



Roads and farmers

Liability We can take action against landowners or occupiers who create a danger either on or next to the road. Be aware that if you don't take adequate precautions, or fail to comply with highway legislation, then in the event of an accident you may be liable for a substantial compensation claim which might not be covered by your insurance policy. **Mud on roads** Landowners and occupiers have a duty not to obstruct the public highway, or do anything which could inconvenience or endanger the public. It is an offence under the [Highways Act](#) to allow soil or refuse from land next to a public highway to fall, be washed, or carried on to the road. If we consider mud on the road to be hazardous we will contact you and ask for it to be removed. If it isn't removed in a reasonable time we will arrange for the work to be done and you will be charged for this. In serious cases the police can take action to ensure mud is removed. You can get advice about reducing soil erosion from [The Farming and Wildlife Advisory Group](#) and [ADAS](#). **Animals** Clean any mess from animals using the highway as soon as possible. If animals walk on the verge take care to prevent damage to grips and ditches and areas of special wildlife value. Whenever cattle or sheep are moved along or across a road, the person moving the animals has responsibility for safety to the highway users. At regular crossing points where visibility is poor, permanent crossing signs may be permitted. You can request these by phoning us on **0345 155 1004**. Cattle grids can only be installed on the public road after consultation with us, we may also want to provide the design specification for any grids to be installed. **Agricultural vehicles** Slow farm machines on busy roads can quickly cause long traffic queues. This can result in accidents as drivers become frustrated and take risks.

- Vehicle widths must comply with the latest regulations, and must be suitable for the road they are going on, to avoid damaging verges and hedges.
- Pull into laybys and similar safe spaces to allow following traffic to pass safely.
- Avoid travel on main A roads at peak times between 7.30am to 9am and 5pm to 6.30pm.
- Take care not to overload trailers or muck spreaders, or carry loads that overhang a long way and obstruct other traffic.

Farm gates Gates must always open on to the field and not on to the road or verge. Gates cannot be put up across a public highway. **Storage** It is an offence to store or stand anything on the public highway or on the verges. We have legal powers to have items removed if necessary.

Verges, trees and ditches

Weeds and pest control

When using weed and pest control chemicals near a public road: only use pesticides approved by the [Pesticides Safety Directorate](#) employ trained operatives, or ensure that you and any staff have the correct training.

You should always:

- remove harmful weeds from your land in accordance with the [Weeds Act](#)
- phone us on **0345 155 1004** to tell us if any weeds on the highway verges are affecting your farming operations
- phone us on **0345 155 1004** to tell us if any Japanese Knotweed is growing on the highway verge. If Japanese Knotweed is growing on your land it is your responsibility to manage; it should not be flailed or mowed as this will cause it to spread.

Hedge cutting

Under the [Highways Act](#), roadside hedges are the responsibility of the landowner who has to:

- prevent the hedge from overhanging the highway
- prevent hedges from obscuring street lights and road signs
- clear the road of debris after hedges have been cut
- meet the obligations of the [Wildlife and Countryside Act 1981](#) ensuring that nesting birds, bats and dormice are protected.

If we consider that a hedge interferes with safe use of the highway and you do not take action to cut it we can serve a formal notice asking you to remove it.

We recommend trimming hedges in January and February to ensure that nuts and berries are available for birds and other wildlife. Trimming should not take place during the main bird breeding season of March to July unless it's unavoidable for road safety.

Where possible hedges should be cut on a two or three year (or longer) cycle. If the hedge has to be cut every year for visibility or drainage you should consider only cutting the top of the hedge once every two or three years. The [Natural England Environmental Stewardship Scheme](#) provides opportunities for farmers to be rewarded for sensitive hedgerow management.

On major routes we will cut hedges on the inside of bends and at junctions to maintain visibility.

The [Hedgerow Regulations 1997](#) state it is an offence to remove a hedgerow or section of hedgerow without notifying your local planning authority. For more details contact your city, borough or district council, or National Park Authority governing your area.

You can get advice on maintaining hedges from [The Farming and Wildlife Advisory Group](#) and the [Devon Hedge Group](#).

Roadside trees

www.devon.gov.uk/roadsandtransport

Trees improve the environment and provide an excellent habitat for wildlife. However, landowners have an obligation under the Highways Act to ensure that the trees on their land do not endanger highway users.

- Carry out [regular checks of trees on your land](#) that might fall onto the highway and arrange for any necessary tree surgery work.
- Ensure that trees overhanging the highway don't cause an obstruction to the normal passage of vehicles.
- Plant trees in hedgerows where they won't be a danger to road users.
- Remember that you might need permission to lop a tree covered by a tree preservation order.

Highway verges

It is an offence to deposit objects on highway verges which could cause an obstruction or hazard.

- Don't leave farm materials on highway verges.
- Don't place stones on the verge to prevent parking.
- Don't drive on the verges as this may damage easements, ditches and grips.
- Driving on verges may harm wildlife and bring mud onto the road.
- Park all machinery off highway verges and away from sight lines.
- Find out if any verges alongside your land are protected for their special wildlife value.

Ditches and drains

Ditches on land near the highway which take water from the road are your responsibility. We may sometimes have to take measures to drain the water from the highway on to adjacent land. If this affects you we may be able to pay compensation for any damage caused by the work.

- Regularly clean the waterways on your land in areas where they drain the highway.
- Check headwalls and grills regularly.