

Broadland Tree Warden Network Handbook

18. Planting Trees Adjacent to Highways

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In recent years there has been an increase in the number of Tree Wardens wishing to plant trees adjacent to highways. However, there appears to be a lack of appreciation of the restrictions and problems that may be encountered when embarking on such a project. This section of the Handbook outlines a procedure that must be followed in all cases.

Norfolk County Council owns and is responsible for trees in the public highway (highway trees).

Under the Highways Act 1980 Norfolk County Council as a highway authority has a statutory duty to maintain its highways for use by the public. This activity contributes to the corporate objective of promoting safe neighbourhoods. The management of highway trees to ensure they do not pose a danger to the public or property (and third party trees that may affect the highway) falls within this duty.

Furthermore, the national Code of Practice "[Well-maintained highways](#)" 2005 recommends that authorities should develop, with arboricultural advice, a strategy for the installation, management, removal and replacement of highway trees. The strategy should recognise the amenity and nature conservation value of trees, but also seek constructively to manage ongoing risk to the authority.

Norfolk County Council has produced this in its [Tree Safety Management Policy](#).

The Highways Act 1980 only allows for public bodies to be granted a licence to plant trees on highway land. Therefore permission to plant trees on highway land will only be granted to district councils and parish councils within Norfolk and not to the general public.

In terms of Broadland Tree Wardens this means that Tree Wardens are classed as members of the public and are not able to apply for a licence to plant trees on highway land.

Broadland Tree Wardens must, therefore, request that Broadland District Council or the relevant parish council makes the application on their behalf.

Whilst Norfolk County Council is responsible for trees growing on adopted highway verges, in almost all cases the boundary hedges and trees next to roads are the responsibility of the adjacent landowner.

Parish Councils can apply for a "licence to cultivate" to allow them to plant trees in a highway verge. This is something that is usually an agreement arranged by Highway Engineers with a parish council.

Roadside nature reserves is something that may well appeal to Tree Wardens as a possible and worthwhile project. Norfolk's roadside verges stretch for thousands of miles and are such an integral part of the landscape that it is easy to take them for granted, yet many verges contain plant species that, although once common, are now nationally rare or scarce.

To help to protect them, these special sites are designated Roadside Nature Reserves under the Roadside Nature Reserve Scheme and are individually managed to benefit the plants and animals that live there.

There are currently 111 Roadside Nature Reserves in Norfolk, with a combined length of almost 10 miles, and new verges are designated each year. Roadside Nature Reserves are demarcated with posts which identify the stretch of special interest.

Most Roadside Nature Reserves are cut at the end of the summer when the plants have had a chance to flower and set seed. They are cut using a tractor mounted suction flail and the clippings are removed from the site.

Broadland Tree Wardens are strongly advised to consult Norfolk County Council before embarking on any planting project adjacent to the highway. The Broadland Tree Warden Network will not be held responsible for any Tree Warden, town council, parish council or parish meeting that fails to follow the advice given in this Handbook.