

## Farming and the public highway



Cumbria County Council, Capita Symonds and Amey  
working in partnership to improve your roads



## Farming and the public highway

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### Who is Cumbria Highways?

Cumbria Highways is the partnership between Cumbria County Council (the Highway Authority) and two private companies – Amey and Capita Symonds. Together we maintain Cumbria's road network of around 4,600 miles of which 3,550 are rural routes.

### Working in partnership with the agricultural industry

Cumbria Highways is keen to work in partnership with farmers and agricultural contractors to help ensure that a number of maintenance issues which affect the highway are attended to. This guide highlights a number of areas where working together can greatly help Cumbria Highways sustain a safe and serviceable highway network for all users. Cumbria Highways, like the farming community, is subject to change and therefore it is important that we try, wherever possible, to work jointly in order to meet respective areas of responsibility in the most effective way.

## Ditches and drains

Good drainage is essential to the highway. Rural areas rely to a great extent on ditches to remove water and their effectiveness is fundamental to keeping roads in good condition. Cumbria Highways deals with storm water run-off from the highways by maintenance and cleansing of gullies and grips, but the effectiveness of such work is dictated by the condition of the roadside ditches. Common law imposes a duty on the occupier of land adjoining highways to maintain these roadside ditches which provide natural drainage for both the land and the highway. Failure to maintain drainage causes roadside verges and the edges of carriageways to quickly deteriorate.



## Advice

### Preparation and cleaning up

Advance warning signs should be put out in both directions prior to commencing work. See 'Safety on the highway' for advice on correct signage.



### Maintenance requirements

Ditches should be kept clear of any obstruction to the flow of water and deep enough to carry the water. Close to the carriageway, depth must be limited. If a deep ditch appears unavoidable, contact Cumbria Highways before commencing work.

Material excavated from the ditches during maintenance should not be deposited where it will block grips or be carried on to the road. It should be leveled to allow subsequent mowing to take place.

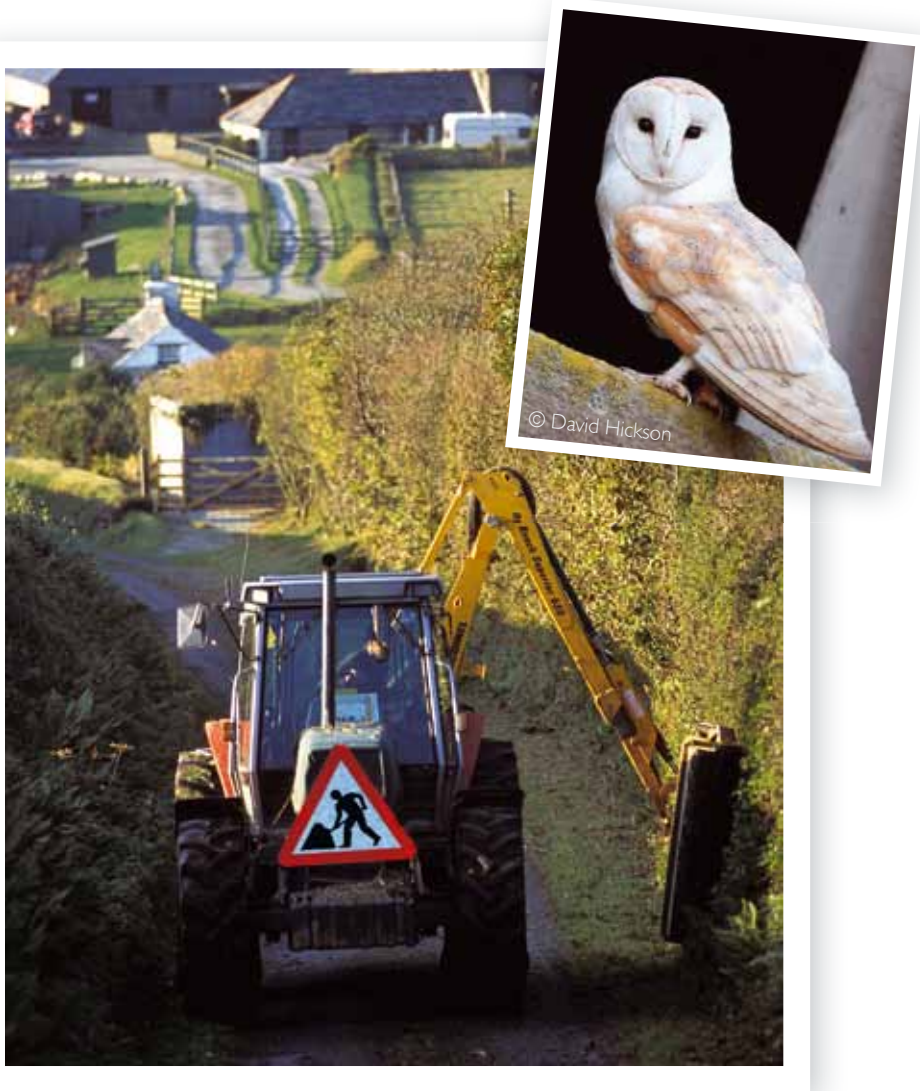
Any accumulation of material in excess of 300mm above the carriageway should be removed from the highway, as should any rubbish or tree roots.

