

In the first instance check what the arrangements are for reporting overhanging items within your parish. Some highways departments prefer to do it themselves, some have an online reporting system, some like their town/parishes to sort it out. If you are going to go down the route of sending out letters, make sure your council has discussed and agreed this, the letters do after all go out in their name and they may not like any negative press that could possibly ensue.

The letter below was written in conjunction with our highway engineer, who asked that in the first instance the parish council contacts residents. I'd recommend that, if possible, a councillor knocks on the resident's door and speaks to them about the issue first (this can then be followed up with a letter confirming the visit if required). I usually adapt the letter slightly to fit the situation/problem being caused by the overhanging items.

Dear Resident,

A tree which is believed to be on land owned or occupied by you is growing out into and over the road. This is a potential hazard to anyone trying to walk along this road and is also encroaching on overhead wires. It is the responsibility of the resident to ensure that any hedges, trees and shrubs growing within the boundary of their property does not obstruct or overhang a public footpath or road.

The Parish Council would appreciate if you could arrange for the tree to be safely cut back within 28 working days of this letter. Please note that if any trees have TPO's on them or are within the conservation area, you will need to contact Amber Valley Borough Council to obtain authority to carry out the work.

If the tree is not cut within the stated time frame, the Parish Council may have to regrettably consider reporting the matter to Derbyshire County Council, who, as the body responsible for highways, may serve against you an order to carry out this work under Section 154 (1) Highways Act 1980. Ironville Parish Council very much hopes that this will not be necessary though, as it much prefers to work with residents to resolve issues such as this.

If the vegetation listed above does not belong to you, please accept Ironville] Parish Council's apologies for contacting you, and let the Clerk know which property it belongs to.

Thank you very much for your assistance with helping to keep footpaths and roads in the village safe for everyone to use.