

Hedgerows

The aim of these rules is to protect the habitat, particularly for nesting birds, as well as the landscape feature provided by hedgerows¹. They apply to hedgerows growing in, or adjacent to, any of your land.

Hedgerow removal

A. You must not

1. remove² part of a hedgerow unless you have met both of the following conditions³:
 - notified your local authority in writing (or National Park Authority if your land is in a National Park) of your proposal;
 - received written permission to carry out the removal or have received no reply from the authority within 42 days of your notification (this counts as permission).

B. You must

1. carry out any hedgerow removal in accordance with the written permission granted by the authority, or in accordance with the proposal in your notification where the authority has not responded within 42 days.



(photo credit: Nigel Adams, Hedgeline)

- 1 For the purposes of this rule 'hedgerow' means any hedgerow growing in, or adjacent to, any land which forms part of your holding and which has: a continuous length of at least 20 metres, or is part of any such length, or a continuous length of less than 20 metres where it meets (at an intersection or junction) another hedgerow at each end. Any gap resulting from a breach of the Hedgerows Regulations 1997, and any gap of 20 metres or less, will be treated as part of the hedgerow.
- 2 'Remove' includes any operation which uproots or otherwise destroys a hedgerow, either directly or indirectly.
- 3 The full obligations with which you must comply are contained in Regulation 5(1) and (9) of the Hedgerows Regulations 1997.

Hedgerow cutting or trimming

C. You must not

1. cut or trim any hedgerow on your farm between 1 March and 31 July (inclusive) each year (the main breeding season for birds) unless this work is necessary because any of the following apply:
 - the hedgerow overhangs a highway, road or footpath over which there is a public or private right of way and the overhanging hedgerow obstructs the passage of, or is a danger to, vehicles, pedestrians or horse riders;
 - the hedgerow is dead, diseased, damaged or insecurely rooted and is likely to cause danger by falling on to a highway, road or footpath; or obstructs the view of drivers or the light from a public lamp, for example, a street lamp;
 - to carry out hedge-laying or coppicing during the period 1 March to 30 April (inclusive);
 - to trim a newly laid hedgerow by hand, within 6 months of it being laid.

In some very limited circumstances you do not have to seek permission to remove a hedgerow. Permission to carry out hedgerow removal lasts for 2 years. Therefore, if you want to carry out the hedgerow removal for which you have sought permission, you need to do so within 2 years of the date of the written permission granted by the authority, or the date of your notification where the authority has not responded within 42 days.

The rules of this standard (GAEC 15) do not apply to hedgerows within, or marking the boundary of, the curtilage of a dwelling-house.

The cutting/trimming rules of this GAEC standard (GAEC 15) do not apply if a derogation has been granted. Information on under what circumstances RPA can grant derogations can be found in the introduction to this guide. You must apply to RPA in writing for this derogation and wait for written permission before carrying out any work.



Further advice and guidance

Hedgerow Regulations: Your Questions Answered is published by Defra and you can get a free copy by e-mailing: farmland.conservaion@defra.gsi.gov.uk

The Hedgerows Regulations 1997: A Guide to the Law and Good Practice is published by Defra and you can get a copy, free of charge, by e-mailing: farmland.conservaion@defra.gsi.gov.uk

Guidance for Cross Compliance in England: Management of Habitats and Landscape Features (rpa176) is available on our website at rpa.defra.gov.uk/crosscompliance/farmerguidance