Pipes and grids etc. should also be kept free of obstruction. Cumbria Highways' agreement must be sought before piping any ditch to ensure that an adequate system is installed.

Any occupier of land that is adversely affected by highways drainage should contact Cumbria Highways.

## Hedge cutting

Hedges are the responsibility of the adjoining landowner or occupier. Modern machinery has revolutionised trimming by reducing the cut material to a small size but can deposit it over verges and sometimes the width of the road.



### Advice

#### Preparation

Signs should be erected well in advance of the work in both directions. When a long section is being done, additional intermediate signs are needed. See 'Safety on the highway' for advice on correct signage.

#### Maintenance requirements

Hedges and trees adjacent to the highway must not be allowed to interfere with the safe use of the highway by vehicles, pedestrians or cyclists. Overhanging branches or hedges which obstruct passage or visibility or impair the effectiveness of streetlights should be lopped or trimmed. Cumbria Highways may, if necessary, serve notice on landowners to undertake maintenance.

#### Hedge cuttings

Hedge cutting should be carried out ensuring that cuttings do not fall onto the footway or highway. Any which do must be removed immediately as they can cause great difficulty and potential danger for all road users, particularly cyclists and animals. There is a legal obligation in the 1980 Highways Act under Section 149 to this effect.

The government is spending millions through the environment and health departments in persuading people to cycle and walk. Large sums are being spent on improving the walking and cycle network (including those in Cumbria). Families and cyclists of all abilities who use these lanes and cycle-ways inevitably suffer punctures when cuttings are left on the surface. Repairs often have to be carried out in winter weather and/or in the dark, taking considerably longer and thus discouraging the use of cycles.

#### Damage to drainage systems

If, when doing hedge works, the drainage channels from the roadside to the main ditch are damaged by tractor wheels they should be re-opened. These channels are known as grips. Similarly, if grips or ditches look likely to become blocked from the cuttings they should be cleared.

#### Barn owls

Barn owls have suffered a serious population reduction since the 1930s. They can be helped by allowing some roadside hedges to grow taller when it is safe to do so. This will encourage the owls to fly higher and reduce the risk of being hit by vehicles.

## Cutting of grass verges by farmers

Cumbria Highways maintains the roadside verges in an environmentally conscious manner, to ensure that the wild flora and fauna are protected. Sections of verge containing unusual or protected species are designated as 'special'. Cumbria Highways can advise on this.

There is no objection to farmers cutting grass verges subject to the following conditions stipulated by Cumbria Highways:



- a. Protect the safety of the traveling public.
- b. Safeguard the flora and fauna and ensure that sections of the verge designated as 'special' are retained in good condition. This is best achieved by the following guidelines:
  1. Do not apply herbicides.
  2. Do not apply inorganic fertiliser or slurry.
  3. Time the cutting of grass to allow wild flowers to set seed.
  4. Grass cut for silage should be wilted and turned.



## Vehicle safety requirements

### Secure loads on vehicles

Trailers and muck spreaders passing along the road should not be loaded to the extent that vibration causes them to overflow. The load carried must be properly secured so as not to cause danger.

### Wide vehicles

Do not use vehicles that are too wide for the road. Overrunning of verges causes mud to spread onto the road, breaks up the edges of the road and damages draining arrangements. Cumbria Highways has powers to claim compensation from any person causing extensive damage to a highway by vehicles of excessive weight or width passing along it.

