

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Hedgerows Regulations 1997*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PROSPECTIVE

SCHEDULE 1

ADDITIONAL CRITERIA FOR DETERMINING “IMPORTANT” HEDGEROWS

PART II CRITERIA

Wildlife and landscape

- 7.—(1) Subject to sub-paragraph (2), the hedgerow includes—
- (a) at least 7 woody species;
 - (b) at least 6 woody species, and has associated with it at least 3 of the features specified in sub-paragraph (4);
 - (c) at least 6 woody species, including one of the following—
 - black-poplar tree (*Populus nigra* ssp *betulifolia*);
 - large-leaved lime (*Tilia platyphyllos*);
 - small-leaved lime (*Tilia cordata*);
 - wild service-tree (*Sorbus torminalis*); or
 - (d) at least 5 woody species, and has associated with it at least 4 of the features specified in sub-paragraph (4),

and the number of woody species in a hedgerow shall be ascertained in accordance with sub-paragraph (3).

(2) Where the hedgerow in question is situated wholly or partly in the county (as constituted on 1st April 1997) of the City of Kingston upon Hull, Cumbria, Darlington, Durham, East Riding of Yorkshire, Hartlepool, Lancashire, Middlesbrough, North East Lincolnshire, North Lincolnshire, Northumberland, North Yorkshire, Redcar and Cleveland, Stockton-on-Tees, Tyne and Wear, West Yorkshire or York⁽¹⁾, the number of woody species mentioned in paragraphs (a) to (d) of sub-paragraph (1) is to be treated as reduced by one.

- (3) For the purposes of sub-paragraph (1) (and those of paragraph 8(b))—
- (a) where the length of the hedgerow does not exceed 30 metres, count the number of woody species present in the hedgerow;
 - (b) where the length of the hedgerow exceeds 30 metres, but does not exceed 100 metres, count the number of woody species present in the central stretch of 30 metres;
 - (c) where the length of the hedgerow exceeds 100 metres, but does not exceed 200 metres, count the number of woody species present in the central stretch of 30 metres within each half of the hedgerow and divide the aggregate by two;

⁽¹⁾ In relation to the City of Kingston upon Hull, North and North East Lincolnshire and the East Riding of Yorkshire, see S.I. 1995/600; to Darlington and Durham, see S.I. 1995/1772; to Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees, see S.I. 1995/1747; to Lancashire, see S.I. 1996/1868; and to North Yorkshire and York, see S.I. 1995/610.

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- (d) where the length of the hedgerow exceeds 200 metres, count the number of woody species present in the central stretch of 30 metres within each third of the hedgerow and divide the aggregate by three.
- (4) The features referred to in sub-paragraph (1)(b) and (d) (which include those referred to in paragraph 8(b)) are—
- (a) a bank or wall which supports the hedgerow along at least one half of its length;
 - (b) gaps which in aggregate do not exceed 10% of the length of the hedgerow;
 - (c) where the length of the hedgerow does not exceed 50 metres, at least one standard tree;
 - (d) where the length of the hedgerow exceeds 50 metres but does not exceed 100 metres, at least 2 standard trees;
 - (e) where the length of the hedgerow exceeds 100 metres, such number of standard trees (within any part of its length) as would when averaged over its total length amount to at least one for each 50 metres;
 - (f) at least 3 woodland species within one metre, in any direction, of the outermost edges of the hedgerow;
 - (g) a ditch along at least one half of the length of the hedgerow;
 - (h) connections scoring 4 points or more in accordance with sub-paragraph (5);
 - (i) a parallel hedge within 15 metres of the hedgerow.
- (5) For the purposes of sub-paragraph (4)(h) a connection with another hedgerow scores one point and a connection with a pond or a woodland in which the majority of trees are broad-leaved trees scores 2 points; and a hedgerow is connected with something not only if it meets it but also if it has a point within 10 metres of it and would meet it if the line of the hedgerow continued.

Commencement Information

II Sch. 1 para. 7 in force at 1.6.1997, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Sch. 1 para. 7 coming into force by [S.I. 1997/1160 reg. 1](#)
- Regulations excluded by [S.I. 2016/818 art. 31\(4\)\(5\)](#)
- Regulations excluded by [S.I. 2017/330 art. 22\(4\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(4) inserted by [S.I. 2015/377 Sch. para. 35\(3\)](#)