntarily Cut By LA	Length Not Provided	Length Not Provided	Length Not Provided	Length Not Provided
	Complaints Percentage Relative to Road Types	0%	0%	50%	50%
Westmeath County Council	Total Road Lengths in LA Area	30	81	304	1780
	Hedge Lengths Voluntarily Cut By LA	0	0	0	0
	Complaints Percentage Relative to Road Types	0%	0%	5%	95%
Wexford County Council	Total Road Lengths in LA Area	131	15	2997	476
	Hedge Lengths Voluntarily Cut By LA	131	15	100	100
	Complaints Percentage Relative to Road Types	0%	0%	10%	90%