

Environment Sub-Committee

4 September 2018

Present: Councillor B Burdis (Chair)
Councillors L Bell, K Bolger, T Brady, C Davis,
D Drummond, E Hodson, W Lott, J Mole and W Samuel.

E07/09/18 Apologies

An apology for absence was submitted on behalf of Councillor G Madden.

E08/09/18 Substitute Members

There were no substitute members reported:

E09/09/18 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

E10/09/18 Minutes

Resolved that the minutes of the meeting held on 3 July 2018 be confirmed.

E11/09/18 Overhanging Foliage/Branches on Pavements

Consideration was given to a report which provided an overview on how the Authority dealt with branches and foliage which was encroaching over roads and footpaths.

It was explained that as part of the process for setting the work programme for the various scrutiny sub committees members of the public were invited to submit suggestions for topics which were of concern to residents. One of the topics received related to the problem that members of the public have in using pavements where shrubs, bushes and other vegetation was overgrowing the footpath.

The member of the public who had submitted the suggestion had been invited and was in attendance at the meeting. He explained that foliage overhanging the pavements was a problem for pedestrians because it forced them to walk on the road, which was not a safe thing to do. Overhanging foliage was a particular problem for those who were blind or partially sighted as they could not easily see the obstruction, which was often at head height. He explained that there was a particular problem with woody plants, such as roses, which could do physical harm to passers-by. Overhanging foliage was also a problem for the elderly and people with buggies and wheelchairs especially when there were also vehicles parked on the pavement.

It was suggested that residents and businesses needed to carry out pruning to reduce shrubbery which was overhanging pavements and where they did not then appropriate enforcement action needed to be taken.

The Sub-committee was advised that, under the Highways Act 1980, there was a requirement that the public highway should be kept clear of obstructions. Section 154 of the Act gave the Authority powers to require the removal or cutting back of trees, shrubs and hedges that obstruct or endanger highway users. It was explained that although there was no specific guidance issued it was generally accepted that the minimum clearance should be 2.5 metres over a footpath and 5.2 metres over a roadway.

It was explained that the Authority relied on routine highway inspections to identify obstructions to the highway as well as members of the public to report an obstruction. When a member of the public reported an obstruction it would be inspected and recorded, with photographs taken. A letter would then be sent to the landowner to advise them of the obstruction and outline what they needed to do to rectify the situation. They were given 14 days to carry out the works. If, following a further inspection, the suggested works had not been carried out a second letter would be sent to the landowner/occupier giving them a further 14 days to carry out the works. In the majority of cases this resolved the issue.

A number of members reported on the issues they had had regarding overgrown vegetation and the time that it had taken for the issue to be resolved. It was noted that it seemed to be a borough wide problem and not restricted to specific areas of the borough.

It was suggested that residents should be encouraged to undertake work to prevent their shrubbery overhanging the boundary of their property.

The Sub-committee was advised that Guide Dogs for the Blind had been given advice that it was in order for people to prune back shrubbery which was overhanging the footpath. Members suggested that it would be a good idea for the local community to be encouraged to look after their own area and to in effect police the problem themselves.

It was suggested that it might be worth raising awareness of the problem, perhaps through an article in the Our North Tyneside residents' magazine or via community newsletters etc.

It was also suggested that further information was needed as to the extent of the problem in the borough and whether there were specific hotspots where the problem was worse.

It was **agreed** that a further report be presented to the next meeting with details of the extent of the problem in the borough.