### Conditions relating to the width of agricultural vehicles

- a. If the width of an agricultural motor vehicle exceeds 3 metres, and the whole or part of the journey to be made by the vehicle will be on a road which has a speed limit of 40 mph or less or will cover a distance exceeding 5 miles:  
The operator of the vehicle must give 24 hours notice to the police. The maximum permitted speed of the vehicle is 20mph.
- b. If the width of an agricultural motor vehicle exceeds 3.5 metres, at least one person other than the driver shall be employed to warn other drivers of the presence of the vehicle on the road. The maximum permitted speed of the vehicle is 12mph.
- c. The overall width of the vehicle must not exceed 4.3 metres.
- d. 16 year old drivers holding a category F licence are restricted to driving a tractor with a maximum width of 2.43 metres.

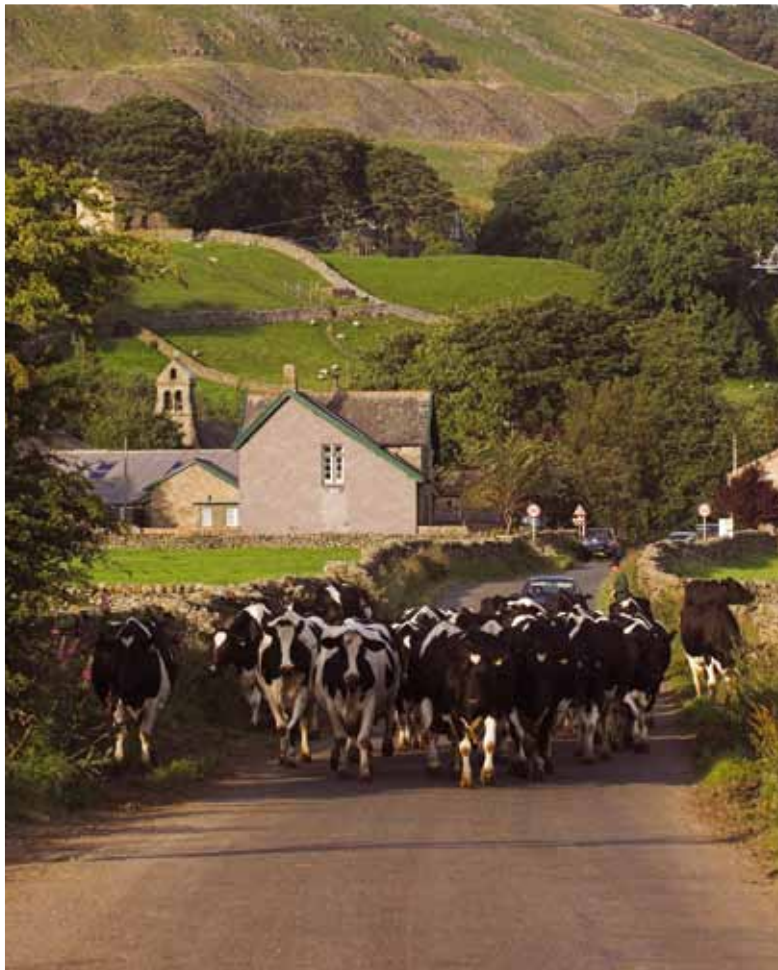
### Slow moving vehicles

Drivers of slow moving vehicles on main roads should remain aware of any tail-backs they are causing and, when appropriate and safe to do so, should pull in. On dual carriageways, amber flashing beacons must be used to warn traffic of the presence of slow vehicles. It is, however, strongly recommended that they are used on other roads as an additional warning / safety feature. Avoid using the roads during periods of heavy traffic, if possible.



## Mud on the roads

Mud on the highway deposited by farm animals and machinery causes inconvenience to the public and brings the industry into disrepute. Above all the safety of road users is put at risk. It is an offence to deposit mud on roads and simple precautions can overcome the danger.



### Advice

#### Preparation and cleaning up

Prior to any activity likely to bring mud onto the highway, warning signs should be set up in both directions (see 'Safety on the highway' for advice on correct signage). Mud arises from vehicles, equipment and animals. Remember, signs do not in themselves prevent liability for accidents that occur. Failure to clean the road of mud can result in Cumbria Highways doing this work and charging for it.

