

VEGETATION OVERHANGING THE PUBLIC HIGHWAY

Information

Kent County Council, as the Highway Authority, has a legal duty to protect the rights of the public to enjoy full-unobstructed access over the public highway. In addition we are concerned for the safety and convenience of the public, particularly pram and wheelchair users, the disabled, the partially sighted and the blind.

Rather than wait for complaints to be received, this Authority is seeking to avoid the necessity to complain.

In Kent our aim is to inspect every right of way at least once every six months for a number of maintenance issues, including obstruction of the public highway by vegetation. Where vegetation is found to be obstructing the highway, a note of the location is made and the owner or occupier notified by way of this pamphlet.

But I don't think the vegetation needs cutting back!

This is a comment we often receive. However, it is important that everyone is treated on an equal basis. Therefore, although the vegetation from your property may only overhang the highway by a small amount it is nonetheless still restricting the public right to full access over the highway.

We would therefore request that the entire width of the highway is clear for the free passage of pedestrians or vehicles, as appropriate, and that no streetlight or road sign is obscured. Minimum headroom of 2.3m (7'6") above pedestrian areas and 5.2m (17'0") above the carriageway and area immediately adjacent for a distance of 0.45m (1'6") is required, as shown in the diagram. In addition, please ensure that all the vegetation is cut back vertically.

If we are unable to gain voluntary co-operation, it will unfortunately be necessary for a formal Notice to be served.

If we can help you on this or any other highway maintenance matter, please contact us during normal office hours using the following details:

Contact Centre: 0845-3450210

Public Rights of Way Team

