

**Denbighshire County Council - Highway Rural Grass cutting Policy**

**1. Background**

- 1.1 In its role as Highway Authority, Denbighshire County Council has a legal responsibility to keep its highways available and safe for the passage of the highway user.
- 1.2 It also has the duty to (reasonably) maintain and repair the highway and to keep the surface of the road free from material which might otherwise obstruct or prevent its safe use.

**2. Considerations**

- 2.1 The 'Well Maintained Highway – Code of Practice for Highway Maintenance' sets out recommendations and good practice for cutting highway verges, including the advice that local authorities should develop their own local standards.
- 2.2 Section 41 of The Highways Act 1980 requires all Highway Authorities to ensure that road users have safe passage along the highway. In relation to vegetation, this has been interpreted to mean that overhanging branches are cut back and that grass is cut such that forward visibility is not unduly impaired.
- 2.3 Under Section 40(1) of the 2006 Natural Environment and Rural Communities Act (NERC) every public body has a statutory duty, when exercising its functions, to "have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". The council therefore has a statutory duty to consider biodiversity when planning its grass cutting activities
- 2.4 In order to fulfil this duty the council has designated nine Roadside Nature Reserves for rare or notable plant species and/or habitats. These areas receive special environmental management. On certain other roads, the grass cutting regime is less intensive than normal, and these are referred to as the 'Biodiversity Areas'.

**3. Verge Cutting Standards and Frequencies**

**3.1 Urban Areas**

- Verges are cut up to five times per annum, depending on the growth that season.
- The grass and vegetation is reduced to a height not exceeding 40mm.

**3.2 Rural Roads**

- Verges are cut twice annually (if required): one swathe in May/June, one swathe or full verge width\* in September/October.
- A full width cut will also be undertaken at least every three years, in order to prevent scrub encroachment onto the verge.
- More frequent cutting may be required on visibility splays etc. This is assessed according to risk.
- Verges are cut to a maximum length of 75mm.

### 3.3 Biodiversity Areas

- Certain rural roads have been classed as 'Biodiversity Areas' and receive less-intensive management for the benefit of biodiversity.
- Visibility splays only will be cut in June.
- One swathe or full verge width\* will be cut in late July/August. Every effort will be made to delay this cut for as long as possible, whilst taking highway safety into consideration.
- a full width cut will be undertaken at least every three years to prevent scrub encroachment onto the verge.

### 3.4 Roadside Nature Reserves

- Management according to individual schedules, depending on the plant species or habitats present.
- Cuttings to be collected after each cut as specified in the schedules.

### 3.5 Schedules of roads within each category

- Road designations can change from time to time, according to circumstances.
- The latest schedules will be made available on the council internet site

Denbighshire County Council - Map extracted from highways Grounds maintenance tender – showing biodiversity cut area