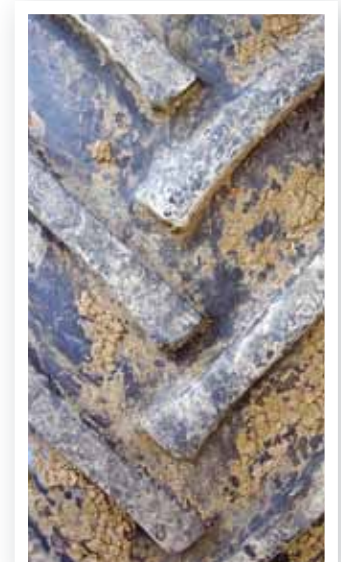
Those responsible for the work or moving cattle must ensure that it is carried out safely and must ensure that the highway is clean afterwards. If deposits on the road are insufficient to warrant immediate cleaning, care must be taken to prevent an accumulation of mud and manure from building up.

#### Mud on wheels

Excessive quantities of mud and soil must be removed from vehicle wheels before moving onto the highway. Hardened areas through gateways can help to remove mud from the wheels.

#### Soil and water from adjoining fields

Landowners are responsible for mud and water running off fields onto roads and can be required to do works to prevent this happening. Attention beforehand can prevent the problem. Limits on cultivation in terms of direction and proximity to boundaries will reduce the risk, as will paying attention to the direction of ploughing etc.



## Safety on the highway

Working on or adjacent to the highway may impair the safety and free movement of vehicles and pedestrians. You should take all reasonable steps to ensure the effects of the works are reduced to a minimum through proper signing and guarding.

Farmers and agricultural contractors, when carrying out works within the highway such as hedge cutting, cleaning out ditches, cutting of grass verges etc., should inform Cumbria Highways, who will give you advice on the appropriate type of signing and on the basic requirements for vehicles being used. In general:

### Warning signs

- Erect the necessary warning signs before you start any work that will affect the highway, but make sure you remove them on completion of the work.
- Ensure that all signs placed on the highway are self-supporting and weighed down to prevent them from being blown over.
- Ensure that all signs are clean.
- Put the signs in place well in advance of the work and ensure that they are clearly visible on every approach to the affected areas.
- Only authorised signs should be used. These are available from your local agricultural merchant.

### Signs and warning equipment on vehicles

- Vehicles working on the highway must use an amber flashing beacon mounted so that it is clearly visible at all times to traffic from any direction, whether the vehicle is in operation or stationary.
- Where fitted, keep lights clean and in proper working order and use dipped headlights during the day to help warn other road users.
- To get a clear view of the road and vehicles behind you, fit an effective offside rear view mirror.
- Work in the direction of traffic only.

### Signage for work being carried out on the road

The following warning sign denotes work being carried out on the road. A fixed plate below should indicate the type of work e.g. hedge cutting, grass cutting, weed spraying, men working etc.



### Signage for hazards on the road

The following warning sign denotes a hazard on the road. A fixed plate below should indicate the type of hazard e.g. mud on road, cattle etc.



### Personnel

- All personnel should wear reflective high visibility clothing.

## Miscellaneous

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### Damage to the highway

Damage caused to roadside ditches, drainage grips and verges, whilst works are being carried out, should be repaired on completion of the work. Care must be taken to avoid damage to street furniture such as signs, hazard marker posts, bridge walls etc. Report any significant damage to Cumbria Highways' property, caused by agricultural vehicles, to Cumbria Highways or the police.

### Storage of timber and other materials on roadside verges

The storage of building materials, felled timber and the like on roadside verges is not encouraged. In exceptional circumstances, permits will be issued by Cumbria Highways for such storage, subject to certain conditions and indemnity for third party claims being provided.

### Ragwort

Cumbria Highways carries out an annual program of works to reduce the amount of ragwort that grows on highway verges. If land owners/occupiers are concerned about ragwort growing on the highway in the vicinity of their property they can report the matter to Cumbria Highways.



### Regular use by cattle

At regular cattle crossing points where visibility is restricted, Cumbria Highways can erect cattle warning signs upon request.



### Services in the highway

Any need for services to be installed in the highway will normally be handled by the appropriate statutory undertaker. Any private services for drainage or irrigation etc. will need a licence from Cumbria Highways to ensure it is installed satisfactorily.

### Spraying with chemicals

Covered by pesticide regulations and control of substances hazardous to health (COSHH). Roadside verges are areas where wildlife and plants can exist undisturbed. Use of chemicals near to roadside verges should avoid drift or overspray so that flora and fauna are not affected. Noxious weeds should be referred to Cumbria Highways for treatment.

## Contact

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For further copies of this booklet and additional help and advice, please contact the Cumbria Highways hotline on:

Tel: 0845 609 6609

Email: [contact@cumbriahighways.org.uk](mailto:contact@cumbriahighways.org.uk)







Cumbria **Highways**

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