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STATUTORY INSTRUMENTS

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**1997 No. 1160**

**The Hedgerows Regulations 1997**

**Replacement of hedgerows**

8.—(1) Subject to regulation 15, where it appears to the local planning authority that a hedgerow has been removed in contravention of regulation 5(1) or (9), the authority may (whether or not proceedings are instituted under regulation 7), give a notice to the owner, requiring him to plant another hedgerow or, where the hedgerow has been removed by or on behalf of a relevant utility operator, give a notice to that operator requiring it to plant another hedgerow.

(2) A notice under paragraph (1) shall specify the species and position of the shrubs, or trees and shrubs, to be planted and the period within which the planting is to be carried out.

(3) Subsections (1), (2) and (6) of section 209 (execution and cost of works required by s.207 notice) of the 1990 Act shall apply, with the necessary modifications, to shrubs and trees whose planting is required by a notice under paragraph (1) as if they were trees whose planting was required by a notice under subsection (1) of section 207 (enforcement of duties as to replacement of trees) of that Act.

(4) A hedgerow planted in compliance with a notice under paragraph (1) or by virtue of paragraph (3) shall be treated—

- (a) for the purposes of these Regulations;
- (b) for the period of 30 years beginning with the date of substantial completion of the planting, as if it were an “important” hedgerow within the meaning of regulation 4.